



Entergy Nuclear South  
1340 Echelon Parkway  
Jackson, MS 39213  
Tel 601 368 5670  
Fax 601 368 5799  
jderoy@entergy.com

Joseph P. DeRoy  
Vice President  
Operations Support

CNRO-2005-00026

April 27, 2005

Office of the Secretary  
U. S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001

**SUBJECT:** Entergy Operations, Inc. – Licensees' Answer to Issuance of Order Imposing Requirements for the Protection of Certain Safeguards Information (Immediately Effective)

River Bend Station Unit 1  
Docket No. 50-458  
License No. NPF-47

Grand Gulf Nuclear Station  
Docket No. 50-416  
License No. NPF-29

Arkansas Nuclear One  
Units 1 & 2  
Docket Nos. 50-313 & 50-368  
License Nos. DPR-51 & NPF-6

Waterford 3 Steam Electric  
Station  
Docket No. 50-382  
License No. NPF-38

**REFERENCES:** NRC Letter from J. E. Dyer to Holders of Licenses for Power and Research and Test Reactors as listed in Attachment 1, dated November 5, 2004 regarding Order Imposing Requirements for the Protection of Certain Safeguards Information (EA-04-190) (RBC-50233, GNRI-2004/00141, OCNA110401, ILN04-0126)

NRC Letter from J. E. Dyer to J. P. DeRoy dated April 11, 2005 Re: Request for Extension of Time to reply to November 5, 2004 Order Imposing Requirements for Protecting Certain Safeguards Information (CNRI-2005-0005)

Dear Sir:

Pursuant to the requirements of 10 CFR § 2.202(a)(2), "Licensees' Answer to November 5, 2004 Commission Order Imposing Requirements for the Protection of Certain Safeguards Information" is being transmitted to the Secretary of the Commission for filing.

If you have any questions or require additional information, please contact me.

This letter includes no new commitments.

Sincerely,



JPD/LAE/lae

Attachment

cc: (all with enclosures)

See Service List

Mr. W. R. Campbell (ECH)  
Mr. T. A. Burke (ECH)  
Mr. W. A. Eaton (ECH)  
Mr. J. S. Forbes (ANO )  
Mr. P. D. Hinnenkamp (RBS)

Mr. J. R. McGaha (ECH)  
Mr. L. J. Smith (Wise Carter)  
Mr. G. J. Taylor (ECH)  
Mr. J. E. Venable (WF3)  
Mr. M. J. Wetterhahn (W&S)  
Mr. G. A. Williams (GGNS)

Mr. T. W. Alexion, P.M., (ANO-1)  
Mr. N. Kalyanam, P.M., (W-3)  
Mr. D. G. Holland, P.M., (ANO-2)  
Mr. B. K. Vaidya, P.M., (GGNS)  
Mr. M. K. Webb, P.M., (RBS)  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Mail Stop O7-D-01  
Washington, DC 20555-0001

Mr. P. J. Alter, SRI, RBS w/a  
Mr. R. W. Deese, SRI, ANO w/a  
Mr. M. C. Hay, SRI, W-3 w/a  
Mr. G. Miller, SRI, GGNS w/a  
(SRIs via Company Mail)

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
Entergy Operations, Inc.	)	
	)	Docket Nos. 50-313
(Arkansas Nuclear One,	)	50-368
Units 1 and 2;	)	50-416
	)	50-458
Grand Gulf Nuclear Station;	)	50-382
	)	
River Bend Station;	)	(EA-04-190)
	)	
Waterford 3 Steam Electric Station)	)	

LICENSEES' ANSWER TO NOVEMBER 5, 2004  
COMMISSION ORDER IMPOSING REQUIREMENTS  
FOR THE PROTECTION OF CERTAIN SAFEGUARDS INFORMATION

On November 5, 2004, the Nuclear Regulatory Commission ("NRC" or "Commission") issued an immediately effective order entitled Order Imposing Requirements for the Protection of Certain Safeguards Information (Effective Immediately) ("Order") (EA-04-190) to, *inter alia*, Entergy Operations, Inc. ("Entergy") in the captioned matters. The Order stated that the NRC intends to issue security orders in the near future to both NRC and Agreement State materials licensees who may transport radioactive material quantities of concern. Before issuing Orders for Additional Security Measures, the Commission was seeking comments from affected licensees on the draft Additional Security Measures, and Regulatory Issue Summary Table "Threat Conditions and Specific Actions for Licensees who Transport Radioactive Material Quantities of Concern." However, the Commission has determined that these draft documents contain a modified form of Safeguards Information, will not be released to the public, and must be protected from unauthorized disclosure. Therefore,

the NRC stated it was imposing requirements as set forth in Attachment 2 of the Order. The Commission provided notice of its intent to treat violations of the requirements contained in Attachment 2 applicable to the handling and unauthorized disclosure of Safeguards Information as serious breaches of adequate protection of the public health and safety and the common defense and security of the United States.

The Commission stated that in order to provide assurance that the Licensees are implementing prudent measures to achieve a consistent level of protection to prohibit the unauthorized disclosure of Safeguards Information, all Licensees who hold licenses issued by the U.S. Nuclear Regulatory Commission or an Agreement State authorizing them to possess and may transport items containing radioactive material quantities of concern shall implement the requirements identified in Attachment 2 to this Order. The Commission recognized that licensees may have already initiated many of the measures set forth in Attachment 2 to this Order for handling of Safeguards Information in conjunction with current NRC license requirements or previous NRC Orders. Additional measures set forth in Attachment 2 should be handled and controlled in accordance with the licensee's current program for Safeguards Information.

By letter dated November 19, 2004, to Mr. J. E. Dyer, Director, Office of Nuclear Reactor Regulation, Entergy requested an extension of time in which to submit an answer to or request a hearing with respect to one or more provisions of the above referenced Order not to exceed twenty (20) days after clarification of the issues. The implications of the Order to licensees who have a program for controlling Safeguards Information that meets all current regulatory requirements was not clear, and time was requested to receive clarification from the NRC staff to ensure that Commission's intent of the Order and how it is to be implemented was understood.

Specifically, clarification was sought that licensees with an existing Safeguards Information program could use that program to satisfy the order (i.e., a separate SGI-M program is not required); and how licensees with an existing Safeguards Information program are to interface with an entity using an SGI-M program.

By letter dated April 11, 2005, Mr. J. E. Dyer clarified the issues raised, which constituted good cause for an extension, and granted the request for extension of time to respond to the November 5, 2004 Order until 20 days from the date of his letter.

Pursuant to 10 C.F.R. § 2.202(d), Entergy consents to the Order as clarified in each of the captioned matters and, specifically, is not requesting a hearing in any of the dockets.

I declare under penalty of perjury that the forgoing is true and correct.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. DeRoy", is written over the typed name.

**Joseph P. DeRoy**  
**Vice President, Operations Support**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
Entergy Operations, Inc.	)	
(Arkansas Nuclear One,	)	Docket Nos. 50-313
Units 1 and 2;	)	50-368
Grand Gulf Nuclear Station;	)	50-416
River Bend Station;	)	50-458
Waterford 3 Steam Electric Station)	)	50-382
	)	(EA-04-190)

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that copies of LICENSEES' ANSWER TO NOVEMBER 5, 2004, COMMISSION ORDER IMPOSING REQUIREMENTS FOR THE PROTECTION OF CERTAIN SAFEGUARDS INFORMATION in the captioned matters have been served on the following by facsimile transmission (1), by overnight delivery (2), or by U. S. Mail (3), as indicated, this 27th day of April, 2005.

Office of the Secretary (1)  
U.S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications  
Staff  
Washington, DC 20555-0001

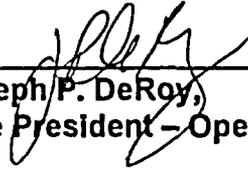
Mr. J. E. Dyer, Director (3)  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Director, Office of Nuclear Material  
Safety and Safeguards (3)  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Assistant General Counsel for Materials  
Litigation and Enforcement (1)  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Regional Administrator - Region IV (2)  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011

U.S. Nuclear Regulatory Commission (2)  
ATTN: Document Control Desk  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852-2738

  
\_\_\_\_\_  
Joseph P. DeRoy,  
Vice President - Operations Support