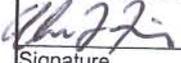


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on June 12, 2007

	Team Leader	NSIR	6/12/07
Signature	Title	Office	Date

SAFEGUARDS EVALUATION

RELATED TO ORDER EA-06-037

DOMINION RESOURCE SERVICES, INC.

MILLSTONE POWER STATION, UNITS 1, 2, 3 & ISFSI

DOCKET NOS. 50-245, 50-336 AND 50-423

LICENSE NOS. DPR-21, DPR-65 AND NPF-49

1.0 INTRODUCTION

After the simultaneous September 11, 2001, terrorist attacks on New York, NY, and Washington, D.C., the U. S. Nuclear Regulatory Commission (NRC or the Commission) issued a number of safeguards and threat advisories to its licensees, and subsequently, Orders to selected licensees to supplement and enhance the security and safeguards requirements of Parts 26, 50, and 73 of Title 10 of the *Code of Federal Regulations* (10 CFR). In assessing the requirements for the heightened threat level, the NRC determined that an enhancement to the Design Basis Threat (DBT) defined under Section 73.1 of 10 CFR Part 73 (10 CFR 73.1) was required. A supplemental set of adversary characteristics of the DBT was provided to power reactor licensees in Order EA-03-086, "Design Basis Threat (DBT) Order," dated April 29, 2003. The DBT Order required each licensee to (a) revise its Physical Security Plan (PSP), Safeguards Contingency Plan (SCP), and Training and Qualification Plan (T&QP) required by 10 CFR 50.34(c), 10 CFR 50.34(d), 10 CFR 50.54(p)(1) and (2) and 10 CFR 73.55(b)(4)(ii) (hereafter referred to as security plans), and (b) to fully implement these revised plans no later than October 29, 2004.

As a result of the NRC's ongoing assessment of threat information, the Commission determined that a revision to one of the specific adversary characteristics set forth in the DBT Order needed to be updated. Thus, on March 20, 2006, the NRC issued Order EA-06-037 to each power reactor licensee modifying this adversary characteristic. Order EA-06-037 also required that security plan changes related to implementing the modified adversary characteristic be completed within 60 days of the date of the Order, and that the Commission be notified when implementation was completed by submitting the changes to the revised security plans.

Enclosure 2

- 2 -

By letter dated May 15, 2006, Dominion Nuclear Connecticut, Inc. (DNC), submitted its changes to the revised plans as required and confirmed the full implementation of Order EA-06-037 for the Millstone Power Station (MPS), Units 1, 2, 3 and ISFSI.

2.0 REGULATORY EVALUATION

Regulations for protecting operating power reactors are provided in 10 CFR Part 73, "Physical Protection of Plants and Materials." These rules include specific requirements that, when implemented, are designed to protect nuclear power reactors against acts of radiological sabotage, prevent the theft or diversion of special nuclear material, and protect safeguards information against unauthorized release. Requirements to protect nuclear power reactors are provided in 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage." Under 10 CFR 50.34(c), 50.34(d), 50.54(p)(1) and (2), and 73.55(b)(4)(ii), licensees are required to prepare and maintain security plans that describe the security-related actions that they will take to protect their facilities against acts of radiological sabotage.

The supplemental DBT was provided to power reactor licensees in the EA-03-086 DBT Order. The Order required the licensee to provide measures for protection against the adversary characteristics specified in Attachment 2 of the Order. Order EA-06-037 subsequently required power reactor licensees to update one of these adversary characteristics.

The Facility Operating License for MPS requires Dominion to maintain in effect all provisions of the Commission-approved PSP, T&QP, and SCP, Revision 0, submitted by letter dated October 18, 2004, and subsequent changes made under 10 CFR 50.54(p)(2).

3.0 TECHNICAL EVALUATION

The NRC staff's review consisted of determining whether the changes to the Commission-approved security plans fully implemented Order EA-06-037 to reflect the updated adversary characteristic.

Changes to Implement Order EA-06-037

By letter dated May 15, 2006, Dominion stated that Order EA-06-037 was fully implemented for MPS, Units 1, 2, 3 and ISFSI. Dominion stated the following:

The purpose of this letter is to notify the Commission (NRC) that the order has been fully implemented at the Millstone Power Station, and to provide updated plans.

The change consists of adding text to the Security Plans based on the March 20, 2006, NRC Order EA-06-037 for the following sections:

- Page 2, Section 2, Physical Security Plan.
- Page C-1, Section 1.3, Safeguards Contingency Plan.
- Page C-3, Event 1, Safeguards Contingency Plan.
- Page C-16, Responsibility Matrix-Event 1, Safeguards Contingency Plan.

Discussion

The NRC staff found that Dominion's changes to Revision 3 of the security plans consisted of incorporating the date of Order EA-06-037 in Section 2 of the PSP, referencing the updated adversary characteristic in Section 1.3, and revising "Event 1" and "Responsibility Matrix-Event 1" of the SCP. Based on the changes submitted, the NRC staff found that the security program, measures, and statements described in the PSP and SCP provide the measures necessary to address the March 2006 update to the adversary characteristic. The NRC staff determined that Dominion's security program at MPS continues to meet the high assurance objective and level of protection against radiological sabotage equivalent to that which would be provided by 10 CFR 73.55(b) through (h), and meets the general performance requirements of 73.55(a). As such, the NRC staff's conclusions documented in the October 29, 2004, safety evaluation remains valid. Specifically, the NRC staff determined that: (1) Dominion's protective strategy provides a reasonable description of a multifaceted, defense-in-depth methodology to address the DBT and the March 2006 update adversary characteristic, and (2) Dominion's revised PSP and SCP meet the requirements of 10 CFR Part 73 and related Commission Orders.

4.0 CONCLUSION

Dominion's changes to the Commission-approved security plans for implementing Order EA-06-037 met the overall level of security system performance to provide protection against radiological sabotage and maintained the same high assurance objective as specified in 10 CFR 73.55(a). The staff determined that the overall level of security system performance provides protection against radiological sabotage equivalent to that which would be provided by paragraphs (b) through (h) of 10 CFR 73.55, and the general performance requirements described in 10 CFR 73.55 continue to be met.

As such, the NRC staff finds that Dominion's changes to the MPS security plans meet the requirements of the NRC's Orders and 10 CFR Part 73 requirements, and are therefore, acceptable.

The effectiveness of the security plans and supporting facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises. The staff recommends no further actions.

5.0 REFERENCES

1. EA-06-037 "Updated Adversary Characteristic," dated March 20, 2006.

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Dated: May 29, 2007