



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

*Designated Original*

November 23, 2004  
NOC-AE-04001821  
10 CFR 2.202

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

South Texas Project  
Units 1 & 2  
Docket Nos. STN 50-498, STN 50-499  
Request for Extension to Respond to the NRC Order Imposing  
Requirements for Protecting 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 Protections of Certain Safeguards Information (SGI-M)*, which is incorporated by reference into the Order, contains detailed requirements which recipients of the Order must meet.

Pursuant to the provisions of Section IV of the Order, STP Nuclear Operating Company (STPNOC) hereby requests an extension of time in which to submit an answer to the Order or request a hearing. The implications of the Order to licensees who have a program for controlling Safeguards Information that meets all current regulatory requirements is not clear, and additional time is needed for STPNOC to interact with the NRC to ensure that STPNOC understands the intent of the Order and how it is to be implemented.

STPNOC requests an extension of time to respond to the Order not to exceed twenty (20) days after clarification of the following issues:

1. Verify that an existing Safeguards Information program can be used 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.

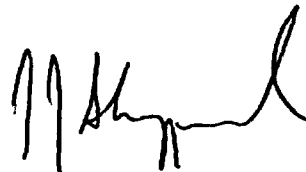
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2. Attachment 2 to the Order establishes different, and in some cases, more restrictive requirements than our existing Safeguards Information program (e.g., portion marking). Is this intended?
3. Resolution of potential programmatic compliance issues 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 clarification of these and related issues constitutes good cause for granting the requested extension. In accordance with STPNOC's understanding of the Order, during this period, STPNOC will control all material designated SGI-M under its Safeguards Information program. To the extent this understanding is not correct, STPNOC also requests that the Commission exercise enforcement discretion during this period.

If there are any questions regarding this letter, please contact Robyn Savage at (361) 972-7438 or me at (361) 972-8757.



J. J. Sheppard  
President & Chief Executive Officer

rdp

cc:

(paper copy)

Bruce S. Mallett  
Regional Administrator, Region IV  
U. S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-8064

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

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

U. S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

Richard A. Ratliff  
Bureau of Radiation Control  
Texas Department of Health  
1100 West 49th Street  
Austin, TX 78756-3189

Jeffrey Cruz  
U. S. Nuclear Regulatory Commission  
P. O. Box 289, Mail Code: MN116  
Wadsworth, TX 77483

C. M. Canady  
City of Austin  
Electric Utility Department  
721 Barton Springs Road  
Austin, TX 78704

(\* electronic copy)

A. H. Gutterman, Esquire \*  
Morgan, Lewis & Bockius LLP

J. J. Nesrsta \*  
City Public Service

David H. Jaffe \*  
U. S. Nuclear Regulatory Commission

R. L. Balcom \*  
Texas Genco, LP

C. A. Johnson \*  
AEP Texas Central Company

Jon C. Wood \*  
Cox Smith Matthews

R. K. Temple \*  
City Public Service

C. Kirksey \*  
City of Austin

Secretary of the Commission \*  
U. S. Nuclear Regulatory Commission

Office of the General Counsel \*  
U. S. Nuclear Regulatory Commission

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