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Constellation Energy

R.E. Ginna Nuclear Power Plant, LLC

November 3, 2004

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

Subject: Confirmation of Implementation of April 29, 2003 Orders to the R.E. Ginna Nuclear Power Plant (NPP), LLC
Docket No. 50-244

Reference:

1. Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors, EA-03-086, April 29, 2003.
2. Issuance of Order for Compensatory Measures Related to Training Enhancements on Tactical and Firearms Proficiency and Physical Fitness Applicable to Armed Nuclear Power Plant Security Force Personnel, EA-03-039, April 29, 2003.
3. Letter to Joseph A. Widay (Ginna NPP) from John A. Nakoski (NRC), R.E. Ginna Nuclear Power Plant – Administrative Change to Renewed Facility Operating License in Conjunction with the Commission Order EA-03-086 Regarding Revised Design Basis Threat (DBT); and Revisions to Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (TAC No. MC2923), October 29, 2004.

On April 29, 2003 NRC issued Orders (Reference 1 and 2) for the R.E. Ginna NPP, LLC. In addition to other requirements, the Orders required nuclear power plant licensees to revise their physical security plans, safeguards contingency plans, and security force training and qualification plans; submit those plans to the NRC for approval by April 29, 2004; and complete implementation of those plans by October 29, 2004, unless a request for a schedule extension for one or more elements of those plans was approved by the NRC.

On April 29, 2004, R.E. Ginna NPP filed a Supplemental Response to Order EA-03-086 that contained the Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order EA-03-086 for the R.E. Ginna NPP. By letter dated October 29, 2004 (Reference 3), the NRC issued a Safety Evaluation Report documenting the NRC's review and acceptance of those plans. Section III.C. of Order EA-03-086 required R.E. Ginna NPP to advise the NRC when implementation of the NRC approved physical security plans, safeguards contingency plans, and general training and qualification plans has been accomplished. Section III.C.2. of Order EA-03-39 required R.E. Ginna NPP to advise the NRC when full compliance with the requirements in Attachment 2 to that Order has been achieved. R.E. Ginna NPP hereby certifies that those conditions have been met as of October 29, 2004, and the exercise of enforcement discretion pursuant to the Orders during the transition period will no longer be necessary.

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Additionally, Reference 3 was reviewed by the Ginna NPP Staff with the following comments relevant to Enclosure 2 (Safety Evaluation):

- The typographical error mentioned in section 3.7 (page 23) has been corrected in the Ginna Security Plan.
- The last paragraph of Section 3.12 (page 53) contains a typographical error. The number mentioned in the second sentence of the preceding paragraph is the correct number.

Please direct any questions regarding this correspondence to Ron Teed at (585) 771-3232.

Very truly yours,

Joseph A. Widay
 Joseph A. Widay

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

I, Joseph A. Widay, being duly sworn, state that I am Acting Vice President – R.E. Ginna Nuclear Power Plant, LLC (Ginna LLC), and that I am duly authorized to execute and file this response on behalf of Ginna 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 Ginna LLC employees and/or consultants. Such information has been reviewed in accordance with company practice and I believe it to be reliable.

Joseph A. Widay

Subscribed and sworn before me, a Notary Public in and for the State of New York and County of MONROE, this 3 day of November, 2004.

WITNESS my Hand and Notarial Seal:

Sharon L. Miller

 Notary Public

My Commission Expires:

12-21-06

 Date

SHARON L. MILLER
 Notary Public, State of New York
 Registration No. 01M16017755
 Monroe County
 Commission Expires December 21, 2006

Cc: Mr. Robert L. Clark (Mail Stop O-8-C2)
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