

June 25, 2012

David B. Hamilton
Nuclear Safety Assurance Director
Entergy Nuclear Operations, Inc.
27780 Blue Star Memorial Highway
Covert, MI 49043

SUBJECT: RESPONSE TO REQUEST FOR EXEMPTION FROM SPECIFIC
REQUIREMENTS OF 10 CFR PART 73 (TAC NO. L24502)

Dear Mr. Hamilton:

This is in response to your letter dated November 30, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103540261), requesting an exemption from specific requirements of 10 CFR 73.55 for the Big Rock Point Independent Spent Fuel Storage Installation (ISFSI), pursuant to 10 CFR 73.5. Section 73.55 of 10 CFR Part 73 identifies the physical protection requirements to prevent radiological sabotage at nuclear power plants.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the exemption requests for the Big Rock Point ISFSI. During its review, staff identified a possible erroneous citation of a regulation, and contacted you to verify from which regulation you desired relief (ML12122A877). Subsequently, you responded and identified the correct regulation citation (ML12122A932). Based upon their review, staff determined that all the regulations for which an exemption was requested are either not applicable to your facility or are being met by your current program; therefore, the exemption requests were denied. The enclosed NRC staff Safety Evaluation Report articulates the review of your program and the basis for denying your specific exemption requests.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of the NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

NOTICE

Upon removal of the enclosure from this letter, this document is DECONTROLLED.

D. Hamilton

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If you have any questions, please contact me at (301) 492-3305, or William Allen of my staff, at (301) 492-3148.

Sincerely,

/RA/ M. Rahimi for

Douglas W. Weaver, Deputy Director
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-155, 72-43
TAC No.: L24502

Enclosure:
Safety Evaluation Report

cc w/o Enclosure:
Maine Yankee Atomic Power Station Service List
Marc Nichol, Nuclear Energy Institute

D. Hamilton

-2-

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Docket Nos.: 50-155, 72-43
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Enclosure:
Safety Evaluation Report

cc w/o Enclosure:
Service List
Marc Nichol, Nuclear Energy Institute

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ADAMS P8 Package No.: ML12179A154

Letter No.: ML12179A166 Enclosure No.: ML12179A178

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DATE:	5-29-12		6/5/12		6/13/12		6/22/12		6/25/12	

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