

March 14, 2003

Mr. Brian Flynn  
Project Manager  
Rochester Gas & Electric Corporation  
89 East Avenue  
Rochester, NY14649-0001

RE: Ginna Nuclear Power Station  
Reactor Vessel Closure Head  
BWC Project No. 083N

Dear Mr Flynn:

Rochester Gas and Electric Corporation is proposing to import from Canada one reactor vessel closure head and associated equipment for end use at the Ginna Nuclear Power station. Under Nuclear Regulatory Commission (NRC) regulations, unless an exemption from licensing requirements is issued, this equipment must be imported pursuant to a specific license issued by the NRC. I am writing to advise you that after consultation with the U.S. Department of State, the NRC staff reached the conclusion, on its own initiative, that pursuant to 10 CFR § 110.10(a), Rochester Gas and Electric Corporation be granted an exemption from the specific license requirement.

As the licensee for the Ginna reactor, Rochester Gas and Electric Corporation is authorized to receive and possess the items proposed for export from Canada for use at their facility. Import of the reactor vessel closure head does not raise any public health and safety or common defense and security issues. Accordingly, I have exempted this proposed import from NRC licensing requirements found in 10 CFR Part 110 after finding pursuant to 10 CFR 110.10(a) that issuance of this exemption is: (1) is authorized by law; (2) is not inimical to the common defense and security; and (3) does not constitute an unreasonable risk to the public health and safety. I also note that the granting of an exemption does not relieve any person from complying with the regulations of other Government agencies applicable to exports or imports under their authority.

If you have any questions, please contact me at 301-415-2344 or Janice Owens at 301-415-3684.

Sincerely,

*/RA/*

Edward T. Baker, Deputy Director  
Office of International Programs

cc: R. DeLaBarre, DOS  
C. Martin, DOS  
A. Scheinman, DOE/NNSA  
R. Goorevich, DOE/NNSA  
S. Davis, DOE/NNSA

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