



TXU

TXU Energy
Comanche Peak Steam
Electric Station
P.O. Box 1002 (E01)
Glen Rose, TX 76043
Tel: 254 897 5209
Fax: 254 897 6652
mike.blevins@txu.com

Mike Blevins
Senior Vice President & Principal Nuclear Officer

Ref: EA-03-086

CPSES-200401121
Log # TXX-04079

April 29, 2004

U. S. Nuclear Regulatory Commission
Mr. James E. Dyer
Director, Office of Nuclear Reactor Regulation
Room 5D2, Mail Stop 5E7
11555 Rockville Pike
Rockville, Maryland 20852

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)
DOCKET NOS. 50-445 AND 50-446
SUPPLEMENTAL RESPONSE TO NRC APRIL 29, 2003
ORDERS TO COMANCHE PEAK STEAM ELECTRIC
STATION (CPSES)

REFERENCE: Letter from S. J. Collins, USNRC, to Holders of Licenses for
Operating Power Reactors, Order EA-03-038

Letter from S. J. Collins, USNRC, to Holders of Licenses for
Operating Power Reactors, Order EA-03-039

Letter from S. J. Collins, USNRC, to Holders of Licenses for
Operating Power Reactors, Order EA-03-086

Gentlemen:

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 CPSES. This Supplemental Response of TXU Generating Company LP (TXU Energy) to Order EA-03-086 supplements the previous response dated June 3, 2003, that TXU Energy filed pursuant to 10 CFR 50.4 and Section III, Conditions A.1, B.1 and B.2.

Attachments contain Safeguards Information.
Upon separation, this page is decontrolled

NS05
*EE53

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.

In accordance with the Order and 10 CFR 50.4, TXU Energy is submitting this Supplemental Response for the above-mentioned licensed facility. This submittal includes, as Attachment A, revisions to the CPSES 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 TXU Energy in these areas, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003, Orders. TXU Energy 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.

TXU Energy 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), *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. Attachment D, *Previous Exemptions to 10 CFR Part 73*, is a listing of any exemptions to 10 CFR Part 73 previously granted to TXU Energy and an explanation of their status under the plans hereby submitted. 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 TXU Energy has adopted.

Attachments contain Safeguards Information.
Upon separation, this page is decontrolled

When the final revision of NEI-03-12 is approved by the NRC, TXU Energy will supplement this response, if necessary, to conform with NEI-03-12 as finally approved. However, with the filing of these plans, TXU Energy 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, TXU Energy 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, TXU Energy 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.

If you have any questions concerning this matter, please contact me at (254) 897-5609, or Mr. Don Alps at (254) 897-5432. To facilitate the NRC review, TXU Energy will provide a copy of this submittal on CD-ROM via separate transmittal upon request.

TXX-04079

Page 4 of 4

In accordance with 10 CFR 2.202(b), the following affirmation is provided:

I state under penalty of perjury that the foregoing is true and correct.

Executed on April 29, 2004.

Sincerely,

TXU Generation Company LP

By: TXU Generation Management Company LLC,
Its General Partner



Mike Blevins

NSH

Attachments:

- A) TXU Energy (CPSES) Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Rev. 0
- B) Schedule for Completing Actions Identified with Major Transitional Activities
- C) Deviations from NEI 03-12
- D) Previous Exemptions to 10CFR73
- E) Justification for Alternatives
- F) Justification for Vehicle Search Criteria – Not Applicable to CPSES

c -	B. S. Mallett, Region IV	Attachments
	M. C. Thadani, NRR	Attachments
	Document Control Desk	Attachments
	Director of Nuclear Security, Office of Nuclear	
	Security and Incident Response	Attachments
	Resident Inspectors, CPSES	w/o Attachments

Attachments contain Safeguards Information.
Upon separation, this page is decontrolled