SAFEGUARDS INFORMATION

September 21, 2004

Mr. James A. Spina Vice President Nine Mile Point Nuclear Station, LLC Nine Mile Point Nuclear Station, Units 1 and 2 P. O. Box 63 Lycoming, NY 13093

SUBJECT: SECURITY PLAN PROVISIONS FOR ENHANCED OWNER CONTROLLED AREA SURVEILLANCE AND RESPONSE (TAC NOS. MC2941 AND MC2942)

Dear Mr. Spina:

On May 14, 2004, the U. S. Nuclear Regulatory Commission's (NRC) staff completed an evaluation of lessons learned from the pilot expanded force-on-force exercises. As a result of this evaluation, surveillance and response in the owner controlled area (OCA) was identified as one aspect of security at nuclear power plant facilities that required further improvement. On August 13, 2004, the Commission directed the staff to work with industry toward voluntary implementation of enhanced OCA surveillance and response measures.

The NRC staff worked with the industry's Security Working Group and the Nuclear Energy Institute to develop appropriate provisions to be included in physical security plans. These provisions have been discussed with your staff for incorporation into your facility's physical security plan. Specific revised security plan language developed to achieve this objective is included as an enclosure to this letter.

Thank you for your cooperation in resolving this issue. Should you have further questions on this matter, please call Juan Peralta at (301) 415-6689 or me at (301) 415-7083.

Sincerely,

/RA/

Scott A. Morris, Chief Reactor Security Section Division of Nuclear Security Office of Nuclear Security and Incident Response

Enclosure: As stated

cc: See next page

Docket Nos.: 50-220 and 50-410

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

NOTICE: Enclosure transmitted herewith contains "Safeguards Information." When separated from Enclosure(s) this Cover Document is "DECONTROLLED"

SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

September 21, 2004

Mr. James A. Spina Vice President Nine Mile Point Nuclear Station, LLC Nine Mile Point Nuclear Station, Units 1 and 2 P. O. Box 63 Lycoming, NY 13093

SUBJECT: SECURITY PLAN PROVISIONS FOR ENHANCED OWNER CONTROLLED AREA SURVEILLANCE AND RESPONSE (TAC NOS. MC2941 AND MC2942)

Dear Mr. Spina:

On May 14, 2004, the U. S. Nuclear Regulatory Commission's (NRC) staff completed an evaluation of lessons learned from the pilot expanded force-on-force exercises. As a result of this evaluation, surveillance and response in the owner controlled area (OCA) was identified as one aspect of security at nuclear power plant facilities that required further improvement. On August 13, 2004, the Commission directed the staff to work with industry toward voluntary implementation of enhanced OCA surveillance and response measures.

The NRC staff worked with the industry's Security Working Group and the Nuclear Energy Institute to develop appropriate provisions to be included in physical security plans. These provisions have been discussed with your staff for incorporation into your facility's physical security plan. Specific revised security plan language developed to achieve this objective is included as an enclosure to this letter.

Thank you for your cooperation in resolving this issue. Should you have further questions on this matter, please call Juan Peralta at (301) 415-6689 or me at (301) 415-7083.

Sincerely, /**RA**/ Scott A. Morris, Chief Reactor Security Section Division of Nuclear Security Office of Nuclear Security and Incident Response

Enclosure: As stated cc: See next page Docket Nos.: 50-220 and 50-410 **DISTRIBUTION:** SPRT R/F RFretz JCreed ACRS DHuyck BBennev BVaidya OGC MBurrell DSpaulding RManili PPeduzzi MChernoff PTam RLaufer CHolden GMatakas, RI

ADAMS Accession Number: ML042680011

OFFICE	SPRT/LA	SPRT	SPRT	SPRT
NAME	CHawes	JPeralta	JNakoski	SMorris
DATE	9/20/04	9/20/04	9/20/04	9/20/04

OFFICIAL RECORD COPY

SAFEGUARDS INFORMATION

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. Peter R. Smith, President New York State Energy, Research, and Development Authority 17 Columbia Circle Albany, NY 12203-6399

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

Mr. Mike Heffley Senior Vice President and Chief Nuclear Officer Constellation Generation Group 1997 Annapolis Exchange Parkway Suite 500 Annapolis, MD 21401