



SAFEGUARDS INFORMATION

April 26, 2004

Re: 10 CFR 2.202
10 CFR 50.4

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

Serial No.: 04-242
NL&OS/MAE: R2
Docket Nos.: 50-245/336/423
50-338/339
50-280/281
72-2/16/47
License Nos.: DPR-21/65
NPF-49
NPF-4/7
DPR-32/37
SNM-2501/2507

DOMINION NUCLEAR CONNECTICUT, INC.
VIRGINIA ELECTRIC AND POWER COMPANY
MILLSTONE POWER STATION UNITS 1, 2, 3 AND PROPOSED ISFSI
NORTH ANNA POWER STATION UNITS 1, 2 AND ISFSI
SURRY POWER STATION UNITS 1, 2 AND ISFSI
SUPPLEMENTAL RESPONSE TO ORDER REQUIRING COMPLIANCE WITH
REVISED DESIGN BASIS THREAT FOR OPERATING POWER REACTORS DATED
APRIL 29, 2003 AND SUBMITTAL OF SECURITY PLAN

The NRC issued an Order dated April 29, 2003, Requiring Compliance with Revised Design Basis Threat ("Order EA-03-086" or "Order") and other security related Orders (collectively "Orders") for the Millstone, North Anna and Surry Power Stations. This response of Dominion Nuclear Connecticut, Inc. (DNC) and Virginia Electric and Power Company (Dominion) to Order EA-03-086 supplements the previous response dated May 30, 2003 (Serial Nos. 03-331 and B18910) that DNC/Dominion filed pursuant to 10 CFR § 50.4 and Section III, Conditions A.1, B.1 and B.2.

Order EA-03-086 imposes license conditions on nuclear power plants licensed pursuant to the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations. Section III.A of the Order requires licensees to revise their physical security plans and safeguards contingency plans to provide protection against the revised design basis threat (DBT) set forth in Attachment 2 to the Order. Section III.A also requires licensees to revise the security force training and qualification plan to

NOTE: THE ENCLOSURE/ATTACHMENTS TO THIS LETTER CONTAIN "SAFEGUARDS INFORMATION" AND MUST BE PROTECTED ACCORDINGLY. UPON SEPARATION OF THE ENCLOSURE/ATTACHMENTS, THIS LETTER IS "DECONTROLLED."

SAFEGUARDS INFORMATION

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implement the revised DBT. These revised plans, along with an implementation schedule, were required to be submitted to the Commission for review and approval no later than April 29, 2004.

In accordance with the Order and 10 CFR § 50.4, DNC/Dominion is submitting this Supplemental Response for the above-mentioned licensed facilities. Attachment A of this submittal includes, revisions to the Millstone, North Anna and Surry Power Stations' Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order EA-03-086. In addition, the revised plans include requirements for the Independent Spent Fuel Storage Installations (ISFSIs) at Surry and North Anna, the proposed ISFSI at Millstone, and Millstone Unit 1, which is being decommissioned. The ISFSIs and Millstone Unit 1 are not addressed by the Order. The attached security plans contain the integrated commitments to comply with Order EA-03-086 and the other security related Orders issued on February 25, 2002, January 7, 2003, and April 29, 2003. As a result, these plans supersede previous submittals of DNC/Dominion in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003, Orders. DNC/Dominion will continue to implement the provisions of the previous submittals except to the extent that they are superseded by these plans. All changes that have been made have been evaluated to ensure that they do not compromise plant safety. All changes that will be made will be evaluated to ensure that they do not compromise plant safety.

DNC/Dominion has developed these plans to be consistent with NEI-03-01 (Revision 1), *Nuclear Power Plant Access Authorization Program* (April 2004); NEI-03-09 (Revision 2 [draft]), *Security Officer Training Program* (April 2004); and NEI-03-12 (Revision 2 [draft]), *Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Storage Installation Security Program]* (April 2004). The schedule for completing those actions, which includes the identification of major transitional activities, is provided in Attachment B to this submittal. To facilitate the NRC's review, any provisions that are different from NEI-03-12 are identified and the justification provided in Attachment C, *Deviations from NEI-03-12*, to this submittal. There are no previously approved exemptions to 10 CFR Part 73 incorporated into the Millstone, North Anna, and Surry Power Stations' Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Security Program. Attachment D, *Justification for Alternatives*, includes the justification for any of the alternatives provided in NEI-03-12. Further, DNC/Dominion has chosen to implement Option 1 of Section 9.4.1.2 of NEI-03-12 and the justification for that choice is provided in Attachment E, *Justification for Vehicle Search Criteria*, to this submittal.

Because there are still a few open issues to be resolved with the NRC regarding certain provisions of NEI-03-12, DNC/Dominion will supplement this response, if necessary,

upon final resolution of those issues to conform with NEI-03-12 as finally approved by the NRC. However, with the filing of these plans, DNC/Dominion will be implementing its revised protection strategy and completing plant modifications and security personnel training pursuant to these plans to ensure that implementation will be completed by October 29, 2004, as required by the Orders. Upon completion of the implementation of these plans, DNC/Dominion will be in compliance with all applicable security requirements. For the purpose of complying with the requirements of 10 CFR Part 73 to conduct an annual audit, the date of the letter that will be submitted to the NRC pursuant to Order EA-03-086 certifying that implementation of the plans is complete will be the effective date for determining commencement of the annual audit requirement period.

Because of the requirement for these plans to be fully implemented by October 29, 2004; the need to integrate the requirement of the revised DBT Order with the Orders issued February 25, 2002, January 7, 2003, and April 29, 2003; and the Commission's determination that it would be appropriate to exercise enforcement discretion to accommodate any transitional issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of the Orders, DNC/Dominion requests that enforcement discretion be exercised during the transition period until full implementation of the plans is accomplished and the physical plant modifications and security force training are complete. At that time, the revised plans will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

The enclosed material contains Safeguards Information as defined by 10 CFR 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended.

If you have any questions, please contact Ms. Margaret Earle at 804-273-2768.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Christian', with a long horizontal line extending to the right.

David A. Christian
Senior Vice President – Nuclear Operations and Chief Nuclear Officer
Virginia Electric and Power Company
Dominion Nuclear Connecticut, Inc.

Enclosure: One CD which contains the following attachments: (SAFEGUARDS INFORMATION)

- Attachments:
- A. Millstone, North Anna, and Surry Power Stations' Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Security Program
 - B. Implementation Schedule
 - C. Deviations from NEI 03-12
 - D. Justification for Alternatives
 - E. Justification for Vehicle Search Criteria

Commitments made by this letter: As described in Attachments A and B.

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COMMONWEALTH OF VIRGINIA)
)
COUNTY OF HENRICO)

The foregoing document was acknowledged before me, in and for the County and Commonwealth aforesaid, today by David A. Christian who is Senior Vice President – Nuclear Operations and Chief Nuclear Officer of Virginia Electric and Power Company and Dominion Nuclear Connecticut, Inc. He has affirmed before me that he is duly authorized to execute and file the foregoing document in behalf of those Companies, and that the statements in the document are true to the best of his knowledge and belief.

Acknowledged before me this 26TH day of April, 2004.

My Commission Expires: May 31, 2006

Vicki L. Hull
Notary Public

(SEAL)

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