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DTE Energy



10 CFR 73.21

September 26, 2003
NRC-03-0077

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington D C 20555-0001

- References:
- 1) Fermi 2
NRC Docket No. 50-341
NRC Operating License No. NPF-43
 - 2) NRC Regulatory Issue Summary 2002-15,
"NRC Approval of Commercial Data Encryption
Systems for the Electronic Transmission of
Safeguards Information," dated August 28, 2002
 - 3) Detroit Edison Letter to NRC, "Commercial Data Encryption
System Required by 10 CFR 73.21(g)(3)," NRC-03-0054, dated
June 13, 2003

Subject: Withdrawal of Request for Approval to Use Commercial Data
Encryption System Required by 10 CFR 73.21(g)(3)

Detroit Edison submitted a request for approval to use Privatel Model 960 electronic data encryption device with v6.01 software for the purpose of electronic transmission of Safeguards Information (SGI) in Reference 3. In conversations with the vendor since submittal of the request, Detroit Edison was notified that v6.01 software had been upgraded to v7.10 software. In addition, Privatel Model 960v with v6.01 software was no longer available.

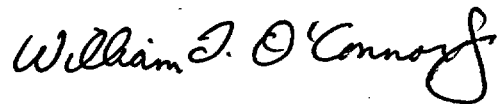
S003

In reviewing the National Institute of Standards and Technology (NIST) approved listing, it was determined that the Privatel Model 960v with v7.10 software had not been tested or re-validated by NIST. Therefore, Privatel Model 960v with v7.10 software does not conform to the Federal Information Processing Standard (FIPS) 140-1 and 140-2. At this time, the vendor has indicated that due to cost and resources, it is unlikely that the Privatel Model 960v with v7.10 software will be re-validated in the foreseeable future.

Therefore, based on the guidance given in Reference 2, that a commercially available encryption system must be validated by NIST as conforming to FIPS 140-1 and 140-2 to transmit SGI in electronic format, Detroit Edison would like to withdraw the request made in Reference 3.

Should you have any questions or require additional information, please contact Mr. Joseph Korte, Manager, Nuclear Security, at (734) 586-1095.

Sincerely,

A handwritten signature in cursive script, reading "William J. O'Connor".

cc: H. K. Chernoff
M. A. Ring
NRC Resident Office
Regional Administrator, Region III
Supervisor, Electric Operators,
Michigan Public Service Commission