



Entergy Nuclear Northeast  
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January 28, 2005  
JAFP-05-0017

T.A. Sullivan  
Site Vice President - JAF

United States Nuclear Regulatory Commission  
Attention: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, Maryland 20852-2738

**SUBJECT: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333**

**Confirmation of Implementation of April 29, 2003, Orders to James A. FitzPatrick  
Nuclear Power Plant (TAC NO. MC2921)**

Dear Sir or Madam;

The NRC issued Order EA-03-086, dated April 29, 2003, requiring compliance with Revised Design Basis Threat, to Entergy Nuclear Operations Inc., (ENO) for the James A. Fitzpatrick Nuclear Power Plant (JAF). ENO responded to that order by letter dated June 3, 2003 stating, "Entergy is implementing, subject to the relief requested in the form of clarifications, the requirements in Attachment 2 to Order EA-03-039 and shall complete implementation as set forth below, fully training and qualifying all armed security force personnel on the new requirements no later than October 29, 2004." On September 14, 2004 ENO submitted a supplemental response to order EA-03-086 requesting relaxation of the requirement, for full compliance with the order by October 29, 2004, for JAF. By letter dated October 29, 2004 the requirement of Section III.A.2, for full compliance with the order was relaxed to December 31, 2004. On December 21, 2004 ENO requested further relaxation of the requirement for full compliance until February 28, 2005. That request was approved by NRC letter dated December 30, 2004.

On October 26, 2004, ENO filed a Supplemental Response to Order EA-03-086 for JAF that contained the Physical Security Plan, the Contingency Plan, and the Training and Qualification Plan as required by Order EA-03-086 for the JAF. By letter dated October 29, 2004, 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 ENO 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.

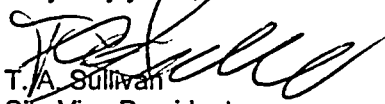
ENO hereby certifies that those conditions have been met and the exercise of enforcement discretion pursuant to the Orders during the transition period and the approved relaxation will no longer be necessary.

This letter contains no new commitments. If you have any questions or require additional information, please contact Jonathan LaPlante at (315) 349-6406.

In accordance with 10 CFR § 2.202(b), the following affirmation is provided:

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 28<sup>th</sup> day of January, 2005.

Very truly yours,

  
T.A. Sullivan  
Site Vice President

TAS:ed

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