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David B. Hamilton
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SECURITY-RELATED INFORMATION – Withhold Under 10 CFR 2.390

November 30, 2010

10 CFR 73.5

Mr. Douglas Weaver
U. S. Nuclear Regulatory Commission
Deputy Director, Licensing and Inspection Directorate
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety and Safeguards
Washington, DC 20555-0001

SUBJECT: Request for Exemption from Physical Security Requirements

Big Rock Point
Dockets 50-155 and 72-043
License No. DPR-6

Dear Sir:

The NRC issued a Final Rule for new security requirements in the Federal Register, dated March 27, 2009 (74 FR 13962). Pursuant to the Final Rule, the new security requirements were required to be implemented by March 31, 2010. However, it was not clear that the rule applied to decommissioned sites or stand-alone independent spent fuel storage facilities. Nuclear Regulatory Commission (NRC) issued, "Applicability of the Revised 10 CFR 73.55 Rule to the Big Rock Point Restoration Site (TAC No. L60619)," on August 2, 2010. The letter provides clarification on the applicability of the Rule, and requires that responses and exemption requests be submitted within 120 days.

Pursuant to 10 CFR 73.5, Entergy Nuclear Operations, Inc. (ENO) requests NRC approval of exemptions from specific requirements of 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage," for the Big Rock Point (BRP) Restoration Site for those requirements that are not applicable. The specific exemptions and their bases are discussed in Attachment 1. Per the August 2, 2010 letter, exemptions granted to requirements in the previous version of 10 CFR 73.55 automatically transfer, provided the language in 10 CFR 73.55 has not changed substantively. BRP received exemption letters dated March 29, 1999, and July 18, 2002. Attachment 2 contains a

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Note: When separated from Attachments 1 and 2, this letter is decontrolled.

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listing of exemptions that were previously approved, and provides a correlation between the old section of 73.55 for which the exemptions were granted, and the new corresponding section of 73.55 for which the exemptions will now apply.

ENO has determined that its current security program provides assurance of public health and safety and common defense and security. Accordingly, the requested exemptions are authorized by law and will not endanger life or property or the common defense and security in accordance with 10 CFR 73.5.

Attachment 3 provides the Environmental Assessment for the exemptions requested, as required by 10 CFR 51.

ENO requests approval of these exemptions, with the exemptions being effective upon issuance.

Attachments 1 and 2 contain security-related information, associated with physical protection of BRP, as described in 10 CFR 2.390(d)(1). Accordingly, ENO requests that the information provided in the attachments be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390. When separated from Attachments 1 and 2, this letter is decontrolled.

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

Sincerely,



dbh/bed

Attachments: 1. Request for Exemption from Physical Security Requirements
 2. Previously Approved Exemptions Correlation Matrix
 3. Environmental Assessment

cc: Administrator, Region III, USNRC
 Project Manager, Big Rock Point, USNRC

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