Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381-2000

OCT 2 6 2004

EA-03-086

10 CFR 2.202

Mr. James E. Dyer
Director, Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. Dyer:

In the Matter of the) Docket No. 50-390
Tennessee Valley Authority)

WATTS BAR NUCLEAR PLANT (WBN) - UNIT 1 - SUPPLEMENTAL RESPONSE TO THE DESIGN BASIS THREAT ORDER DATED APRIL 29, 2004 - NRC ORDER EA-03-086 (TAC NO. MC2873)

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 WBN Unit 1.

Order EA-03-086 imposed 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 required 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 required licensees to revise their security force training and

Printed on recycled paper

NSIR 05

OCT 2 6 2004

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.

Activities were scheduled to be implemented by October 29, 2004, as required by the Order. In developing and implementing the detailed plans required by the Order, WBN has determined that several items are currently scheduled for completion just prior to October 29, 2004. Because of the potential for unforeseen construction delays, TVA is providing a status report of the items for NRC information.

The enclosure to this letter contains Safeguards Information. It includes the specific provision(s) of the Order; the manner in which WBN intends to meet that requirement; the reasons why those elements of the plans could be at risk; and the steps that will be taken to provide a high degree of assurance that the defensive strategy employed by WBN will meet the intent of that requirement of the Order if implementation is delayed.

The Commission concluded 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. WBN requests enforcement discretion be exercised from the date of this request until implementation of the steps necessary to meet the requirement, which is the subject of this request. At that time, the revised plans will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

There are no new regulatory commitments identified in this submittal. If you have any questions concerning this letter, please contact me at (423) 365-1824.

OCT 2 6 2004

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 26 day of October 2004.

Sincerely,

Rebecca N Mays

for P. L. Pace
Manager, SQN/WBN Licensing
and Industry Affairs

Enclosure
Cc: See page 4

Safeguards Information Classification Does Not Apply
To This Page When Separated From The Attachment