



November 22, 2004

Re: 10 CFR 2.202
10 CFR 50.4

Mr. J. E. Dyer
Director, Office of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Serial No.: 04-701
NL&OS/MAE: R2'
Docket Nos.: 50-336/423
50-338/339
50-280/281
License Nos.: DPR-65
NPF-49
NPF-4/7
DPR-32/37

DOMINION NUCLEAR CONNECTICUT, INC.
VIRGINIA ELECTRIC AND POWER COMPANY
MILLSTONE POWER STATION UNITS 2 AND 3
NORTH ANNA POWER STATION UNITS 1 AND 2
SURRY POWER STATION UNITS 1 AND 2
REQUEST FOR EXTENSION TO RESPOND TO THE NOVEMBER 5, 2004, ORDER
IMPOSING REQUIREMENTS FOR THE PROTECTION OF CERTAIN SAFEGUARDS
INFORMATION (EA-04-190)

Section IV of the November 5, 2004, Order Imposing Requirements for the Protection of Certain Safeguards Information (EA-04-190) ("Order") states that, in accordance with 10 CFR §2.202, the recipient of the Order must submit an answer to the Order, and may request a hearing on the Order, within 20 days of the date of the Order. Attachment 2 to the Order, *Modified Handling Requirements for the Protection of Certain Safeguards Information (SGI-M)*, which is incorporated by reference into the Order, contains detailed requirements which recipients of the Order must meet.

This letter constitutes the response of Dominion Nuclear Connecticut, Inc. (DNC) and Virginia Electric and Power Company (Dominion) to the Order. Pursuant to the provisions of Section IV of the Order, DNC and Dominion hereby request an extension of time in which to submit an answer to or request a hearing with respect to one or more provisions of the Order. The implications of the Order to licensees who have a program for controlling Safeguards Information that meets all current regulatory requirements is not clear. The granting of time to interact with the NRC is both necessary and appropriate to ensure that the Commission's intent of the Order and how it is to be implemented is clear.

DNC and Dominion request an extension of time to respond to the Order not to exceed twenty (20) days after clarification of the following issues:

1. Applicability of the existing Safeguards Information program and how it can be used to satisfy the Order (i.e., a separate SGI-M program is not required), and that no changes to that Safeguards Information program are required by the Order.
2. Attachment 2 establishes different, and in some cases, more restrictive requirements than the existing Safeguards Information program.
3. Resolution of potential programmatic compliance issues arising when a licensee uses its existing Safeguards Information program but must interface with an entity using an SGI-M program where the requirements are different (e.g., double versus single envelopes; differing requirements on telecommunications).

The need for clarity regarding these and related issues constitutes good cause for the requested extension to be granted. During this period, DNC and Dominion will control all material designated SGI-M under its Safeguards Information program. DNC and Dominion also request that the Commission exercise enforcement discretion during this period.

If you have any questions, please contact Ms. Margaret Earle at (804) 273-2768.

Very truly yours,



William R. Matthews
Senior Vice President – Nuclear Operations
Dominion Nuclear Connecticut, Inc.
Virginia Electric and Power Company

Commitments made by this letter: None

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

Secretary, Office of the Secretary of the Commission
U. S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
Washington, D. C. 20555

Director, Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Assistant General Counsel for Materials Litigation and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

U. S. Nuclear Regulatory Commission
Region I
Regional Administrator
475 Allendale Road
King of Prussia, PA 19406-1415

U.S. Nuclear Regulatory Commission
Region II
Sam Nunn Atlanta Federal Center
61 Forsyth St., SW, Suite 23T85
Atlanta, Georgia 30303-8931

Mr. S. R. Monarque
NRC Project Manager North Anna and Surry
U. S. Nuclear Regulatory Commission , Mail Stop 8 H12
Washington, D. C. 20555

Mr. V. Nerses
NRC Senior Project Manager Millstone Unit 2
U. S. Nuclear Regulatory Commission, Mail Stop 8 C2
Washington, D. C. 20555

Mr. G. F. Wunder
NRC Senior Project Manager Millstone Unit 3
U. S. Nuclear Regulatory Commission, Mail Stop 8-B-1A
Washington, D. C. 20555

Mr. R. J. Prince
NRC Inspector
475 Allendale Road
King of Prussia, PA 19406-1415

Mr. M. T. Widmann
NRC Senior Resident Inspector
North Anna Power Station

Mr. N. P. Garrett
NRC Senior Resident Inspector
Surry Power Station

Mr. S. M. Schneider
NRC Senior Resident Inspector
Millstone Power Station