



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 3, 2015

Mr. Vito Kaminskas
Site Vice President - Nuclear Generation
DTE Electric Company
Fermi 2 - 280 OBA
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
(TAC NO. MF4222)

Dear Mr. Kaminskas:

By letter dated July 6, 2015, Agencywide Documents Access and Management System (ADAMS) Accession No. ML15187A457, you submitted two affidavits dated June 17, 2015 and June 24, 2015, executed by Lisa K. Schichlein of GE-Hitachi Nuclear Energy Americas LLC (GEH) and Neil Wilmshurst of Electric Power Research Institute, Inc. (EPRI), respectively, 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:

- Enclosure 1 to NRC-15-0066, "DTE Response to NRC Request for Additional Information for the Review of the Fermi 2 License Renewal Application – Set 33 – PROPRIETARY"

A nonproprietary version of this document is located in the letter (Enclosure 2 of this letter, ADAMS Accession No. ML15187A457).

The affidavits stated that the submitted information should be considered exempt from mandatory public disclosure for the following reasons:

- The information is identified as proprietary because it contains details on the GEH and EPRI's methodology for determining certain plant-specific details for boiling water reactors.
- Public disclosure of this information is likely to cause substantial harm to GEH and EPRI's competitive position.

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

Therefore, Enclosure 1 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.

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 U.S. Nuclear Regulatory Commission (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 301-415-3301 or e-mail Daneira.Melendez-Colon@nrc.gov.

Sincerely,

/RA/

Daneira Meléndez-Colón, Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: Listserv

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Sincerely,

/RA/

Daneira Meléndez-Colón, Project Manager
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: Listserv

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E. Keegan
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D. McIntyre, OPA
B. Kemker, RIII

Accession No. **ML15209A424**

* Concurred via e-mail

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