



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

November 4, 2019

Mr. Peter Dietrich
Senior Vice President and
Chief Nuclear Officer
DTE Electric Company
Fermi 2 - 260 TAC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR FERMI 2 (EPID L-2019-LLA-0199)

Dear Mr. Dietrich:

By letter dated September 5, 2019, (Agencywide Document Access and Management System (ADAMS) Accession No. ML19248C679) DTE Energy Company submitted an affidavit for Lisa Schichlein, dated October 8, 2018, which requested that the following information contained in Enclosure 4 to the letter be withheld from public disclosure pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390:

NEDC-33889P, "Fermi Nuclear Generating Station Unit 2: Fuel Storage Criticality Safety Analysis of Spent Fuel Storage Racks with Rack Inserts," Revision 0, October 2018.

A nonproprietary copy of this document (Attachment 5) to DTE's letter has been placed in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room and added to the NRC Library under ADAMS Accession No. ML19248C679.

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

Information discloses a process, method, or apparatus, including supporting data and analyses, where prevention of its use by GNF-A's competitors without license from GNF-A constitutes a competitive economic advantage over other companies; and

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 the statements in the affidavit, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the version of the submitted information 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 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 301-415-8004.

Sincerely,

/RA/

Sujata Goetz, Project Manager
Plant Licensing Branch III
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-341

cc: Listserv

SUBJECT: REQUEST FOR WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE
FOR FERMI 2 (EPID L-2019-LLA-0199) DATED NOVEMBER 4, 2019

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***by email**

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