

AmerGen Energy Company, LLC  
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Suite 345  
Kennett Square, PA 19348

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An Exelon/British Energy Company

RS-03-017

January 27, 2003

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Clinton Power Station, Unit 1  
Facility Operating License No. NPF-62  
NRC Docket No. 50-461

Oyster Creek Generating Station  
Facility Operating License No. DPR-16  
NRC Docket No. 50-219

Three Mile Island Nuclear Station, Unit 1  
Facility Operating License No. DPR-50  
NRC Docket No. 50-289

Subject: Response to Commission Order to Modify License for  
Compensatory Measures Related to Access Authorization

Reference: Letter from U. S. NRC, "Issuance of Order for Compensatory  
Measures Related to Access Authorization," dated January 7, 2003

In accordance with 10 CFR 50.4, AmerGen Energy Company, LLC (AmerGen), hereby submits its response to the Order for Compensatory Measures Related to Access Authorization (Order) issued by the NRC in the referenced letter. Attachment A to this response contains Safeguards Information that must be protected from public disclosure pursuant to 10 CFR 73.21, "Requirements for the Protection of Safeguards Information." AmerGen therefore requests that the Enclosure be withheld from public disclosure.

**SAFEGUARDS INFORMATION**  
The Attachment Contains Safeguards Information  
Upon Separation This Page Is Decontrolled

\*IE53

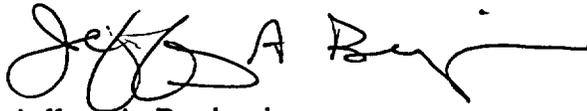
## SAFEGUARDS INFORMATION

January 27, 2003  
U. S. Nuclear Regulatory Commission  
Page 2

Pursuant to the requirements of 10 CFR 2.202(a)(2), the Answer to the Order is being transmitted to the NRC under separate cover.

Should you have any questions concerning this letter, please contact Patrick Simpson at (630) 657-2823.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeffrey A. Benjamin". The signature is fluid and cursive, with the first name "Jeffrey" being the most prominent part.

Jeffrey A. Benjamin  
Vice President – Licensing and Regulatory Affairs

Enclosure: Attachment A – Response to Order

**SAFEGUARDS INFORMATION**  
The Attachment Contains Safeguards Information  
Upon Separation This Page Is Decontrolled

## SAFEGUARDS INFORMATION

STATE OF ILLINOIS

The above-subscribed individual appeared before me and made oath that he is duly authorized to execute this response on behalf of AmerGen Energy Company, LLC, the statements contained within this response are true to the best of his knowledge and belief, and that copies of the response were sent to the addressee and listed individuals.

Before me,

  
Notary Public



My Commission Expires: 3/13/05

CC:

Secretary (without attachment)  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001  
(signed original and three copies)

U. S. Nuclear Regulatory Commission  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation  
Mail Stop O-5E7  
Rockville, MD 20852-2738  
(via overnight delivery)

Regional Administrator – Region III  
U.S. Nuclear Regulatory Commission  
801 Warrenville Road  
Lisle, IL 60532-4351  
(two copies)

Regional Administrator – Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406  
(two copies)

U. S. Nuclear Regulatory Commission  
ATTN: Mr. Glenn Tracy  
Mail Stop 04A15  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738  
(via overnight delivery)

Assistant General Counsel for Materials Litigation  
and Enforcement (without attachment)  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

## SAFEGUARDS INFORMATION

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
AmerGen Energy Company, LLC	)	
	)	Docket Nos. 50-461
Clinton Power Station, Unit 1	)	50-219
NPF-62	)	50-289
	)	
Oyster Creek Generating Station	)	
DPR-16	)	
	)	
Three Mile Island Nuclear Station,	)	
Unit 1, DPR-50	)	

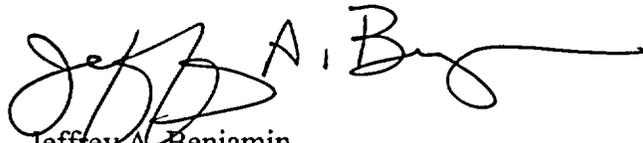
LICENSEE'S ANSWER TO JANUARY 7, 2003  
COMMISSION ORDER TO MODIFY LICENSE FOR  
COMPENSATORY MEASURES RELATED TO ACCESS AUTHORIZATION

On January 7, 2003, the Nuclear Regulatory Commission ("NRC" or "Commission") issued an immediately effective order in the captioned matter entitled Order Modifying Licenses (Effective Immediately) ("Order") to, *inter alia*, AmerGen Energy Company, LLC ("AmerGen"). The Order stated that following September 11, 2001, the Commission took a number of actions, including the commencement of a comprehensive review of its safeguards and security programs and requirements. The Commission stated its determination that operating power reactor licensees be required to implement certain compensatory measures as prudent measures to improve access authorization. Therefore, the NRC stated it was imposing

requirements as set forth in Attachment 2 of the Order.<sup>1</sup> AmerGen, has responded to the substantive requirements of the Order by letter dated January 27, 2003, in accordance with the provisions of 10 CFR 50.4, as directed by the Order.<sup>2</sup>

In accordance with Section IV of the Order and pursuant to 10 CFR 2.202, AmerGen consents to the Order.

Respectfully,



Jeffrey A. Benjamin  
Vice President - Licensing and Regulatory Affairs

STATE OF ILLINOIS

The above-subscribed individual appeared before me on this 27th day of January, 2003 and made oath that he is duly authorized to execute this Answer on behalf of AmerGen Energy Company, LLC, and the statements contained within this Answer are true to the best of his knowledge, information and belief.

Before me,

  
Notary Public

My Commission Expires: 3/13/05



<sup>1</sup> Attachment 2 contained Safeguards Information and was not publicly released.

<sup>2</sup> The enclosure to that letter was transmitted as Safeguards Information.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
AmerGen Energy Company, LLC	)	
	)	Docket Nos. 50-461
Clinton Power Station, Unit 1	)	50-219
NPF-62	)	50-289
	)	
Oyster Creek Generating Station	)	
DPR-16	)	
	)	
Three Mile Island Nuclear Station,	)	
Unit 1, DPR-50	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the ANSWER TO JANUARY 7, 2003, COMMISSION ORDER TO MODIFY LICENSE FOR COMPENSATORY MEASURES RELATED TO ACCESS AUTHORIZATION in the captioned action have been served on the following by deposit in the United States mail, first class, or by overnight delivery, as indicated by an asterisk (\*), this 27th day of January 2003.

Secretary  
Office of the Secretary  
U. S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001

U. S. Nuclear Regulatory Commission\*  
Samuel J. Collins, Director  
Office of Nuclear Reactor Regulation  
Mail Stop O-5E7  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

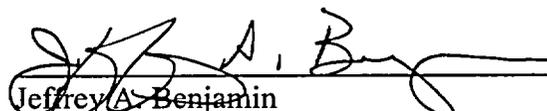
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Assistant General Counsel for Materials  
Litigation and Enforcement  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

  
Jeffrey A. Benjamin  
Vice President, Licensing and  
Regulatory Affairs

STATE OF ILLINOIS

The above-subscribed individual appeared before me this 27th day of January, 2003 and made oath that he is duly authorized to serve this Answer on behalf of AmerGen Energy Company, LLC, and has done so the best of his knowledge, information and belief.

Before me,

  
Notary Public

My Commission Expires: 3/13/05

