

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman  
Dr. Anthony J. Baratta  
Dr. Randall J. Charbeneau

In the Matter of	Docket No. 52-033-COL
DETROIT EDISON COMPANY	ASLBP No. 09-880-05-COL-BD01
(Fermi Nuclear Power Plant, Unit 3)	February 28, 2013

ORDER  
(Identifying Questions for the Parties to Address in their  
Pre-filed Written Testimony on Contention 15)

In order to assist the parties in preparing their pre-filed written testimony on Contention 15, the Board has developed the following list of questions and issues that the parties' pre-filed written testimony should address. This list is intended to provide guidance to the parties concerning the questions and issues that the Board currently considers to be of primary importance. However, the list is not intended to be exclusive, and the Board may inquire into other areas during the evidentiary hearing. This Order is not intended to prohibit the parties from submitting testimony that concerns other issues relevant to Contention 15.

The questions and issues below pertain to all time periods relevant to Contention 15, both before and after the combined license application (COLA) was filed with the NRC.

1. Describe the Black and Veatch (B&V) quality assurance (QA) program used in connection with its safety-related COLA activities for the Fermi 3 project. State whether that QA program was audited by Detroit Edison (DTE) or others.

2. If DTE audited B&V's QA program, explain what DTE did in its audits to ensure

that B&V followed its own QA program, and that B&V's QA program met Appendix B requirements.

3. Describe to what extent and in what manner DTE supervised B&V's QA program.
4. Who was the QA manager for B&V's safety-related COLA activities for the Fermi 3 project?
5. What was the role of the Owner's Engineer in safety-related COLA activities for the Fermi 3 project? Was this individual an employee of B&V or DTE?
6. Identify any data DTE used in its COLA that it obtained from B&V before DTE had its own Fermi 3-specific QA program.
7. Before DTE had its own Fermi 3-specific QA program, what measures did DTE have in place to ensure data integrity and control after it was received from B&V?
8. What difference do Intervenor's maintain existed between the B&V QA program and the DTE's Fermi 3-specific QA program?

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ronald M. Spritzer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
February 28, 2013

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

DETROIT EDISON COMPANY )

(Fermi Nuclear Power Plant, Unit 3) )

(Combined License) )

Docket No. 52-033-COL

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Identifying Questions for the Parties to Address in their Pre-filed Written Testimony on Contention 15)** have been served upon the following persons by Electronic Information Exchange.

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Docket No. 52-033-COL

**ORDER (Identifying Questions for the Parties to Address in their Pre-filed Written Testimony on Contention 15)**

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[Original signed by Clara Sola]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 28<sup>th</sup> day of February 2013.