



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19408-1415

October 26, 2001

Docket No. 50-029
CAL No. 1-01-005

License No. DPR-03

Mr. Ken Heider, Vice President
Operations and Decommissioning
Yankee Rowe Electric Company
49 Yankee Road
Rowe, MA 01367

SUBJECT: CONFIRMATORY ACTION LETTER NO. 1-01-005

Dear Mr. Heider:

As you are aware, the NRC has advised licensees to maintain a high level of awareness to security-related matters in response to the events that occurred on September 11, 2001. In addition, we have advised licensees of actions they should consider to maintain security of facilities and licensed materials and protect them from a variety of threats. These issues have been discussed with you and members of your staff during the past few weeks. This letter acknowledges our discussions and addresses actions that you have planned or taken in response to those discussions.

Pursuant to telephone conversations between you and your staff and members of my staff on October 24, 25, and 26, 2001, it is our understanding that you have taken or will take actions to enhance your security program. This letter specifically confirms that you have taken or will complete the actions documented in your letter dated October 23, 2001 as supplemented by the above referenced telephone conversations, to satisfy the four issues identified in the safeguards information transmitted to you on October 19, 2001. We request that you notify us if you change or otherwise modify any enhancements to your program that are documented in your October 23 letter that exceed what is required to satisfy the four criteria.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

- 1) Notify me immediately if your understanding differs from that set forth above;
- 2) Notify me if for any reason you cannot complete the actions within the schedule specified in your correspondence, and advise me in writing of your modified schedule in advance of the change; and
- 3) Notify me in writing when you have completed the actions addressed in the correspondence referenced in this Confirmatory Action Letter.

CERTIFIED - RETURN RECEIPT REQUESTED

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing

the above commitments or requiring other actions on the part of the licensee.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your response will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room). If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Sincerely,

/RA/

Hubert J. Miller
Regional Administrator

cc:
Commonwealth of Massachusetts
State of Vermont

M. K. Heider

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