

An Exelon/British Energy Company

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RS-03-110

June 3, 2003

U. S. Nuclear Regulatory Commission
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Washington, DC 20555-0001

Braidwood Station, Units 1 and 2
Facility Operating License Nos. NPF-72 and NPF-77
NRC Docket Nos. 50-456 and 50-457

Byron Station, Units 1 and 2
Facility Operating License Nos. NPF-37 and NPF-66
NRC Docket Nos. 50-454 and 50-455

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

Dresden Nuclear Power Station, Units 2 and 3
Facility Operating License Nos. DPR-19 and DPR-25
NRC Docket Nos. 50-237 and 50-249

LaSalle County Station, Units 1 and 2
Facility Operating License Nos. NPF-11 and NPF-18
NRC Docket Nos. 50-373 and 50-374

Limerick Generating Station, Units 1 and 2
Facility Operating License Nos. NPF-39 and NPF-85
NRC Docket Nos. 50-352 and 50-353

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

Peach Bottom Atomic Power Station, Units 2 and 3
Facility Operating License Nos. DPR-44 and DPR-56
NRC Docket Nos. 50-277 and 50-278

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Quad Cities Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-29 and DPR-30
NRC Docket Nos. 50-254 and 50-265

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

Subject: Response to Issuance of Orders to Modify License for Revised Design Basis Threat and Compensatory Measures Related to Security Force Training and Fitness-For-Duty

References: NRC Letters from Samuel J. Collins to Holders of Licenses for Operating Power Reactors as listed in Enclosure 2, dated April 29, 2003, Regarding Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors (EA-03-086); Issuance of Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel (EA-03-039); and Issuance of Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038)

In response to the events of September 11, 2001, Exelon Generation Company, LLC (Exelon) and AmerGen Energy Company, LLC (AmerGen), on their own and in response to NRC Advisories, Orders, and industry initiatives, promptly initiated and maintained heightened security measures to continue to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety in the current threat environment.

On April 29, 2003, the NRC issued Orders requiring additional compensatory measures as prudent to address the current security threat environment. Pursuant to the requirements of 10 CFR 50.4, the attachment to this letter contains Exelon's and AmerGen's responses to the referenced Orders.

Exelon and AmerGen fully intend to comply with the Orders. Exelon and AmerGen note the request for clarification of the five design basis threat issues provided in the safeguards attachment to the letter from Mr. Colvin, President and CEO of the Nuclear Energy Institute, to Chairman Diaz dated May 16, 2003. Exelon and AmerGen encourage the Commission to respond to this request as soon as possible as the Commission's clarifications may affect the manner of compliance with the Orders.

Pursuant to the requirements of 10 CFR 2.202(a)(2), a document relating to the Answers is being

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transmitted to the Secretary of the Commission under separate cover. In addition, Exelon and AmerGen have sent a letter to the Director, Office of Nuclear Reactor Regulation requesting an extension of time in which to submit an Answer and request a hearing for one of the Orders and for certain relief regarding the two other Orders. As required by Condition III.C. of the design basis threat Order and Condition III.C.2 of the other two Orders, Exelon and AmerGen will notify the Commission when full compliance with each Order has been achieved.

If you have any questions regarding this submittal, please contact Patrick Simpson at (630) 657-2823.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 3rd day of June, 2003.

Respectfully,



Jeffrey A. Benjamin
Vice President – Licensing and Regulatory Affairs
Exelon Generation Company, LLC
AmerGen Energy Company, LLC

Attachment

cc:

U. S. Nuclear Regulatory Commission
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(signed original and three copies)

Assistant General Counsel for Materials
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U. S. Nuclear Regulatory Commission
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Attachment

**Response to Issuance of Orders
to Modify License for Revised Design Basis Threat
and Compensatory Measures Related to
Security Force Training and Fitness-For-Duty**

Compliance with Revised Design Basis Threat (DBT) Order

Order EA-03-086 item III.A.1

All licensees shall, notwithstanding the provisions of any Commission regulation, license, or order to the contrary, revise their physical security plans and safeguards contingency plans, prepared pursuant to 10 CFR 50.34(c) and 50.34(d), to provide protection against the DBT set forth in attachment 2 to the Order. In addition, all licensees shall, notwithstanding the provisions of any Commission regulation, license, or order to the contrary, revise their guard training and qualification plans, required by 10 CFR 73.55(b)(4)(ii), to implement the DBT set forth in Attachment 2 to Order EA-03-086.

Response to Order EA-03-086 item III.A.1

Exelon Generation Company, LLC (Exelon) and AmerGen Energy Company, LLC (AmerGen), Inc, will for each of the affected facilities, subject to the relief requested in the form of clarifications, submit to the NRC for review and approval no later than April 29, 2004, the revised physical security plans, safeguards contingency plans, and guard training and qualification plans, including an implementation schedule.

Compensatory Measures Related to Security Training Order

Order EA-03-039 item III.C.1

All licensees shall, within thirty-five (35) days of the date of this Order, submit to the Commission a schedule for achieving compliance with each requirement described in Attachment 2 to Order EA-03-039.

Response to Order EA-03-039 item III.C.1

Exelon and AmerGen have started to implement the requirements in Attachment 2 to Order EA-03-039, subject to the relief requested in the form of clarifications, and will complete implementation by October 29, 2004.

Compensatory Measures Related to Security Fitness-For-Duty Enhancements Order

Order EA-03-038 item III.C.1

All licensees shall, within thirty-five (35) days of the date of this Order, submit to the Commission a schedule for achieving compliance with each requirement described in Attachment 2 to Order EA-03-038.

Response to Order EA-03-038 item III.C.1

Exelon and AmerGen have started to implement the requirements in Attachment 2 to Order EA-03-038 and, subject to the relief requested and possible request for a hearing, will complete implementation by October 29, 2003.