

SAFEGUARDS INFORMATION

Tennessee Valley Authority, Post Office Box 2000, Decatur, Alabama 35609-2000

Mike D. Skaggs
Vice President, Browns Ferry Nuclear Plant

October 26, 2004

EA-03-086

10 CFR 2.202

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

Gentlemen:

In the Matter of)	Docket Nos.	50-259
Tennessee Valley Authority)		50-260
			50-296

BROWNS FERRY NUCLEAR PLANT (BFN) - UNITS 1, 2, AND 3 - REQUEST FOR AN EXTENSION FOR THE IMPLEMENTATION OF THE DESIGN BASIS THREAT ORDER DATED APRIL 29, 2003

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 Browns Ferry Nuclear Plant.

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 qualification plan to implement the revised DBT.

* NSI R05

UNAUTHORIZED DISCLOSURE MAY BE SUBJECT TO CIVIL AND CRIMINAL SANCTIONS
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CLASSIFIED BY *Konny F. LeCroy* DATE *10/26/2004*

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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.

Our activities were scheduled to be implemented by October 29, 2004, as required by the Order. However, in developing and implementing the detailed plans required by the Orders, BFN has determined that it cannot complete the implementation of all of the elements of its plans by the required October 29, 2004 date.

The enclosure to this letter contains Safeguards Information. It includes the specific provision(s) of the Order for which implementation may not or cannot be completed by October 29, 2004; the manner in which BFN had intended to meet that requirement; the reasons why all elements of the plans will not be able to be implemented by that date; and the steps that will be taken to provide a high degree of assurance that the defensive strategy employed by BFN will meet the intent of that requirement of the Order until implementation is complete.

As a result, BFN requests that the Commission grant an extension for completion of implementation of the remaining element of BFN's plan detailed in the enclosure. Further, because 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, BFN requests that enforcement discretion be exercised during the period from this request until implementation of the steps necessary to meet the requirement that is the subject of this request is complete. At that time, the revised plans will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

This response contains Safeguards Information as defined in 10 CFR 73.21. TVA, therefore, requests that the enclosure be withheld from public disclosure.

There are no new regulatory commitments identified in this submittal. If you have any questions about these responses, please contact Mr. J. M. Ogle at (256) 729-2929.

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

Sincerely,


Mike D. Skaggs

Enclosure

cc (W/O Enclosure):

Via NRC Electronic Distribution)

Dr. William D. Travers

Regional Administrator, Region II

U.S. Nuclear Regulatory Commission

Sam Nunn Atlanta Federal Center

61 Forsyth St., SW, Suite 23T85

Atlanta, Georgia 30323-8931

U.S. Nuclear Regulatory Commission

Region II

Sam Nunn Atlanta Federal Center

61 Forsyth Street, SW, Suite 23T85

Atlanta, Georgia 30303-3415

Mr. Stephen J. Cahill, Branch Chief

U.S. Nuclear Regulatory Commission

Region II

Sam Nunn Atlanta Federal Center

61 Forsyth Street, SW, Suite 23T85

Atlanta, Georgia 30303-8931

NRC Senior Resident Inspector

Browns Ferry Nuclear Plant

10833 Shaw Road

Athens, AL 35611-6970

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