

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

Stephen G. Burns, Chairman  
Kristine L. Svinicki  
William C. Ostendorff  
Jeff Baran

In the Matter of  
  
DTE ELECTRIC COMPANY  
  
(Fermi Nuclear Power Plant, Unit 2)

Docket No. 50-341-LR

**CLI-15-27**

**MEMORANDUM AND ORDER**

Beyond Nuclear moves to reopen the record of this proceeding to admit a new contention challenging the adequacy of the draft supplemental environmental impact statement (SEIS) prepared in connection with the subject license renewal application. Beyond Nuclear seeks to lodge a “placeholder” contention that challenges the NRC’s reliance, in the draft SEIS, on the 2014 Continued Storage Rule and associated Generic Environmental Impact Statement for Continued Storage.<sup>1</sup> As Beyond Nuclear acknowledges, its request is substantively identical

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<sup>1</sup> See *Beyond Nuclear’s Hearing Request and Petition to Intervene in License Renewal Proceeding for Fermi Unit 2 Nuclear Power Plant* (Dec. 4, 2015); *Beyond Nuclear’s Motion to Reopen the Record of License Renewal Proceeding for Fermi Unit 2 Nuclear Power Plant* (Dec. 4, 2015) (Motion). The Staff and DTE oppose Beyond Nuclear’s request. See *NRC Staff Answer to Beyond Nuclear’s Hearing Request and Petition to Intervene and Motion to Reopen the Record in the License Renewal Proceeding for Fermi Unit 2 Nuclear Power Plant* (Dec. 11,

to several motions that we have rejected in other reactor licensing proceedings.<sup>2</sup> For the reasons articulated in those decisions, we likewise *deny* Beyond Nuclear's motion.

IT IS SO ORDERED.

For the Commission

**NRC SEAL**

**/RA/**

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 23rd day of December 2015.

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2015); *DTE Electric Company Answer Opposing Petition to Intervene and Motion to Reopen* (Dec. 21, 2015).

<sup>2</sup> Motion at 2; see *Union Electric Co.* (Callaway Plant, Unit 1), CLI-15-11, 81 NRC 546 (2015); *DTE Electric Co.* (Fermi Nuclear Power Plant, Unit 3), CLI-15-12, 81 NRC 551 (2015); see also *Duke Energy Carolinas, LLC* (William States Lee III Nuclear Station, Units 1 and 2), CLI-15-15, 81 NRC 803 (2015).

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(License Renewal) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **COMMISSION MEMORANDUM AND ORDER (CLI-15-27)** have been served upon the following persons by Electronic Information Exchange.

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FERMI 2 (Docket No. 50-341-LR)  
**COMMISSION MEMORANDUM AND ORDER (CLI-15-27)**

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[Original signed by Herald M. Speiser ]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 23<sup>rd</sup> day of December, 2015