SAFEGUARDS INFORMATION

July 23, 2004

Mr. James A. Spina Vice President Nine Mile Point Nuclear Station, LLC P. O. Box 63 Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNITS 1 AND 2 - REQUEST FOR

ADDITIONAL INFORMATION RE: SAFEGUARDS CONTINGENCY PLAN AND SECTION 9.4.1 OF THE PHYSICAL SECURITY PLAN (TAC NOS. MC2941

AND MC2942)

Dear Mr. Spina:

In response to the April 29, 2003, Orders revising the design basis threat, you submitted a revised physical security plan, safeguards contingency plan, and training and qualification plan, including an implementation schedule, for Nine Mile Point Nuclear Station, Units 1 and 2.

The Nuclear Regulatory Commission staff is reviewing your submission and has determined that a request for additional information (RAI) is necessary in order to complete its evaluation based on its review of your Safeguards Contingency Plan and Section 9.4.1 of the Physical Security Plan. Please respond to the enclosed RAI within 10 days from the receipt of this letter. If circumstances result in the need to revise the target response date, please contact me at (301) 415-1460.

Sincerely,

/RA/

Brian Benney, Project Manager Security Plan Review Team Division of Licensing Project Management Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure: As stated

cc w/o encl: See next page

WARNING: Violation of Section 147 of the Atomic Energy Act, "Safeguards Information" is subject to Civil and Criminal Penalties

NOTICE: The Enclosure contains Safeguards Information. Upon separation from the Enclosure, this letter is DECONTROLLED.

Mr. James A. Spina Vice President Nine Mile Point Nuclear Station, LLC P. O. Box 63 Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNITS 1 AND 2 - REQUEST FOR

ADDITIONAL INFORMATION RE: SAFEGUARDS CONTINGENCY PLAN AND SECTION 9.4.1 OF THE PHYSICAL SECURITY PLAN (TAC NOS. MC2941

AND MC2942)

Dear Mr. Spina:

In response to the April 29, 2003, Orders revising the design basis threat, you submitted a revised physical security plan, safeguards contingency plan, and training and qualification plan, including an implementation schedule, for Nine Mile Point Nuclear Station, Units 1 and 2.

The Nuclear Regulatory Commission staff is reviewing your submission and has determined that a request for additional information (RAI) is necessary in order to complete its evaluation based on its review of your Safeguards Contingency Plan and Section 9.4.1 of the Physical Security Plan. Please respond to the enclosed RAI within 10 days from the receipt of this letter. If circumstances result in the need to revise the target response date, please contact me at (301) 415-1460.

Sincerely,

/RA/

Brian Benney, Project Manager Security Plan Review Team Division of Licensing Project Management Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410

Enclosure: As stated

cc w/o encl: See next page

DISTRIBUTION:

SPRT R/F P. Tam
RidsNsirDns R. Laufer
RidsNrrDlpm C. Holden
OGC C. Bixler, RI

ACRS

ADAMS Accession Number: ML042110035

OFFICE	SPRT/NRR/PM	SPRT/NRR/LA	SPRT/NSIR	SPRT/NRR/SC
NAME	BBenney	CHawes	JPeralta	JNakoski
DATE	07/23/04	07/22/04	07/23/04	07/23/04

Nine Mile Point Nuclear Station, Unit Nos. 1 and 2

CC:

Regional Administrator, Region I U.S. Nuclear Regulatory Commission 475 Allendale Road King of Prussia, PA 19406

Resident Inspector U.S. Nuclear Regulatory Commission P.O. Box 126 Lycoming, NY 13093

Supervisor Town of Scriba Route 8, Box 382 Oswego, NY 13126

Mr. James R. Evans LIPA P.O. Box 129 Lycoming, NY 10393

Charles Donaldson, Esquire Assistant Attorney General New York Department of Law 120 Broadway New York, NY 10271

Mr. Paul D. Eddy Electric Division NYS Department of Public Service Agency Building 3 Empire State Plaza Albany, NY 12223

C. Adrienne Rhodes Chairman and Executive Director State Consumer Protection Board 5 Empire State Plaza, Suite 2101 Albany, NY 12223-1556

Mark J. Wetterhahn, Esquire Winston & Strawn 1400 L Street, NW Washington, DC 20005-3502

Mr. Michael J. Wallace President Nine Mile Point Nuclear Station, LLC c/o Constellation Energy Group, Inc. 750 East Pratt Street Baltimore, MD 21202 Mr. James M. Petro, Jr., Esquire Counsel Constellation Energy Group 750 East Pratt Street, 5th Floor Baltimore, MD 21202

Mr. William M. Flynn, President New York State Energy, Research, and Development Authority 17 Columbia Circle Albany, NY 12203-6399

Mr. John T. Conway Vice President Nine Mile Point Nine Mile Point Nuclear Station, LLC P.O. Box 63 Lycoming, NY 13093