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Tennessee Valley Authority, Post Office Box 2000, Soddy-Daisy, Tennessee 37384-2000

April 29, 2004

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

10 CFR 50.54(p)

Gentlemen:

In the Matter of)
Tennessee Valley Authority)

Docket Nos. 50-327
50-328

SEQUOYAH NUCLEAR PLANT - UNITS 1 AND 2 SUPPLEMENTAL RESPONSE TO NRC ORDER EA-03-086

The NRC issued an Order dated April 29, 2003, Requiring Compliance with Revised Design Basis Threat (DBT) ("Order EA-03-086" or "Order") and other security related Orders (collectively "Orders") for the Sequoyah Nuclear Plant. This supplemental response of TVA to Order EA-03-086 supplements the previous response dated June 3, 2003 that TVA 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 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.

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In accordance with the Order and 10 CFR § 50.4, TVA is submitting this supplemental response for the above-mentioned licensed facility. This submittal includes, as Enclosure A, revisions to the Sequoyah Nuclear Plant Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order EA-03-086. These 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 TVA in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003, Orders. TVA will continue to implement the provisions of those previous submittals except to the extent that they are superseded by these plans. All changes that have been or will be made have been evaluated to ensure that they do not compromise plant safety.

TVA 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, *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 Enclosure 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 Enclosure C, *Deviations from NEI-03-12*, to this submittal. Enclosure D, *Previous Exemptions to 10 CFR Part 73*, is a listing of any exemptions to 10 CFR Part 73 previously granted to TVA and an explanation of their status under the plans hereby submitted. Enclosure E, *Justification for Alternatives*, includes the justification for any of the alternatives provided in NEI-03-12 or in "NRC Guidance

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on Implementation of the April 2003 Revised Design Basis Threat" that TVA has adopted. When the final revision of NEI-03-12 is approved by the NRC, TVA will supplement this response, if necessary, to conform with NEI-03-12 as finally approved. However, with the filing of these plans, TVA 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, TVA 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, TVA 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.

This response contains "Safeguards Information" as defined in 10 CFR 73.21. TVA therefore requests that the enclosure be withheld from public disclosure.

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No new regulatory commitments are identified in this letter. If you have any questions concerning this matter, please telephone me at (423) 843-7170 or J. D. Smith at (423) 843-6672.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 29th day of April 2004.
Sincerely,



Pedro Salas

Licensing and Industry Affairs Manager

Enclosure

cc: Mr. Luis A. Reyes (w/enclosure)
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ENCLOSURE A

**SEQUOYAH NUCLEAR PLANT (SQN) UNITS 1 AND 2
NRC ORDER EA-03-086
PHYSICAL SECURITY PLAN**

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ENCLOSURE B

SEQUOYAH NUCLEAR PLANT (SQN) UNITS 1 AND 2
NRC ORDER EA-03-086
SCHEDULE FOR MAJOR TRANSITIONAL ACTIVITIES

The following implementation schedule is provided pursuant to Section III.A.1 of the Order. The implementation schedule covers the major milestones for implementing the plans submitted in Enclosure A and is intended to provide a general understanding of expected progress in meeting the October 29, 2004, commitment date for implementing the new design basis threat. These dates should not be construed as commitments.

AREA OF PLAN IMPLEMENTATION	DATE
SECURITY PLANS	
- Develop Site Implementing Procedures	08/31/04
- Train security personnel on Implementing Procedures	10/21/04
- Train Security personnel on new site security plans	10/21/04
TRAINING ORDER	
- T&Q and DBT Protective Strategy Evaluation - SAT Methodology	08/15/04
- Conduct training on new training order elements	10/21/04
- Develop T&Q Monitoring Program	10/01/04
- Install enhancements to range facilities	07/31/04
SITE PHYSICAL MODIFICATIONS	
- BRE Installation	10/29/04
- VBS Installation	10/29/04
- Delay Barriers	10/29/04

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ENCLOSURE C

SEQUOYAH NUCLEAR PLANT (SQN) UNITS 1 AND 2
NRC ORDER EA-03-086
DEVIATIONS FROM NEI-03-12

Sequoyah Nuclear Plant has three deviations from NEI 03-12, Revision 2 (DRAFT). The deviations are contained in Sections 6.3, "Vital Area Barriers", 5.1.2, "Personnel Reliability (Unescorted Access Authorization Program)", and 9.4, "Searches."

Section 6.3 states that vital equipment is located within a vital area (VA), which is located within the protected area (PA) such that access to vital equipment requires passage through at least two physical barriers of sufficient strength to meet the performance requirements of 10 CFR 73.55(a), dated January 1, 1994. The intake pumping station and the essential raw cooling water intake pumping station do not meet these requirements. These differences were previously approved and remain in this plan.

Section 5.1.2 states that certification of an "active" "Q", "L", or "Top Secret (TS)" clearance may be utilized in lieu of TVA's background investigation criteria, psychological evaluation, and suitable inquiry pursuant to 10 CFR Part 26. This difference was previously approved and remains in this plan.

To address the NEI 03-12 template for Section 9.4.1 "VBS Checkpoint Search," Sequoyah has opted to install one vehicle barrier system and to locate plant personnel parking areas outside of this system. With this configuration, the only vehicles entering the VBS checkpoint will be those vehicles entering the protected area or those vehicles going between the protected area fence and the new vehicle barrier system.

Based on this, the vehicles entering the VBS will be searched according to the protected area search criteria of 9.4.3 "PA Vehicle Search". The wording of the Sequoyah security plan Section 9.4.1 has been modified to accurately reflect this difference.

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ENCLOSURE D

SEQUOYAH NUCLEAR PLANT (SQN) UNITS 1 AND 2
NRC ORDER EA-03-086
PREVIOUS EXEMPTIONS TO 10 CFR PART 73

There are no current exemptions at Sequoyah Nuclear Plant submitted in accordance with 10 CFR 73.5. Any exceptions, which were carried forward from the previous plan revision, are listed in Enclosure C as deviations to NEI 03-12.

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ATTACHMENT E

SEQUOYAH NUCLEAR PLANT (SQN) UNITS 1 AND 2
NRC ORDER EA-03-086
JUSTIFICATIONS FOR ALTERNATIVES IN NEI-03-12

The list of deviations from the NEI 03-12 were previously approved in SQN's Physical Security Plan and those deviations have been brought forward to the attached Physical Security Plan with one exception. Justification for this exception is provided below:

Sequoyah has determined it will implement a vehicle barrier system (VBS) that provides the necessary protection from both Design Basis Threat (DBT) vehicle bomb limiting explosive amounts. The placement of this VBS is such that only vehicles entering the VBS checkpoint will be those vehicles that are proceeding into the protected area or those vehicles going between the protected area fence and the new vehicle barrier system. These vehicles will be searched according to the protected area criteria of Section 9.4.3, "PA Vehicle Search." Therefore, the requirements in Section 9.4.1 of the security plan template (i.e., NEI 03-12) are not applicable at Sequoyah Nuclear Plant and the Sequoyah security plan has been modified to reflect this condition.

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