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Fred Dacimo
Site Vice President
Administration

September 7, 2004

Indian Point Unit No. 1
Docket No. 50-03
NL-04-112

Secretary,
Office of the Secretary
U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

Subject: Answer to Order EA-03-099 for Implementation of Additional Security Measures
Associated with Access Authorization, Fitness for Duty and Behavior Observation
for Indian Point Nuclear Generating Station, Unit 1


Dear Sir or Madam:

Entergy Nuclear Operations, Inc., (ENO) is in receipt of NRC Order EA-03-099 transmitted by NRC letter dated August 19, 2004. Pursuant to the requirements of 10 CFR 2.202(a)(2), ENO is providing an Answer in this letter, see enclosure. This letter is being transmitted in accordance with the Order and the provisions of 10 CFR 72.4.

This letter contains no new commitments. If you have any questions or require additional information, please contact Mr. Patric W. Conroy, Manager, Licensing at (914) 734-6668.

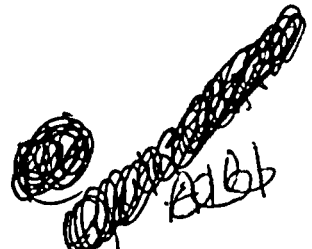
I declare under penalty of perjury that the foregoing is true and correct. Executed on September 7, 2004.

Sincerely,

For 
Fred R. Dacimo
Site Vice President
Indian Point Energy Center

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Enclosure

cc: Document Control Desk
U. S. Nuclear Regulatory Commission
Mail Station O-P1-17
Washington, D.C. 20555-0001

Director, Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Assistance General Counsel for Materials Litigation and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Regional Administrator-Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

Director, Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. Michael K. Webb, Project Manager
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O-7-D1
Washington, D.C. 20555-0001

Resident Inspectors' Office
U.S. Nuclear Regulatory Commission
Indian Point Unit 2
P.O. Box 59
Buchanan, NY 10511-0059

Resident Inspectors' Office
U.S. Nuclear Regulatory Commission
Indian Point Unit 3
P.O. Box 337
Buchanan, NY 10511-0337

Mr. Paul Eddy
NYS Department of Public Service
3 Empire Plaza
Albany, NY 12223

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	EA-03-99
)	Docket No. 50-03
Entergy Operations, Inc.)	License No. DPR-5
)	
(Indian Point Unit 1))	
)	
)	
)	

LICENSEE'S ANSWER TO AUGUST 19, 2004 COMMISSION ORDER EA-03-99
TO MODIFY LICENSE FOR ADDITIONAL SECURITY MEASURES ASSOCIATED
WITH ACCESS AUTHORIZATION, FITNESS FOR DUTY AND BEHAVIOR OBSERVATION

On August 19, 2004, the Nuclear Regulatory Commission ("NRC" or "Commission") issued an immediately effective order in the captioned matter entitled Order Modifying License (Effective Immediately) ("Order") to all decommissioning power reactor licensees with spent fuel in the spent fuel pool including, *inter alia*, Entergy Operations, Inc. ("ENO") Indian Point Unit 1. The Order stated that certain additional security measures (ASMs) are required because the current threat environment continues to persist. Therefore, the Commission imposed requirements as set forth in Attachment 1 of the Order.¹ In accordance with Section IV of the Order and 10 CFR 2.202, Entergy hereby submits its Answer to the Order. Entergy consents to the Order and specifically does not request a hearing. The order allows Licensees to implement the to implement the ASMs issued by order EA-02-261, dated January 7, 2003 for access, fitness for duty and behavior observation for operating power reactors which were required to be implemented by January 7, 2004 as an alternate means of complying with Order EA-03-099. Entergy notified the Commission, by letter dated January 6, 2004 (NL-04-001) that was transmitted in accordance with the provisions of 10 CFR 72.4, that full compliance with the requirements described in Attachment 2 of Order EA-02-261 and our responses was achieved as of January 6, 2004. These requirements are applicable to the site and are therefore currently applicable to Unit 1 which is located within the protected area boundary.


¹ Attachment 1 contained Safeguards Information and was not publicly released.

Accordingly, the January 6, 2004 letter responds to the substantive requirements in Attachment 1 of Order EA-03-099.

As requested in Section IV of the Order, this Answer is directed to the Secretary, of the Commission and copies of this Answer are being transmitted to Director, Office of Nuclear Reactor Regulation, Assistant General Counsel for Materials Litigation and Enforcement, and the Regional Administrator for NRC Region I. Additionally, decontrolled answers are transmitted to the Secretary of the Commission by email to hearingdocket@nrc.gov and to the Office of General Council by email to OGCMailCenter@nrc.gov.

I declare under penalty of perjury that the forgoing is true and correct. Executed on September 7, 2004.

Respectfully submitted,


For Fred R. Dacimo
Site Vice President
Indian Point Energy Center