

SAFEGUARDS INFORMATION

October 28, 2004

Mr. J. V. Parrish
Chief Executive Order
Energy Northwest
Columbia Generating Station
Snake River Warehouse
North Power Plant Loop
Richland, WA 99352

SUBJECT: COLUMBIA GENERATING STATION - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE IN CONJUNCTION WITH THE COMMISSION ORDER EA-03-086 REGARDING REVISED DESIGN BASIS THREAT (DBT) AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATIONS PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MC2905)

Dear Mr. Parrish:

By letter dated April 29, 2004, Energy Northwest submitted a supplemental response in accordance with Order EA-03-086, the Order requiring compliance with the revised design basis threat, dated April 29, 2003, (DBT Order) for Columbia Generating Station. Section III.A of the Order requires licensees to revise their physical security plans (PSPs), training and qualification plans (T&Q Plans), and safeguards contingency plans (SCPs) to provide protection against the revised DBT set forth in Attachment 2 to the DBT Order. These revised plans, along with an implementation schedule, were required to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for review and approval no later than April 29, 2004.

In the revised security plans for Columbia Generating Station, you included information related to the independent spent fuel storage installation (ISFSI) co-located at the site. The DBT Order did not require this information to be included in the revised security plans for Columbia Generating Station. However, Order EA-02-104, dated October 16, 2002, required licensees to comply with the requirements, set forth in an attachment to the Order, that described the compensatory measures necessary to protect the ISFSI as a result of the heightened threat environment following the September 11, 2001, terrorist attacks.

NOTICE: Enclosure 2 contains Safeguards Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.

SAFEGUARD INFORMATION

Mr. Parrish

-2-

On September 10, 2004, the NRC staff requested that you clarify whether the information provided in the revised security plans for Columbia Generating Station related to the ISFSI, modified the response you provided to Order EA-02-104. By letter dated September 28, 2004, you indicated that the PSP, T&Q Plan, and SCP submitted in response to Order EA-03-086 present no decrease in the effectiveness of the ISFSI-related Interim Compensatory Measures implemented in response to NRC Order EA-02-104. The effectiveness of these security provisions will continue to be the subject of NRC review and inspection.

The NRC staff's review of the PSP, SCP, and T&Q Plan submitted in your letter dated April 28, 2004, as supplemented on May 27, July 8, July 21, July 22, August 6, August 31, September 9, September 15, September 30, October 7, and October 13, 2004, has focused on ensuring the necessary programmatic elements are contained in these plans in order 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.

The NRC staff has determined that these plans contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that the Columbia Generating Station will be protected against the revised DBT. The NRC staff, therefore, approves the PSP, SCP, and T&Q Plan for Columbia Generating Station. However, ultimately, the effectiveness of these plans will be judged on your ability to meet regulatory requirements through facility implementing procedures and site practices. As such, your facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises.

In addition, the NRC staff noted that your PSP included alternatives to certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.55. In each case, the NRC staff found that the alternative measures provide an equivalent level of protection to that of the associated requirement and meet the high assurance objective of 10 CFR 73.55(a). The NRC staff, therefore, approves the alternatives shown in the table below. The NRC staff's evaluation is discussed further in the enclosed Safety Evaluation (SE).

Approved Alternatives to the Requirements of 10 CFR Part 73			
SE Section	PSP Section	Alternative to 10 CFR	Description
3.6.2	6.2	73.55(c)(3)	Isolation Zone
3.9.4.3	9.4.3	73.55(d)(4)	Protected Area (PA) vehicle search requirements
3.9.4.4	9.4.4	73.55(d)(1)	PA personnel search requirements
3.9.5.2	9.5	73.55(d)(1) 73.55(d)(4)	PA access control requirements
3.10.1	10.1	73.55(c)(5)	PA illumination requirements

3.13.1	14.1	73.55(c)(1) 73.55(d)(7)(i)(B)	Temporary reclassification of Vital Areas to PA status (devitalization)
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Mr. Parrish

-3-

Finally, consistent with Order EA-03-086, conforming administrative license changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to FOL No. NPF-21 is being made to incorporate the reference to the revised **PSP, SCP, and T&Q Plans** required by the DBT Order. This change complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Please replace the enclosed page to your FOL as indicated in the Enclosure.

A copy of our SE (designated as Safeguards Information), is also enclosed.

Sincerely,

/RA/

John A. Nakoski, Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures: 1. Administrative Change to FOL No. NPF-21
2. SE Regarding the Security Plans (**Safeguards Information**)

cc w/encl 1 only: See Mailing List 1

cc w/encls 1 and 2: Mr. Steve Scammen

Mr. Parrish

-3-

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cc w/encls 1 and 2: Mr. Steve Scammen

DISTRIBUTION:

With Enclosure 1 Only - See Distribution List 1

With Enclosures 1 and 2 - See Distribution List 2

Accession No.: ML043180003

*NLO Subject to changes noted

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OFFICIAL RECORD COPY

Columbia Generating Station

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ENERGY NORTHWEST

DOCKET NO. 50-397

COLUMBIA GENERATING STATION

ADMINISTRATIVE LICENSE CHANGE TO FACILITY OPERATING LICENSE

License No. NPF-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. Consistent with Order EA-03-086, the Order requiring compliance with revised design basis threat, (DBT Order), issued on April 29, 2003, conforming administrative license changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to FOL No. NPF-21 is being made to incorporate the reference to the revised **Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plans** required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this administrative license change can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this administrative license change will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the FOL is changed, as indicated in the Attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the FOL

Date of Issuance:

CHANGES TO FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following page of the Facility Operating License NPF-21 with the attached revised page as indicated. The revised page is identified by revision date and contains marginal lines indicating the area of change.

Remove Page

10

Insert Page

10

- D. Exemptions from certain requirements of Appendices G, H and J to 10 CFR Part 50, are described in the Safety Evaluation Report. These exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest. Therefore, these exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of this exemption the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.
- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security plan, training and qualification plan, and safeguards contingency plan, including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plan, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Columbia Generating Station Physical Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Plan." The plan was submitted on October 7, 2004, and supplemented on October 13, 2004.
- F. With the exception of 2.C(2) the licensee shall report any violations of the requirements contained in Section 2.C of this license within 24 hours by telephone and confirm by telegram, mailgram, or facsimile transmission to the NRC Regional Administrator, Region V, or that administrator's designee, no later than the first working day following the violation, with a written followup report within 14 days.
- G. The licensee shall notify the Commission, as soon as possible but not later than one hour, of any accident at this facility which could result in an unplanned release of quantities of fission products in excess of allowable limits for normal operation established by the Commission.
- H. The licensee shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.