



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

October 30, 2003

10 CFR 50.4(b) (4)  
10 CFR 2.202

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

Gentlemen:

In the Matter of	)	Docket Nos.	50-259	50-327
Tennessee Valley Authority	)		50-260	50-328
			50-296	50-390

RESPONSE TO ORDER (EA-03-038) FOR COMPENSATORY MEASURES RELATED TO FITNESS-FOR-DUTY ENHANCEMENTS APPLICABLE TO NUCLEAR FACILITY SECURITY PERSONNEL FOR BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3; SEQUOYAH NUCLEAR PLANTS, UNITS 1 AND 2; AND WATTS BAR NUCLEAR PLANT, UNIT 1

On June 3, 2003, in accordance with 10 CFR § 50.4, the Tennessee Valley Authority (TVA) submitted its initial response to the Security Fitness-for-Duty Enhancements Compensatory Measures Order (Order) issued by the Nuclear Regulatory Commission (NRC) on April 29, 2003.

Pursuant to the requirements of 10 CFR § 2.202, TVA's June 3, 2003 response provided TVA's Answer to the Order. In most respects, the Answer consented to the Order. In its response, TVA requested an extension of time in which to submit information in response to the Order and to request a hearing. Additionally, TVA requested that NRC provide information explaining the bases for certain specific limits prescribed in the Order. Subject to the requests mentioned above, TVA's response included a schedule for achieving compliance with the Compensatory Measures prescribed by the Order.

On July 10, 2003, NRC issued a reply to TVA's response denying TVA's request for an extension, providing the requested information regarding the bases for the specific work hour limits specified in the Order, and requiring a subsequent

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response. On July 25, 2003, TVA provided a supplemental Answer and Response consenting to the Order and stating that it did not request a hearing. TVA further stated that it had started implementing the Order and would complete implementation by October 29, 2003 as described in detail in the enclosure to TVA's June 3, 2003 response.

In accordance with Part III, Section C.1 of the Order, TVA is providing this final response confirming compliance with the Compensatory Measures described in Attachment 2 to the Order. As required by Part III, Section A of the Order, full compliance was achieved on or before October 29, 2003.

One point of clarification regarding our implementation is necessary. TVA has conducted training for available personnel on the provisions of the Order and our procedure and program for compliance. However, TVA has identified a small population of personnel that require training for Order compliance that are currently unavailable for training due to extended absence (e.g., military leave, extended illness, etc.). TVA will ensure that these persons receive the needed training upon their return to work and before they assume their duties.

In addition, TVA received an October 23, 2003 reply from NRC granting our request to relax those provisions of the Order which had required inclusion of shift turnover time in Group Work Hour Controls as well as the counting of hours worked in preparation and conduct of force-on-force exercises. Because these relaxations were only recently granted, we are in the process of making changes in the appropriate procedures and programs as necessary to implement the relaxed provisions. Until these changes are made, we will comply with the original requirements of the Order.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on this 30<sup>th</sup> day of October 2003.

Sincerely,

  
Mark J. Burzynski  
Manager  
Nuclear Licensing

cc: See page 3

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