



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

November 12, 2009

Mr. John T. Carlin  
Vice President R.E. Ginna Nuclear Power Plant  
R.E. Ginna Nuclear Power Plant, LLC  
1503 Lake Road  
Ontario, NY 14519

SUBJECT: CORRECTION TO RENEWED FACILITY OPERATING LICENSE PARAGRAPH  
2.E - R.E. GINNA NUCLEAR POWER PLANT

Dear Mr. Carlin:

Your staff recently informed the Nuclear Regulatory Commission (NRC) staff of an error in paragraph 2.E of Renewed Facility Operating License No. DPR-18 for the R.E. Ginna Nuclear Power Plant. Consistent with SECY 96-238, "Proposed Guidance for Correction of Technical Specification Typographical Errors," (Agencywide Documents Access and Management System (ADAMS) Legacy Accession No. 9611250030) internal NRC guidance authorizes the staff to correct typographical errors by letter provided that the NRC staff or licensee can demonstrate that the error was introduced inadvertently in a particular license amendment and that the erroneous change was not addressed in the *Federal Register* Notice to the public and was not reviewed by the staff.

With the assistance of your staff, I have concluded that the error in paragraph 2.E of Renewed Facility Operating License No. DPR-18 was inadvertently introduced in Amendment No. 105, was not addressed in the associated *Federal Register* Notice (72 FR 60035), and was not reviewed by the NRC staff. The following discussion explains how this error was inadvertently introduced:

- On December 18, 2006 (ADAMS Accession No. ML063470077), the NRC staff issued an administrative change to paragraph 2.E of Renewed Facility Operating License No. DPR-18 to reflect enhanced security plan provisions. This paragraph was modified to reference the Ginna security plan submitted by letter dated May 15, 2006.
- On July 26, 2007 (ADAMS Accession No. ML072040409), the NRC staff issued a conforming amendment to incorporate the Mitigation Strategies required by Section B.5.b of the NRC's Interim Compensatory Measures Order EA-02-026. This amendment introduced new license conditions and due to pagination changes of the Operating License, paragraph 2.E was reissued. No changes were made to paragraph 2.E and it still referenced the correct security plan letter of May 15, 2006.
- On August 27, 2008 (ADAMS Accession No. ML082320053), the NRC staff issued Amendment No. 105 to Renewed Facility Operating License No. DPR-18. This amendment modified Technical Specification (TS) requirements related to control room envelope habitability in TS 3.7.9, "Control Room Emergency Air Treatment System (CREATS)," and TS Section 5.5, "Programs and Manuals." Similar to that above, this amendment also introduced new license conditions and due to pagination changes of the Operating License,

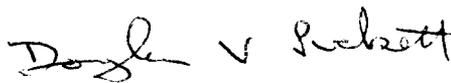
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paragraph 2.E was again reissued. While no changes were intended for paragraph 2.E, it is apparent that the NRC staff inadvertently inserted the previous security plan letter of October 11, 2004, into this paragraph. A review of the applicable documentation confirms that (1) the amendment application did not request changes to paragraph 2.E, (2) the *Federal Register* notice did not address any changes to paragraph 2.E, and (3) the NRC staff did not review any proposed changes to paragraph 2.E.

A corrected copy of page 6 to Renewed Facility Operating License No. DPR-18 is enclosed. Please contact me at 301-415-1364 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Douglas V. Pickett". The signature is written in a cursive style with a checkmark-like flourish above the 'V'.

Douglas V. Pickett, Senior Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosure:  
Page 6 to Renewed Facility Operating License No. DPR-18

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accordance with an acceptable calculational model which conforms to the provisions in Appendix K (SER dated April 18, 1978). The exemption will expire upon receipt and approval of revised ECCS calculations. The aforementioned exemption is authorized by law and will not endanger life property or the common defense and security and is otherwise in the public interest. Therefore, the exemption is hereby granted pursuant to 10 CFR 50.12.

- E. The licensee 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 (51 FR 27827 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "R. E. Ginna Nuclear Power Plant Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan," submitted by letter dated May 15, 2006.
- F. The Updated Final Safety Analysis Report supplement, submitted pursuant to 10 CFR 54.21(d), describes certain future activities to be completed prior to the period of extended operation. Ginna LLC shall complete these activities no later than September 18, 2009, and shall notify the Commission in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement, as revised, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71(e)(4) following issuance of this renewed license. Until that update is complete, Ginna LLC may make changes to the programs and activities described in the supplement without prior Commission approval, provided that Ginna LLC evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

- G. All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of ASTM E 185-82 to the extent practicable for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. Any capsules placed in storage must be maintained for future insertion, unless approved by the NRC.

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apparent that the NRC staff inadvertently inserted the previous security plan letter of October 11, 2004, into this paragraph. A review of the applicable documentation confirms that (1) the amendment application did not request changes to paragraph 2.E, (2) the *Federal Register* notice did not address any changes to paragraph 2.E, and (3) the NRC staff did not review any proposed changes to paragraph 2.E.

A corrected copy of page 6 to Renewed Facility Operating License No. DPR-18 is enclosed. Please contact me at 301-415-1364 if you have any questions.

Sincerely,

*/RA/*

Douglas V. Pickett, Senior Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-244

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