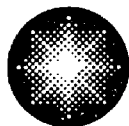


SAFEGUARDS INFORMATION

James A. Spina
Vice President – Nine Mile Point

P.O. Box 63
Lycoming, NY 13093



Constellation Energy

October 15, 2004
NMP1L 1873

Docket Nos: 50-220
50-410

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

**SUBJECT: Third Amended Supplemental Response to the April 29, 2003 Orders to
Nine Mile Point Nuclear Station, LLC**

The Nuclear Regulatory Commission (“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 Nine Mile Point Nuclear Station, Units 1 and 2. By letter dated April 28, 2004 (Reference a), Nine Mile Point Nuclear Station, LLC (“NMPNS”), submitted its Supplemental Response to Order EA-03-086. The Supplemental Response included, as Attachment A, revisions to the NMPNS Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan, as required by the Order.

On September 9, 2004, NMPNS submitted an Amended Supplemental Response (Reference b) that included revisions to the security plans. The revised plans incorporated our responses to several Requests for Additional Information (“RAIs”) received from the NRC subsequent to the submittal of the original Supplemental Response.

On September 30, 2004, NMPNS submitted a Second Amended Supplemental Response (Reference c) to incorporate additional security plan changes requested by the NRC Security Plan Review Team, as well changes requested in correspondence from Mr. S.A. Morris of the NRC’s Office of Nuclear Security and Incident Response (Reference d) regarding security enhancements in the owner controlled area.

This Third Amended Supplemental Response is being submitted to incorporate final security plan changes requested by Mr. Brian Benney and Mr. James Creed of the NRC Security Plan Review Team in telephone conversations with representatives of NMPNS on October 11, 2004.

NOTE: THE ENCLOSURE TO THIS LETTER CONTAINS “SAFEGUARDS INFORMATION” AND MUST BE PROTECTED ACCORDINGLY. UPON SEPARATION FROM THE ENCLOSURE, THIS LETTER IS “DECONTROLLED.”

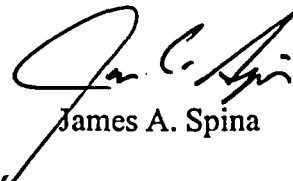
SAFEGUARDS INFORMATION

* Nsiros w/ed

Our supplemental responses of April 28th, September 9th, and September 30th are amended via the enclosure to this letter only. All other information provided in those supplemental responses remains unchanged and is unaffected by this Amendment.


The enclosure includes a CD-ROM containing the revised security plans formatted in pdf, as well as a summary of the changes. Should you have any questions on this matter, we would be pleased to discuss them with you.

Very truly yours,


James A. Spina

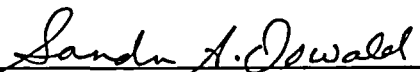
STATE OF NEW YORK :
: TO WIT:
COUNTY OF OSWEGO :

I, James A. Spina, being duly sworn, state that I am Vice President Nine Mile Point, and that I am duly authorized to execute and file this response on behalf of Nine Mile Point Nuclear Station, LLC. To the best of my knowledge and belief, the statements contained in this document are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by other Nine Mile Point employees and/or consultants. Such information has been reviewed in accordance with company practice and I believe it to be reliable.


James A. Spina
Vice President Nine Mile Point

Subscribed and sworn before me, a Notary Public in and for the State of New York and County of Oswego, this 15th day of October, 2004.

WITNESS my Hand and Notarial Seal:


Notary Public

My Commission Expires:

10/15/04
Date

REFERENCES:

- (a) Letter from J.A. Spina (NMPNS) to Document Control Desk (NRC), dated April 28, 2004, Supplemental Response to the April 29, 2003 Orders to Nine Mile Point Nuclear Station, LLC
- (b) Letter from T.J. O'Connor (NMPNS) to Document Control Desk (NRC), dated September 9, 2004, Amended Supplemental Response to the April 29, 2003 Orders to Nine Mile Point Nuclear Station, LLC
- (c) Letter from J.A. Spina (NMPNS) to Document Control Desk (NRC), dated September 30, 2004, Second Amended Supplemental Response to the April 29, 2003 Orders to Nine Mile Point Nuclear Station, LLC
- (d) Letter from S.A. Morris, NRC Office of Nuclear Security and Incident Response, to J.A. Spina (NMPNS), dated September 21, 2004, Re: Security Plan Provisions for Enhanced Owner Controlled Area Surveillance and Response

Document Control Desk

October 15, 2004

Page 4

cc: (without enclosure)

Mr. James E. Dyer
Director, Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O5-E-07
Washington, DC 20555

Gordon K. Hunegs
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Mr. Roy P. Zimmerman
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Mr. Peter S. Tam
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Mr. Samuel J. Collins
Regional Administrator – Region I
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Contact:

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Oswego, NY 13126

E-mail Address dennis.pierce@constellation.com
Phone Number 315-349-2739

Contents of enclosure (CD-ROM) with file name, size of file and sensitivity level:

- NMP1L 1873: (NMP1L 1873, cover letter.pdf; 606,274 bytes, publicly available)
(cover letter)
- Attachment A: Third Amended NMPNS Security, Safeguards Contingency, and Security Training and Qualification Plan, Issue 6, Rev. 0 (Third Amended NMPNS Security Plan Issue 6, Rev. 0.pdf; 537,685 bytes; **Safeguards Information**)
- Attachment A1: Figure 1 of Appendix D to the Nine Mile Point Nuclear Station Physical Security, Safeguards Contingency, and Security Training and Qualification Plan (FIG1-OCA.pdf; 101,069 bytes, **Safeguards Information**)
- Attachment A2: Figure 2 of Appendix D to the Nine Mile Point Nuclear Station Physical Security, Safeguards Contingency, and Security Training and Qualification Plan (FIG2-PA&VBS.pdf; 100,700 bytes, **Safeguards Information**)
- Attachment A3: Summary of Security Plan Changes in Third Amended Supplemental Response (Summary of Changes.pdf; 46,763 bytes, **Safeguards Information**)