

September 18, 2007

Mr. Jack M. Davis  
Senior Vice President and Chief Nuclear Officer  
Detroit Edison Company  
Fermi 2 - 210 NOC  
6400 North Dixie Highway  
Newport, MI 48166

SUBJECT: FERMIS 2 REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC  
DISCLOSURE (TAC NO. MD5416)

Dear Mr. Davis:

By letter dated April 27, 2007, Detroit Edison Company (licensee) submitted an affidavit dated April 24, 2007, executed by Pankaj Chaudhary from Holtec International, requesting that the information contained in the following document be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

Holtec Drawings 2357, 2541 and 2560

The affidavit was submitted to the U.S. Nuclear Regulatory Commission as part of an enclosure that contains proprietary information. In conversation with your staff, we have confirmed that the affidavit does not contain proprietary information. Therefore, we have requested your staff to submit affidavits accompanying a withholding request pursuant to 10 CFR 2.390 separate from proprietary enclosures in future submittals. The affidavit stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- a. Information that discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by Holtec's competitors without license from Holtec International constitutes a competitive economic advantage over other companies;
- b. Information which, if used by a competitor, would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing of a similar product.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the Holtec Drawings 2357, 2541 and 2560 marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended.

J. Davis

-2-

Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents. If the need arises, we may send copies of this information to our consultants working in this area. We will, of course, ensure that the consultants have signed the appropriate agreements for handling proprietary information.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified in advance of any public disclosure.

If you have any questions regarding this matter, I may be reached at 301-415-4093.

Sincerely,

**/RA/**

Adrian Muñiz, Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: See next page

J. Davis

-2-

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Sincerely,

**/RA/**

Adrian Muñiz, Project Manager  
Plant Licensing Branch III-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-341

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