



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 9, 2007

Mr. L.W. Pearce
Site Vice President
FirstEnergy Nuclear Operating Company
Perry Nuclear Power Plant, Unit 1
Mail Stop A-PY-A290
P.O. Box 97, 10 Center Road
Perry, OH 44081-0097

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT 1 - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE IN CONJUNCTION WITH THE COMMISSION ORDER EA-06-037 AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MD2261)

Dear Mr. Pearce:

By letter to the Nuclear Regulatory Commission (NRC) dated May 18, 2006, FirstEnergy Nuclear Operating Company (FENOC), submitted its revised plans and confirmed the full implementation at the Perry Nuclear Power Plant, Unit 1 (PNPP) of Order EA-06-037 regarding an updated adversary characteristic of the design-basis threat.

The NRC staff has completed its review of the changes related to implementation of Order EA-06-037. As discussed in the enclosed safeguards evaluation (Enclosure 2), the NRC staff has determined that FENOC's changes to the security plans meet the requirements of the NRC Order and Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73 requirements and are, therefore, acceptable. The effectiveness of these security provisions will continue to be the subject of NRC review and inspection.

Consistent with the Order, an administrative license change to Facility Operating Licensee No. NPF-58 is being made to incorporate the reference to the revised Physical Security Plan,

NOTICE: Enclosure 2 contains Security-Related Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.

L. W. Pearce

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Safeguards Contingency Plan, and Training and Qualification Plan required by the Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Please replace Page 6 of the PNPP Facility Operating License with the enclosed page (Enclosure 1). Enclosure 2 of this letter is designated exempt from public disclosure under 10 CFR 2.390(d)(1).

If you should have any questions, please contact me at (301) 415-4037.

Sincerely,



Thomas J. Wengert, Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-440

Enclosures:

1. Revised Page 6 of License
2. Safeguards Evaluation

cc w/encls 1 and 2: Larry Lindrose, Site Security Manager
Joseph Maynen, Region III

cc w/encl 1 only: See next page

Perry Nuclear Power Plant, Unit 1

cc: w/o encl (2)

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Perry Nuclear Power Plant, Unit 1

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- D. FENOC is exempted from: 1) the requirements of Section III.D.2(b)(ii), containment airlock testing requirements, Appendix J to 10 CFR Part 50, due to the special circumstance described in Section 6.2.6 of SER Supplement No. 7 authorized by 10 CFR 50.12(a)(2)(iii) and 2) the requirements of Section IV.F., Full Participation Exercise, of Appendix E to 10 CFR Part 50, due to the special circumstance described in the Exemption dated November 6, 1986. These exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. The exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.
- E. FENOC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans, including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (61 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "Perry Nuclear Power Plant Physical Security Plan" Revision 2, submitted by letter dated May 18, 2006.
- F. Deleted.
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1964, as amended, to cover public liability claims.