



Entergy Nuclear
P. O. Box 31995
Jackson, MS 39286-1995

CNRO-2003-000025
NL-03-096
BVY-03-52
ENO Ltr. 2.03.080
JPN-03-013

June 3, 2003

Via Overnight Delivery

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738
301-415-7000

SUBJECT: Entergy Operations, Inc., Entergy Nuclear Operations, Inc. – Response to Issuance of Orders to Modify License for Revised Design Basis Threat and Compensatory Measures Related to Security Force Training and Fitness-For-Duty

| | |
|--|---|
| Indian Point 2 and 3 Nuclear Power Plant Docket Nos. 50-247 and 50-286 License Nos. DPR-26, DPR-64 | Vermont Yankee Nuclear Power Station Docket No. 50-271 License No. DPR-28 |
| Pilgrim Nuclear Power Station Docket No. 50-293 License No. DPR-35 | Arkansas Nuclear One Units 1 and 2 Docket Nos. 50-313 and 50-368 License Nos. DPR-51 and NPF-6 |
| James A. FitzPatrick Nuclear Power Plant Docket No. 50-333 License No. DPR-59 | Waterford 3 Steam Electric Station Docket No. 50-382 License No. NPF-38 |
| Grand Gulf Nuclear Station Docket No. 50-416 License No. NPF-29 | River Bend Station Docket No. 50-458 License No. NPF-47 |

REFERENCES: See Below

IF53

Dear Sir or Madam:

In response to the events of September 11, 2001, Entergy (Entergy Operations, Inc., or Entergy Nuclear Operations, Inc.) on its own and in response to NRC Advisories, Orders and industry initiatives, promptly initiated and maintained heightened security measures to continue to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety in the current threat environment.

On April 29, 2003, the NRC issued Orders requiring additional compensatory measures as prudent to address the current security threat environment. Pursuant to the requirements of 10 CFR § 50.4, the attachment to this letter contains Entergy's responses to the referenced Orders.

Entergy fully intends to comply with the Orders. Entergy notes the request for clarification of five Design Basis Threat (DBT) issues provided in the safeguards attachment to the letter from Mr. Colvin, President and CEO of the Nuclear Energy Institute, Inc., to Chairman Diaz dated May 16, 2003. Entergy encourages the Commission to respond to this request as soon as possible as the Commission's clarifications may affect the manner of its compliance with the Orders.

Pursuant to the requirements of 10 CFR § 2.202(a)(2), a document relating to the answers to the three Orders is being transmitted to the Secretary of the Commission under separate cover. In addition, Entergy has sent a letter to the Director, Office of Nuclear Reactor Regulation requesting an extension of time in which to submit an answer and request a hearing for one of the orders and for certain relief regarding the two other orders. As required by Condition III.C of the DBT Order and Condition III.C.2 of the other two Orders, Entergy will notify the Commission when full compliance with each Order has been achieved.

If you have any questions or require additional information, please contact Mr. L. England at 601-368-5766.

This letter includes new commitments as summarized in Attachment 2.

CNRO-2003-000025
NL-03-096
BVY-03-52
ENO Ltr. 2.03.080
JPN-03-013
Page 3 of 5

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 3rd day of June, 2003.

Sincerely,



Gary J. Taylor
Chief Executive Officer
Entergy Operations, Inc., Entergy Nuclear Operations, Inc.

GJT/LAE/bal
Attachments Response to Issuance of Orders
List of Commitments

REFERENCES NRC Letters from Samuel J. Collins to Holders of Licenses for Operating Power Reactors as listed in Enclosure 2, dated April 29, 2003 Regarding Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors (EA-03-086), Issuance of Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel (EA-03-039) and Issuance of Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038) (RBC-50030,50031 & 50027; GNRI 2003/00045,2003/00041& 2003/00040; 0CNA040310, 0CNA040311, & 0CNA040312; and ILN 03-0039,03-0040 & 03-0041 respectively)

cc: all w/ attachments

Mr. C. G. Anderson (N-GSB)
Mr. J. L. Blount (M-ECH-62)
Mr. W. R. Campbell (M-ECH-38)
Mr. W. A. Eaton (M-ECH-579)
Mr. P. D. Hinnenkamp (R-GSB-40)
Mr. J. R. McGaha (M-ECH-65)

Mr. N. S. Reynolds (W&S)
Mr. L. J. Smith (Wise Carter)
Mr. J. E. Venable (W-GSB-300)
Mr. M. J. Wetterhahn (W&S)
Mr. G. A. Williams (G-ESC3-VPO)

CNRO-2003-000025
NL-03-096
BVY-03-52
ENO Ltr. 2.03.080
JPN-03-013
Page 4 of 5

cc: (Continued)

Mr. T. W. Alexion, P.M., (ANO-2)
Mr. N. Kalyanam, P.M., (W-3)
Mr. J. L. Minns, P.M., (ANO-1)
Mr. B. K. Vaidya, P.M., (GGNS)
Mr. M. K. Webb, P.M., (RBS)
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O7-D-01
Washington, DC 20555-0001

U. S. Nuclear Regulatory Commission
ATTN: Mr. Samuel J. Collins, Director
Office of Nuclear Reactor Regulation
Mail Stop O5-E-07
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738
301-415-7000
(via overnight delivery)

Office of the Secretary
U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, DC 20555-0001
(via facsimile)

Mr. Bernard R. Bevell
Director Division of Radiation
Control and Emergency Management
Arkansas Department of Health
4815 West Markham Street
Little Rock, AR 72205

Mr. Hubert Miller
Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Mr. P. J. Alter, SRI, RBS w/a
Mr. R. L. Bywater SRI, ANO w/a
Mr. M. C. Hay, SRI, W-3 w/a
Mr. T. L. Hoeg, SRI, GGNS w/a
(SRIs via Company Mail)

Assistant General Counsel for Materials
Litigation and Enforcement
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
(via facsimile)

Regional Administrator
U. S. Nuclear Regulatory Commission,
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Dr. E. F. Thompson
State Health Officer
State Board of Health
PO Box 1700
Jackson, MS 39205

Mr. Prosanta Chowdhury
Program Manager – Surveillance Division
Louisiana Dept of Environmental Quality
PO Box 82215
Baton Rouge, LA 70884-2215

CNRO-2003-000025
NL-03-096
BVY-03-52
ENO Ltr. 2.03.080
JPN-03-013
Page 5 of 5

cc: (Continued)

Mr. Martin J. Virgilio
Director, Office of Nuclear Material Safety
and Safeguards
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. David O'Brien
Commissioner
Department of Public Service
120 State Street, Drawer 20
Montpelier, VT 05602-2601

Mr. Guy S. Vissing, Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O-8-C2
Washington, DC 20555-0001

Mr. Patrick D. Milano Sr. Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop: O-8-C2
Washington, DC 20555-0001

Senior Resident Inspector
Indian Point Unit 2
U. S. Nuclear Regulatory Commission
P. O. Box 38
Buchanan, NY 10511-0038

Resident Inspector's Office
Indian Point Unit 3
U. S. Nuclear Regulatory Commission
P. O. Box 337
Buchanan, NY 10511-0337

Resident Inspector's Office
James A. FitzPatrick
U. S. Nuclear Regulatory Commission
P. O. Box 136
Lycoming, NY 13093-0136

Resident Inspector
Vermont Yankee Nuclear Power Station
U. S. Nuclear Regulatory Commission
320 Governor Hunt Road
P. O. Box 157
Vernon, VT 05354

Mr. Travis Tate, Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O-8-B-1A
Washington, DC 20555-0001

Mr. Robert M. Pulsifer, Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Mail Stop O-8-B-1
Washington, DC 20555-0001

Attachment 1

CNRO 2003-00025

NL-03-096

BVY-03-52

ENO Ltr. 2.03.080

JPN-03-013

**Response to Issuance of Orders
to Modify License for Revised Design Basis Threat
and Compensatory Measures Related to
Security Force Training and Fitness-For-Duty**

Compliance with Revised Design Basis Threat (DBT) Order

Order EA-03-086 item III A. 1

All licensees shall, notwithstanding the provisions of any Commission regulation, license, or order to the contrary, revise their physical security plans and safeguards contingency plans, prepared pursuant to 10 C.F.R. §§ 50.34(c) and 50.34(d), to provide protection against the DBT set forth in attachment 2 to the Order. In addition, all licensees shall, notwithstanding the provisions of any Commission regulation, license, or order to the contrary, revise their guard training and qualification plans, required by 10 C.F.R. § 73.55(b)(4)(ii), to implement the DBT set forth in Attachment 2 to Order EA-03-086.

Entergy Response to Order EA-03-086 item III A.1

Entergy will, subject to the relief requested in the form of clarifications, submit to the Commission for review and approval no later than April 29, 2004 the revised physical security plans, safeguards contingency plans, and guard training and qualification plans, including an implementation schedule, which will describe how the facilities will respond to the design basis threat contained in Attachment 2 to the Order.

Compensatory Measures Related to Security Training Order

Order EA-03-039 item III.A.1

All licensees shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment 2 to Order EA-03-039 except to the extent that a more stringent requirement is set forth in the licensee's security plan and training and qualification plan.

Entergy Response to Order EA-03-039 item III A.1

Entergy is implementing, subject to the relief requested in the form of clarifications, the requirements in Attachment 2 to Order EA-03-039 and shall complete implementation as set forth below, fully training and qualifying all armed security force personnel on the new requirements no later than October 29, 2004.

The requirements of Item C.1.a will be complete by April 29, 2004.

Entergy will be in compliance with the requirements of Item C.1.b by October 29, 2004.

Entergy will be in compliance with the requirements of Item C.1.c by October 29, 2004 following completion of Item C.2.

Entergy will be in compliance with the requirements of Item C.1.d by April 29, 2004 following completion of C.2 and C.4.

Entergy will be in compliance with the requirements of Item C.1.e upon completion of item C.2. on April 29, 2004.

The requirements of Item C.2.a.1 will be complete by April 29, 2004.

The requirements of Item C.2.a.2 will be complete by April 29, 2004.

Entergy is currently in compliance with the requirements with Item C.2.a.3.

The requirements of Item C.2.a.4 will be complete by April 29, 2004.

The requirements of Item C.2.a.5 will be complete by April 29, 2004.

The requirements of Item C.2.a.6 will be complete by April 29, 2004.

For ANO, GGNS, RBS, VY and W3 the requirements of Item C.2.b will be completed by April 29, 2004. Currently IPEC, JAF and PNPS are in compliance.

Entergy will be in compliance with the requirements of Item C.3 by April 29, 2004.

The requirements of Item C.4 will be complete by April 29, 2004.

Compensatory Measures Related to Security Fitness-for-Duty Order

Order EA-03-038 item III. A

All licensees shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment 2 to Order EA-03-038 except to the extent that a more stringent requirement is set forth in the Licensee's security plans.

Entergy Response to Order EA-03-038 item III A.1

Entergy will immediately start implementation of the requirements in Attachment 2 to Order EA-03-038 and, subject to the relief requested and the possible request for a hearing, will be in compliance by October 29, 2003.

Attachment 2

CNRO 2003-00025

NL-03-096

BVY-03-52

ENO Ltr. 2.03.080

JPN-03-013

List of Regulatory Commitments

List of Regulatory Commitments

The following table identifies those actions committed to by Entergy in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

| COMMITMENT | TYPE (Check one) | | SCHEDULED COMPLETION DATE (If Required) |
|---|---------------------|--------------------------|--|
| | ONE-TIME ACTION | CONTINUING COMPLIANCE | |
| As required by Condition III.C.2 of the FFD Order, Entergy will notify the Commission when full compliance has been achieved. | x | | October 29, 2003 |
| As required by Condition III.C.2 of the DBT and Training Orders, Entergy will notify the Commission when full compliance has been achieved. | x | | October 29, 2004 |
| As required by Condition III.A.1 of the DBT Order submit the revised physical security plans, safeguards contingency plans, and guard training and qualification plans, including an implementation schedule to the Commission for review and approval. | x | | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 fully training and qualifying all armed security force personnel on the new requirements | | x | October 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.1.a | x | | April 29, 2004 |
| Comply with the requirements of Training Order EA-03-039 Attachment 2 Item C.1.b | | x | October 29, 2004 |
| Comply with the requirements of Training Order EA-03-039 Attachment 2 Item C.1.c | | x | October 29, 2004 |
| Comply with the requirements of Training Order EA-03-039 Attachment 2 Item C.1.d | x | | April 29, 2004 |
| Comply with the requirements of Training Order EA-03-039 Attachment 2 Item C.1.e | | x | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.1 | | x | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.2 | | x | April 29, 2004 |
| The requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.3 | | x | In Compliance |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.4 | | x | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.5 | | x | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.a.6 | | x | April 29, 2004 |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.2.b | | X | April 29, 2004 |

| COMMITMENT | TYPE (Check one) | | SCHEDULED COMPLETION DATE (If Required) |
|--|---------------------|--------------------------|--|
| | ONE-TIME ACTION | CONTINUING COMPLIANCE | |
| Complete the requirements of Training Order EA-03-039 Attachment 2 Item C.3 | | X | April 29, 2004 |
| Comply with the requirements of Training Order EA-03-039 Attachment 2 Item C.4 | | x | April 29, 2004 |
| Complete the requirements of FFD Order EA-03-038 Attachment 2 Item C.1, C2 & C.4 | | x | October 29, 2003 |
| Provide Answer to FFD Order 35 days from receipt of NRC decision. | x | | TBD |