Entergy

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Fred Dacimo
Site Vice President
Administration

September 7, 2004

Indian Point Unit Nos. 2, and 3
Docket Nos. 50-247, and 50-286
NL-04-111

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

Subject: Answer to Order EA-03-097 for Implementation of Additional Security Measures Associated with Access Authorization for Indian Point Nuclear Generating Station, Units 2 and 3

Dear Sir or Madam:

Entergy Nuclear Operations, Inc., (ENO) is in receipt of NRC Order EA-03-097 transmitted by NRC letter dated August 18, 2004. Pursuant to the requirements of 10CFR2.202(a)(2), ENO is providing an Answer in this letter, see enclosure. This letter is being transmitted in accordance with the Order and the provisions of 10CFR72.4.

This letter contains no new commitments. If you have any questions or require additional information, please contact Mr. Patric W. Conroy, Manager, Licensing at (914) 734-6668.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 7, 2004.

Sincerely,

for. Fred R. Dacimo
Site Vice President
Indian Point Energy Center

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Enclosure
cc: Document Control Desk
U. S. Nuclear Regulatory Commission
Mail Station O-P1-17
Washington, D.C. 20555-0001

Director, Office of Nuclear Material Safety and Safeguards
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Assistance General Counsel for Materials Litigation and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

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

Director, Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mr. Patrick D. Milano, Sr. Project Manager
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O-8-C2
Washington, D.C. 20555-0001

Resident Inspectors' Office
U.S. Nuclear Regulatory Commission
Indian Point Unit 2
P.O. Box 59
Buchanan, NY 10511-0059

Resident Inspectors' Office
U.S. Nuclear Regulatory Commission
Indian Point Unit 3
P.O. Box 337
Buchanan, NY 10511-0337

Mr. Paul Eddy
NYS Department of Public Service
3 Empire Plaza
Albany, NY 12223

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	EA-03-97
	)	Docket Nos. 50-247, and 50-286
Entergy Operations, Inc.	)	License Nos. DPR-26 and DPR-64
	)	
(Indian Point Units 2 and 3)	)	
	)	
	)	
	)	

LICENSEE'S ANSWER TO AUGUST 18, 2004 COMMISSION ORDER EA-03-97
TO MODIFY LICENSE FOR ADDITIONAL SECURITY MEASURES
ASSOCIATED WITH ACCESS AUTHORIZATION

On August 18, 2004, the Nuclear Regulatory Commission ("NRC" or "Commission") issued an immediately effective order in the captioned matter entitled Order Modifying License (Effective Immediately) ("Order") to all 10 CFR Part 72 licensees who currently have an Independent Spent Fuel Storage Installation ("ISFSI") or have identified near term plans to store spent fuel in an ISFSI under the general license provisions of 10 CFR Part 72, including, *inter alia*, Entergy Operations, Inc. ("ENO") Indian Point Units 2, and 3. The Order stated that certain additional security measures (ASMs) are required to address the current threat environment in a manner consistent throughout the nuclear ISFSI community. Therefore, the Commission imposed requirements as set forth in Attachment 1 of the Order.[1] In accordance with Section IV of the Order and 10 CFR 2.202, Entergy hereby submits its Answer to the Order. Entergy consents to the Order and specifically does not request a hearing. The order allowed Licensees whose ISFSI is located at the same site as an operating power reactor to implement the ASMs issued by order EA-02-261, dated January 7, 2003 as an alternate means of complying with order EA-03-097. Entergy notified the Commission, by letter dated January 6, 2004 (NL-04-001) that was transmitted in accordance with the provisions of 10 CFR 72.4, that full compliance with the requirements described in Attachment 2 of Order EA-02-261 and our responses was achieved as of January 6, 2004. These requirements are applicable to

1 Attachment 1 contained Safeguards Information and was not publicly released.

the site and will therefore become applicable to the ISFSI when licensed and constructed and prior to the loading of spent fuel. Accordingly, the January 6, 2004 letter responds to the substantive requirements in Attachment 1 of Order EA-03-097.

As requested in Section IV of the Order, this Answer is directed to the Secretary, of the Commission and copies of this Answer are being transmitted to Director, Office of Nuclear Material Safety and Safeguards, Assistant General Counsel for Materials Litigation and Enforcement, and the Regional Administrator for NRC Region I.

I declare under penalty of perjury that the forgoing is true and correct. Executed on September 7, 2004.

Respectfully submitted,

for

Fred R. Dacimo
Site Vice President
Indian Point Energy Center