

SAFEGUARDS INFORMATION

October 28, 2004

Mr. George Vanderheyden
Vice President
c/o Mr. Vince Williams
Calvert Cliffs Nuclear Power Plant, Inc.
1650 Calvert Cliffs Parkway
Lusby, MD 20657

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNITS 1 AND 2-
ADMINISTRATIVE CHANGE TO RENEWED FACILITY OPERATING
LICENSES IN CONJUNCTION WITH THE COMMISSION ORDER EA-03-086
REGARDING REVISED DESIGN BASIS THREAT; AND REVISIONS TO
PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND
SAFEGUARDS CONTINGENCY PLAN (TAC NOS. MC2900 AND MC2901)

Dear Mr. Vanderheyden:

By letter dated April 29, 2004, Calvert Cliffs Nuclear Power Plant, Inc. submitted a supplemental response in accordance with Order EA-03-086, the Order requiring compliance with the revised design basis threat, dated April 29, 2003, (DBT Order) for the Calvert Cliffs Nuclear Power Plant, Units 1 and 2. Section III.A of the DBT Order required licensees to revise physical security plans (PSPs), training and qualification plans (T&Q Plans), and safeguards contingency plans (SCPs) in order to provide protection against the revised DBT set forth in Attachment 2 to the DBT Order. These revised plans, along with an implementation schedule, were required to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for review and approval no later than April 29, 2004.

In the revised security plans for Calvert Cliffs Nuclear Power Plant, Units 1 and 2, you included information related to the independent spent fuel storage installation (ISFSI) co-located at the site. The DBT Order did not require this information to be included in the revised security plans for Calvert Cliffs Nuclear Power Plant, Units 1 and 2. However, Order EA-02-104, dated October 16, 2002, required licensees to comply with the requirements, set forth in an attachment to the Order, that described the compensatory measures necessary to protect the ISFSI as a result of the heightened threat environment following the September 11, 2001, terrorist attacks. On September 10, 2004, the NRC staff requested that you clarify whether the information provided in the revised security plans for Calvert Cliffs Nuclear Power Plant, Units 1 and 2 related to the ISFSI, modified the response you provided to Order EA-02-104. By letter dated September 27, 2004, you indicated that although your revised security plans as

<p>NOTICE: Enclosure 2 contains Safeguards Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.</p>
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SAFEGUARDS INFORMATION

amended, include ISFSI-related security provisions, no modifications or revisions which decrease the effectiveness of the implementation of ISFSI-related security provisions have been made. The effectiveness of these security provisions will continue to be the subject of NRC evaluation and inspection.

The NRC staff's review of the Calvert Cliffs Nuclear Power Plant, Units 1 and 2 PSP, SCP, T&Q Plan submitted in your letter dated April 29, 2004, as supplemented on July 1, 6, 27, August 6, September 2, 9, 15, 30, October 12, and 21, 2004, has focused on ensuring the necessary programmatic elements are contained in these plans in order to provide the high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

The NRC staff has determined that, subject to subsequent inspection and evaluation, these plans contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that Calvert Cliffs Nuclear Power Plant, Units 1 and 2 will be protected against the revised DBT. The NRC staff, therefore approves the PSP, SCP, and T&Q Plan for Calvert Cliffs Nuclear Power Plant, Units 1 and 2. However, ultimately the effectiveness of these plans will be judged on your ability to meet regulatory requirements through facility implementing procedures and site practices. As such your facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises.

In addition, the NRC staff noted that your PSP included alternatives to certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.55. In each case, the NRC staff found that the alternative measures provide an equivalent level of protection to that of the associated requirement and meet the high assurance objective of 10 CFR 73.55(a). The NRC staff, therefore, approves the alternatives shown in the table below. The NRC staff's evaluation is discussed further in the enclosed Safety Evaluation (SE).

Approved Alternatives to the Requirements of 10 CFR Part 73

SE Section	PSP Section	Alternative to 10 CFR	Description
3.6.2	6.2	73.55(c)(3)	Isolation Zones
3.9.4.3	9.4.3	73.55(d)(4)	Protected Area (PA) search requirements
3.9.4.4	9.4.4	73.55(d)(1)	PA search requirements
3.9.5.2	9.5	73.55(d)(4)	PA access control requirements
3.10.1	10.1	73.55(c)(5)	PA illumination requirements
3.13.1	14.1	73.55(c)(1) 73.55(d)(7)(i)(B)	Temporary reclassification of Vital Areas to PA status (devitalization)

Finally, consistent with the DBT Order, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, administrative license changes to Renewed FOLs DPR-53 and DPR-69 are being made to incorporate the reference to the revised PSP, SCP, and T&Q Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Please replace the enclosed pages to your Renewed FOLs as indicated in Enclosure 1.

A copy of our SE with regard to your security plans (designated as Safeguards Information) is provided in Enclosure 2.

Sincerely,

/RA/

John A. Nakoski, Section Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-317 and 50-318

Enclosures: 1. Administrative Change to Renewed FOL Nos. DPR-53 and DPR-69
2. Safety Evaluation Regarding the Security Plans (**SAFEGUARDS INFORMATION**)

cc w/encl 1 only: See mailing list 1
cc w/encls 1 and 2: Vince Williams, Site Security Manager

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Sincerely,
/RA/
John A. Nakoski, Section Chief
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Project Directorate II
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cc w/encl 1 only: See mailing list 1
cc w/encls 1 and 2: Vince Williams, Site Security Manager

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Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2

cc: w/o encl.:

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Lusby, MD 20657-4702

CONSTELLATION ENERGY

DOCKET NO. 50-317

CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 1

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

License No. DPR-53

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-53 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended and the Commission's rules and regulations set forth in 10 CFR Chapter I.
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this administrative license change can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this administrative license change will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed FOL is changed, as indicated in the attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29,

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Section Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL

Date: October 28, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-53

DOCKET NO.50-317

Replace the following page of the Renewed Facility Operating License DPR-53 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

Remove Page

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Insert Page

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- c. Identification of process sampling points;
 - d. Procedure for recording and management of data;
 - e. Procedures defining corrective actions for off control point chemistry conditions; and
 - f. A procedure identifying the authority responsible for the interpretation of the data and the sequence and timing of administrative events required to initiate corrective action.
- D. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Seach Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Calvert Cliffs Nuclear Power Plant Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0" submitted by letter dated October 12, 2004, as supplemented by the letter October 21, 2004.
- E. At the time of the next scheduled update to the FSAR required pursuant to 10 CFR 50.71(e)(4) following the issuance of this renewed license, the licensee shall update the FSAR to include the FSAR supplement submitted pursuant to 10 CFR 54.21(d), as amended and supplemented by the program descriptions in Appendix E to the Safety Evaluation Report, NUREG-1705. Until that FSAR update is complete, the licensee may make changes to the programs described in Appendix E without prior Commission approval, provided that the licensee evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- F. Any future actions listed in Appendix E to the Safety Evaluation Report, NUREG-1705, shall be included in the FSAR. The licensee shall complete these actions by July 31, 2014, except for the volumetric inspections of the control element drive mechanisms, which must be completed no later than 2029 for Unit 1 (Appendix E, Item 65).

CONSTELLATION ENERGY

DOCKET NO. 50-318

CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 2

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

License No. DPR-69

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-69 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended and the Commission's rules and regulations set forth in 10 CFR Chapter I.
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this administrative license change can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this administrative license change will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed FOL is changed, as indicated in the attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29,

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

John A. Nakoski, Section Chief
Security Plan Review Team
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL

Date: October 28, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-69

DOCKET NO. 50-318

Replace the following page of the Renewed Facility Operating License DPR-69 with the attached revised page as indicated. The revised page is identified a revision date and contains marginal lines indicating the area of change.

Remove Page

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Insert Page

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(5) Additional Conditions

The Additional Conditions contained in Appendix C as revised through Amendment No. 221 are hereby incorporated into this license. Calvert Cliffs Nuclear Power Plant, Inc. shall operate the facility in accordance with the Additional Conditions.

(6) Secondary Water Chemistry Monitoring Program

The Calvert Cliffs Nuclear Power Plant, Inc., shall implement a secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include:

- a. Identification of a sampling schedule for the critical parameters and control points for these parameters;
- b. Identification of the procedures used to quantify parameters that are critical to control points;
- c. Identification of process sampling points;
- d. Procedure for recording and management of data;
- e. Procedures defining corrective actions for off control point chemistry conditions; and
- f. A procedure identifying the authority responsible for the interpretation of the data and the sequence and timing of administrative events required to initiate corrective action.

- D. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Calvert Cliffs Nuclear Power Plant Physical Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0" submitted by letter dated October 12, 2004, as supplemented by letter dated October 21, 2004.
- E. The Calvert Cliffs Nuclear Power Plant, Inc., is required to implement and maintain the administrative controls identified in Section 6 of the NRC's Fire Protection Safety Evaluation on the facility dated September 14, 1979.