



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

October 4, 2019

EA-19-097

Mr. Paul Fessler, Senior VP
and Chief Nuclear Officer
DTE Energy Company
Fermi 2 – 260 TAC
6400 North Dixie Highway
Newport, MI 48166

**SUBJECT: CONFIRMATORY ACTION LETTER—FERMI POWER PLANT, UNIT 2
COMMITMENT TO ADDRESS DEGRADED TORUS COATINGS**

Dear Mr. Fessler:

This letter confirms commitments by DTE Energy Company in your letter dated September 26, 2019, (Agencywide Documents Access and Management System (ADAMS) Accession Number ML19270E090), to address degraded torus coatings at Fermi Power Plant, Unit 2.

During the May 2019 Design Basis Assurance Inspection (ML19211B289), the U.S. Nuclear Regulatory Commission (NRC) reviewed information related to degradation of torus coating which resulted in the initiation of a special inspection. During the special inspection, the NRC reviewed historical torus coating inspection results, suitability evaluations, and your current operability evaluation. Based on your letter and telephone discussions between you and I on August 15, 2019, DTE Energy Company committed to complete the following action prior to resuming power operation following the next refueling outage; the next refueling outage will begin no later than April 30, 2020:

- DTE commits to mitigate the degraded coating in the submerged portion of the torus by removing all coating in the submerged portion of the torus, including torus internals, and applying a qualified coating capable of withstanding design basis accident conditions.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

1. Notify me immediately, in writing, if your understanding differs from that set forth above;
2. Notify me, in writing, if for any reason you cannot complete the actions within the specified schedule and advise me, in writing, of your modified schedule in advance of the change;
3. Notify me, in writing, if for any reason you intend to change, deviate from or not complete any of the documented commitments set forth above, and advise me, in writing, of the changes or deviations; and

4. Notify me, in writing, when you have completed the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not modify or amend the DTE Fermi Nuclear Power Plant license and does not preclude issuance of an Order making the above commitments legally binding requirements or requiring other actions on the part of the licensee. In addition, the NRC is not precluded from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Rules of Practice and Procedure," a copy of this letter and your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, security-related or safeguards information, so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by Title 10 of the *Code of Federal Regulations* 2.390(b) to support a request for withholding confidential commercial or financial information).

If you have any questions concerning this matter, please contact Karla Stoedter of my staff. Ms. Stoedter can be reached at (630) 829-9731.

Sincerely,

/RA/

Darrell Roberts
Regional Administrator

Docket No. 50-341
License No. NPF-43

Letter to Paul Fessler from Darrell Roberts dated October 4, 2019.

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