
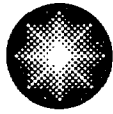


SAFEGUARDS INFORMATION

 **George Vanderheyden**
Vice President
Calvert Cliffs Nuclear Power Plant
Constellation Generation Group, LLC

1650 Calvert Cliffs Parkway
Lusby, Maryland 20657
410.495.4455
410.495.3500 Fax



Constellation Energy

November 10, 2004

U. S. Nuclear Regulatory Commission
Washington, DC 20555

ATTENTION: Document Control Desk

SUBJECT: Calvert Cliffs Nuclear Power Plant
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Inconsistencies Between the October 28, 2004 Safety Evaluation and the Revised
Security Plans Re: Order EA-03-086 Revised Design Basis Threat

The NRC issued Order EA-03-086 (Reference a) on April 29, 2003, requiring us to revise our Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan; submit those Plans to the NRC for approval by April 29, 2004; and complete implementation of those Plans by October 29, 2004.

Reference (b) documents the NRC staff's approval of our Plans as submitted. Specifically, as documented in Reference (b), the NRC staff has determined that, subject to subsequent inspection and evaluation, the submitted Plans (References c, d, e, f, g, and h) for Calvert Cliffs Nuclear Power Plant, Inc. (CCNPP) Units 1 and 2 contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that CCNPP, Units 1 and 2 will be protected against the revised Design Basis Threat (DBT).

The NRC staff's evaluation of our submitted Plans is discussed in detail in the Safety Evaluation enclosed with Reference (b). However, our review of the Safety Evaluation identified several inconsistencies with our submitted Plans. We believe that these inconsistencies were inadvertently created and that upon their resolution, our plans will continue to contain the programmatic elements necessary to provide protection against the revised DBT. We have provided a list of all the inconsistencies identified, including our proposed resolution for each, in the Safeguards Attachment to this cover letter.

We request that the NRC staff issue a corrected Safety Evaluation as soon as possible, verifying that our Plans as submitted, contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that CCNPP Units 1 and 2 will be protected against the revised DBT.

This cover letter is not subject to protective requirements. The attachment is subject to safeguards information protection according to 10 CFR 73.21. Upon separation from the attachment, this cover letter is to be considered DECONTROLLED.

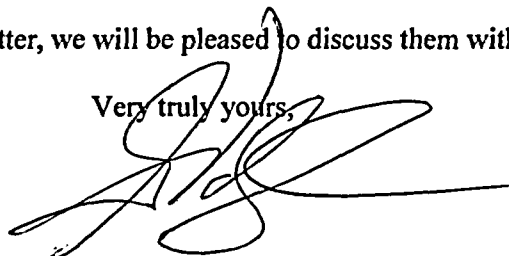
SAFEGUARDS INFORMATION

*NSIR05 1st week

Upon receipt and review of the corrected Safety Evaluation, we will submit our letter reporting that full compliance with the DBT Order (Reference a) and with the Training Enhancements Order (Reference i) has been achieved, as required pursuant to the applicable Conditions of those Orders.

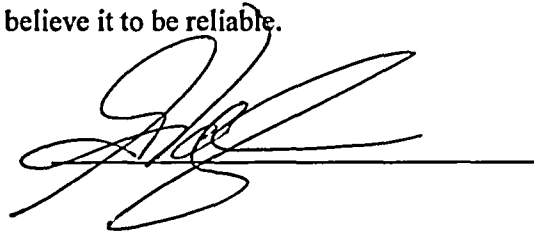
Should you have any questions regarding this matter, we will be pleased to discuss them with you.

Very truly yours,



STATE OF MARYLAND :
: TO WIT:
COUNTY OF CALVERT :

I, George Vanderheyden, being duly sworn, state that I am Vice President - Calvert Cliffs Nuclear Power Plant, Inc. (CCNPP), and that I am duly authorized to execute and file this response on behalf of CCNPP. To the best of my knowledge and belief, the statements contained in this document are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by other CCNPP employees and/or consultants. Such information has been reviewed in accordance with company practice and I believe it to be reliable.



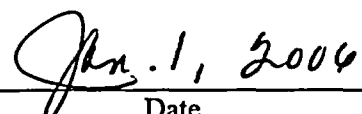
Subscribed and sworn before me, a Notary Public in and for the State of Maryland and County of Calvert, this 10th day of November, 2004.

WITNESS my Hand and Notarial Seal:


Notary Public

My Commission Expires:

GV/ALS/bjd


Date

REFERENCES:

- (a) Letter from Mr. S. J. Collins (NRC) to Holders of Licenses for Operating Power Reactors, dated April 29, 2003, Issuance of Order Requiring Compliance With Revised Design Basis Threat for Operating Power Reactors, EA-03-086
- (b) Letter from Mr. J. A. Nakoski (NRC) to Mr. G. Vanderheyden (CCNPP), dated October 28, 2004, Calvert Cliffs Nuclear Power Plant, Inc. Units 1 and 2 Administrative Change to Renewed Facility Operating Licenses in Conjunction with the Commission Order EA-03-086 Regarding Revised DBT and Revision to Security Plans (TAC Nos. MC2900 and MC2901)
- (c) Letter from Mr. G. Vanderheyden (CCNPP) to Document Control Desk (NRC), dated April 29, 2004, Supplemental Response to the April 29, 2003 Orders to Calvert Cliffs Nuclear Power Plant, Inc.
- (d) Letter from Mr. G. Vanderheyden (CCNPP) to Document Control Desk (NRC), dated September 2, 2004, Amended Supplemental Response to the April 29, 2003 Orders to Calvert Cliffs Nuclear Power Plant, Inc. Re: Design Basis Threat Order EA-03-086
- (e) Letter from Mr. G. Vanderheyden (CCNPP) to Document Control Desk (NRC), dated September 15, 2004, Response to Request for Additional Information Re: September 13, 2004 Telephone Conversation Regarding CCNPP Physical Security Plan and Safeguards Contingency Plan; Design Basis Threat Order EA-03-086
- (f) Letter from Mr. K. J. Nietmann (CCNPP) to Document Control Desk (NRC), dated September 30, 2004, Response to Request for Additional Information Re: September 27, 2004 Telephone Conversation Regarding CCNPP Revised Security Plans; Design Basis Threat Order EA-03-086
- (g) Letter from Mr. G. Vanderheyden (CCNPP) to Document Control Desk (NRC), dated October 12, 2004, Response to Request for Additional Information Re: October 7, 2004 Telephone Conversation Regarding CCNPP Revised Security Plans; Design Basis Threat Order EA-03-086
- (h) Letter from Mr. B. S. Montgomery (CCNPP) to Document Control Desk (NRC), dated October 21, 2004, Response to Request for Additional Information Re: October 20, 2004 Telephone Conversation Regarding CCNPP Revised Security Plans; DBT Order EA-03-086
- (i) Letter from Mr. S. J. Collins (NRC) to Holders of Licenses for Operating Power Reactors, dated April 29, 2003, Issuance of Order for Compensatory Measures Related to Training Enhancements on Tactical Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel, EA-03-039

Attachment: (1) Safeguards Information - Proposed Resolution of Inconsistencies Identified in the Safety Evaluation dated October 28, 2004 for Calvert Cliffs Nuclear Power Plant, Inc. Units 1 and 2 Security Plan

cc: (Without Attachment)
J. Petro, Esquire
M. Wetterhahn, Esquire
R. V. Guzman, NRC
S. J. Collins, NRC

Resident Inspector, NRC
R. I. McLean, DNR
B. J. Benney, NRC
J. D. Peralta, NRC