



SAFEGUARDS INFORMATION

444 South 16th Street Mall
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April 29, 2004
LIC-04-0049

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

- Reference:
1. Docket No. 50-285
 2. Letter from NRC (Samuel J. Collins) to OPPD (John Sefick) dated April 29, 2003, Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors (EA-03-086) (NRC-03-087)
 3. Letter from OPPD (Richard P. Clemens) to NRC (Document Control Desk) dated June 3, 2003, Fort Calhoun Station Unit No. 1 - Answer, Response, and Request for Clarification in Response to Commission Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors (LIC-03-0070)

SUBJECT: Supplemental Response to the April 29, 2003 Orders to Fort Calhoun Station

The NRC issued an Order (Reference 2) 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 Fort Calhoun Station Unit No. 1 (FCS). This Supplemental Response of the Omaha Public Power District (OPPD) to Order EA-03-086 supplements the previous response dated June 3, 2003 that OPPD filed as Reference 3, pursuant to 10 CFR § 50.4 and Section III, Conditions A.1, B.1, and B.2.

Reference 2 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 Reference 2 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 Reference 2. 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.

* **The attachments to this letter contain "Safeguards Information." Upon separation of the attachments, this cover letter is to be considered DECONTROLLED.**

In accordance with the Order and 10 CFR § 50.4, Omaha Public Power District is submitting this Supplemental Response for FCS. This submittal includes, as Attachment A, revisions to the FCS Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as

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required by Reference 2. These plans contain the integrated commitments to comply with Reference 2 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 OPPD in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003 Orders. OPPD 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.

OPPD 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 attached in Attachment B to this submittal. To facilitate the NRC's review, any provisions that are different from NEI-03-01, NEI-03-09, or NEI-03-12 are identified and the justification provided in Attachment C, Deviations from NEI-03-12, to this submittal. Attachment E, Justification for Alternatives, includes the justification for any of the alternatives provided in NEI-03-12 or in "NRC Guidance on Implementation of the April 2003 Revised Design Basis Threat" that OPPD has adopted. Attachments D and F are not used.

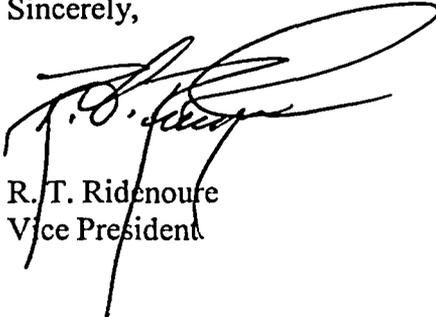
When the final revision of NEI-03-12 is approved by the NRC, OPPD will supplement this response, if necessary, to conform with NEI-03-12 as finally approved. However, with the filing of these plans, OPPD will be implementing its revised protection strategy and completing plant modifications and security 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, OPPD 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 Reference 2 certifying that implementation of the plans is complete will be the effective date for determining commencement with 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, OPPD 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.

I declare under penalty of perjury that the foregoing is true and correct and copies of the response were sent to the addressee and listed individuals. (Executed on April 29, 2004). No commitments are made to the NRC in this letter.

If you have additional questions, or require further information, please contact Dr. R. L. Jaworski at (402) 533-6833.

Sincerely,



R. T. Ridenoure
Vice President

RTR/TRB/trb

Attachment A, Revisions to the FCS Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan (CDROM)

Attachment B, Schedule for Implementation (CDROM)

Attachment C, Deviations from NEI-03-12 (CDROM)

Attachment D, not used

Attachment E, Justification for Alternatives (CDROM)

Attachment F, not used

OMAHA PUBLIC POWER DISTRICT



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OMAHA PUBLIC POWER DISTRICT



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