



Entergy Nuclear Operations, Inc.
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043
Tel 269 764 2000

Christopher J. Schwarz
Site Vice President

January 14, 2009

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

SUBJECT: Request for Exemption from Physical Security Requirements

Palisades Nuclear Plant
Docket 50-255
License No. DPR-20

Dear Sir or Madam:

In accordance with the requirements of 10 CFR 73.5, Entergy Nuclear Operations, LLC (ENO) requests the Nuclear Regulatory Commission (NRC) approve an exemption from specific requirements of 10 CFR Part 73, "Physical Protection of Plants and Materials," for the Palisades Nuclear Plant (PNP) by extending the deadline for the implementation of new security requirements issued by NRC in a Final Rule dated March 27, 2009 (74 FR 13926).

Pursuant to the Final Rule, the new security requirements must be implemented by March 31, 2010. ENO has evaluated these new requirements and determined that many can be implemented by the required date. However, specific parts of the new Rule will require more time to implement, since they involve []. Attachment 1 requests a schedular exemption from certain physical security requirements contained in 10 CFR 73.55, while Attachment 2 provides the basis for the proposed exemption. Attachment 3 provides an Environmental Assessment.

ENO is requesting an extension from the March 31, 2010, implementation date to May 31, 2010, for the [], and August 31, 2010, for the []. This extension is based on the time typically required to [], considering impediments to [] as shown in Attachment 2, Tables 1 and 2.

ENO's current security program, and the new security requirements that will be implemented by March 31, 2010, will provide continued assurance of public health and safety and common defense and security.

ENO requests approval of this exemption request by March 15, 2010, to otherwise allow time to prepare and implement compensatory measures if the exemption is not granted. The proposed exemption is requested to be effective upon issuance.

A security-related version of this letter submitted under 10 CFR 2.390, was signed and submitted to the NRC on this date.

This letter identifies no new commitments and no revisions to existing commitments.

Sincerely,



CJS/BED

Attachment(s): 1. Request for Exemption from Physical Security Requirements
 2. Basis for Proposed Exemption
 3. Environmental Assessment

cc: Administrator, Region III, USNRC
 Project Manager, Palisades, USNRC
 Resident Inspector, Palisades, USNRC

ATTACHMENT 1
REQUEST FOR EXEMPTION FROM PHYSICAL SECURITY REQUIREMENTS

A. Background

The Nuclear Regulatory Commission (NRC) issued a Final Rule for new security requirements in the Federal Register dated March 27, 2009. Per the Final Rule, new security requirements must be implemented by March 31, 2010. Entergy Nuclear Operations (ENO) has evaluated these new requirements for the Palisades Nuclear Plant (PNP) and determined that many can be implemented by the required date. However, ENO has also determined that implementation of some specific requirements will require additional time beyond March 31, 2010.

ENO is in the process of []. Delays have been experienced with [], with the current estimated [] being March 5, 2010. Once the [], time will be needed for [].

In addition, the []. Due to unforeseen winter weather conditions, during which work would not be able to progress, it is expected that delays will occur.

The proposed location of the [] is provided in Attachment 2, Table 3.

ENO is effecting these modifications in order to improve security protective strategies, address equipment obsolescence, and meet the requirements of the revised regulation. Modifications to the [] are expected to be completed by May 31, 2010. Installation of the [] and the [] is expected to be completed by August 31, 2010.

B. PNP Security System Upgrade Description

Major upgrades to achieve compliance with 10 CFR 73.55 include, but are not limited to:

[

]

ATTACHMENT 1
REQUEST FOR EXEMPTION FROM PHYSICAL SECURITY REQUIREMENT

Due to [], and in consideration of [], completion of some of the new requirements contained in 10 CFR 73.55 will require additional time beyond March 31, 2010.

Description of Modifications at Risk of Meeting Implementation Date

A [] is being installed. The new [] is an []. The [] performs []. It provides the []. Attachment 2, Table 1, provides the current schedule for [] installation.

Installation of the []. This is based upon [].

In addition, the []. []. These actions are necessary to []. Attachment 2, Table 2, provides the current schedule for [].

Attachment 2, Table 3, depicts the [].

With approval of this exemption request, the Part 73 provisions required to be implemented by March 31, 2010, will be completed, except for the proposed exemptions described in Section C, below. These items, subject to the request for an exemption, will be implemented by May 31, 2010, and August 31, 2010, as discussed above. PNP will then be in full compliance with the Final Rule.

C. Proposed Exemptions

ENO requests an exemption, from the implementation deadline only, for the items listed below. PNP's current security program, and the new requirements that will be implemented by March 31, 2010, will provide continued assurance of public health and safety and common defense and security. Accordingly, the requested exemption is authorized by law and will not endanger life or property or the common defense and security in accordance with 10 CFR 73.5.

Regulation

[]

Issue

[]

ATTACHMENT 1
REQUEST FOR EXEMPTION FROM PHYSICAL SECURITY REQUIREMENT

Regulation

[]

Issue

[]

Regulation

[]

Issue

[]

Regulation

[]

Issue

[]

Regulation

[]

Issue

[]

ATTACHMENT 2 BASIS FOR PROPOSED EXEMPTION

Entergy Nuclear Operations, LLC (ENO) is requesting a schedular exemption from [], for the Palisades Nuclear Plant (PNP). The request for an exemption from the March 31, 2010, implementation date to May 31, 2010, for [] is based on []. The request for an exemption from the March 31, 2010, implementation date to August 31, 2010, for [] and [], is based on [].

Using established processes, the duration (study, design, construction, testing, turnover and training) of a project of this magnitude is typically 18 – 24 months. The 12-month implementation period challenged this time frame significantly. Although work is continuing on these [], it is likely that completion will be further complicated by 1) [] to fully meet the sections of the Rule specified in this request, and 2) [].

ENO is continuing efforts to implement the remaining new Part 73 requirements identified in the March 27, 2009, Federal Register Notice (Final Rule) and associated Regulatory Guides issued in July 2009, by March 31, 2010.

Tables 1 and 2 provide the project milestone schedules for the [] associated with the specific exemptions requested. The schedules take into consideration anticipated impediments to [], which may delay []. It also considers delays in the [].

Table 3 provides a drawing depicting the [].

**ATTACHMENT 2
BASIS FOR PROPOSED EXEMPTION**

Table 1 – Schedule Milestones for []

Milestone	Scheduled Completion Date
[]	March 5, 2010
[]	April 23, 2010
[]	April 23, 2010
[]	April 26, 2010
[]	June 4, 2010
[]	June 7, 2010
[]	July 2, 2010
[]	July 23, 2010
[]	August 30, 2010
[]	August 31, 2010

Table 2 – Schedule Milestones for []

Milestone	Scheduled Completion Date
[]	January 29, 2010
[]	February 12, 2010
[]	February 19, 2010
[]	March 12, 2010
[]	March 19, 2010
[]	March 26, 2010
[]	April 9, 2010
[]	April 16, 2010
[]	May 14, 2010
[]	May 25, 2010
[]	May 31, 2010

[]

ATTACHMENT 3 ENVIRONMENTAL ASSESSMENT

ENO is requesting an exemption for PNP in accordance with 10 CFR 73.5, "Specific Exemptions." The requested exemption is schedular in nature, and would defer the compliance date for one specific provision of 10 CFR 73.55 from March 31, 2010, to May 31, 2010, and four specific provisions of 10 CFR 73.55 from March 31, 2010, to August 31, 2010. The proposed exemption is needed to allow additional time for the [].

PNP's current security program and the new requirements that will be implemented by March 31, 2010, will provide continued assurance of public health and safety and common defense and security.

Deferral of the compliance date is a schedular change only, and therefore, does not result in any physical changes to structures, systems or components or land use at PNP. The deferral of the compliance date does not involve:

- any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment,
- any change to liquid or gaseous radioactive effluents discharged to the environment,
- any change in the type or quantity of solid radioactive waste generated,
- any change in occupational dose under normal or design basis accident conditions
- any change in the public dose under normal or design basis accident conditions,
- any land disturbance.

Conclusion:

There is no significant radiological environmental impact associated with the proposed schedular exemption. The proposed exemption will not affect non-radiological plant effluents or any historical sites.