

May 22, 2002

Mr. Robert C. Mecredy  
Vice President, Nuclear Operations  
Rochester Gas and Electric Corporation  
89 East Avenue  
Rochester, NY 14649

SUBJECT: R.E. GINNA NUCLEAR POWER PLANT - REPLY TO RESPONSE TO ORDER  
FOR INTERIM SAFEGUARDS AND SECURITY COMPENSATORY  
MEASURES (TAC NO. MB4131)

Dear Mr. Mecredy:

On February 25, 2002, the U.S. Nuclear Regulatory Commission (NRC) issued an Order modifying the operating license for the R. E. Ginna Nuclear Power Plant (Ginna) to require compliance with the specified interim safeguards and security compensatory measures. The interim compensatory measures (ICMs) were listed in Attachment 2 to the Order. When issuing the Order, the Commission recognized that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001, but in light of the continuing generalized high-level threat environment, the Commission concluded that the security measures should be embodied in an Order consistent with the established regulatory framework.

The Order required responses and actions within specified timeframes. Section III.A of the Order required licensees to immediately start implementation of the requirements listed in Attachment 2 to the Order and to complete implementation no later than August 31, 2002. Section III.B of the Order required licensees to notify the Commission: (1) if they are unable to comply with the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, (3) if implementation of any of the requirements would cause the licensee to be in violation of the provisions of any Commission regulation or the facility license, or (4) if implementation of any of the requirements described in Attachment 2 would adversely impact the safe operation of the facility. Section III.C.1 of the Order required licensees to submit to the Commission, within 20 days of the date of the Order, a schedule for achieving compliance with each requirement described in Attachment 2 to the Order. Section IV of the Order noted that in accordance with 10 C.F.R. § 2.202, the licensee must submit an answer to the Order and may request a hearing on the Order within 20 days of the date of the Order and, where good cause is shown, consideration would be given to extend the time to request a hearing.

In letters dated March 18, 2002 (Rochester Gas and Electric Corporation (RG&E) letter nos. MDF\_242 and MDF\_243), you submitted a response to the Order for Ginna. You requested an extension of time until June 4, 2002, to respond to ICMs B.2.a(1), B.2.a(2) and B.2.b and you requested a comparable extension of time to file a request for hearing for those matters.

The NRC staff has reviewed your response and finds that you have satisfied the 20-day reporting requirements of the Order, with the exception of ICMs B.2.a(1), B.2.a(2) and B.2.b.

R. Mecredy

-2-

An extension of time is hereby granted until June 4, 2002, for your submission of the required response to these ICMs. An extension of time is granted until June 4, 2002, for your filing of a request for hearing related to ICMs B.2.a(1), B.2.a(2) and B.2.b.

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission, when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact Robert Clark at (301) 415-2297 if you have any other questions on these issues.

Sincerely,

**/RA/**

John Zwolinski, Director  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-244

cc: See next page

R. Mecredy

-2-

An extension of time is hereby granted until June 4, 2002, for your submission of the required response to these ICMs. An extension of time is granted until June 4, 2002, for your filing of a request for hearing related to ICMs B.2.a(1), B.2.a(2) and B.2.b.

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission, when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact Robert Clark at (301) 415-2297 if you have any other questions on these issues.

Sincerely,

/RA/

John Zwolinski, Director  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-244

cc: See next page

DISTRIBUTION:

PUBLIC	S. Richards	R. Albert	R. Palla
PDI-1 Reading File	G. Tracy	R. Sullivan	J. Belanger
S. Collins/J. Johnson	R. Laufer	V. Dricks	R. Crlenjak, R-I
B. Sheron	V. Ordaz	J. Shea, EDO	OGC
W. Borchardt	R. Clark	H. Miller, R-I	ACRS
J. Zwolinski	R. Martin	B. Platchek, R-I	SECY
B. Boger			

Accession No.: ML021160095

\* See previous concurrence

OFFICE	DLPM/PM	PDI-1/PM	PDI-1/LA	IRSB/SC*	NSIR/SC*	SPSB*
NAME	RMartin	RClark	SLittle	KGibson	AMadison	MRubin
DATE	5/22/02	5/21/02	5/22/02	5/13/02	5/15/02	5/17/02
OFFICE	DIPM*	PDI-1/SC	PDI/PD	OGC	DLPM/D	
NAME	WDean	RLaufer	SRichards	JGoldberg	JZwolinski	
DATE	5/21/02	5/22/02	5/22/02	5/22/02	5/22/02	

OFFICIAL RECORD COPY

R.E. Ginna Nuclear Power Plant

cc:

Christopher Welch, Sr. Resident Inspector  
R.E. Ginna Plant  
U.S. Nuclear Regulatory Commission  
1503 Lake Road  
Ontario, NY 14519

Mr. Paul Eddy  
New York State Department of  
Public Service  
3 Empire State Plaza, 10th Floor  
Albany, NY 12223

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Mr. William M. Flynn, President  
New York State Energy, Research,  
and Development Authority  
Corporate Plaza West  
286 Washington Avenue Extension  
Albany, NY 12203-6399

Charles Donaldson, Esquire  
Assistant Attorney General  
New York Department of Law  
120 Broadway  
New York, NY 10271

Daniel F. Stenger  
Ballard Spahr Andrews & Ingersoll, LLP  
601 13<sup>th</sup> Street, N.W., Suite 1000 South  
Washington, DC 20005

Ms. Thelma Wideman, Director  
Wayne County Emergency Management  
Office  
Wayne County Emergency Operations  
Center  
7336 Route 31  
Lyons, NY 14489

Ms. Mary Louise Meisenzahl  
Administrator, Monroe County  
Office of Emergency Preparedness  
1190 Scottsville Road, Suite 200  
Rochester, NY 14624