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J.E. Pollock
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~~SECURITY RELATED INFORMATION - WITHHOLD UNDER 10 CFR 2.390~~

NL-11-017

April 27, 2011

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

SUBJECT: Application for Preemption Authority Pursuant to Section 161A
of the Atomic Energy Act
Indian Point Unit Nos. 1, 2 and 3
Docket Nos. 50-03, 50-247 and 50-286
License Nos. DPR-5, DPR-26 and DPR-64

- REFERENCES:
1. Notice of Issuance of Guidelines on Use of Firearms by Security Personnel; Notice of Effective Date of Statute, 74 Fed. Reg. 46800 (September 11, 2009)
 2. Revised Proposed Rule: Enhanced Weapons, Firearms Background Checks, and Security Event Notifications, 76 Fed. Reg. 6199 (February 3, 2011)
 3. Draft Regulatory Guide DG-5020, Applying for Enhanced-Weapons Authority, Applying for Preemption Authority, and Performing Firearms Background Checks under 10 CFR Part 73 (January 2011)

Pursuant to Section 161A of the Atomic Energy Act, Entergy Nuclear Operations, Inc. (Entergy) hereby applies to the U.S. Nuclear Regulatory Commission (NRC) for stand-alone preemption authority to permit the use by security personnel of the standard weapons discussed in Attachment 1 to this application at Indian Point Energy Center (IPEC). The weapons that are the subject of this application for preemption authority do not include enhanced weapons as defined by the NRC.

Section 161A confers upon the NRC the authority to permit a licensee's security personnel to possess and use weapons, devices, ammunition, or other firearms, notwithstanding state, local, and certain federal firearms laws that may prohibit such use. The NRC refers to this authority

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When Attachment 1 is detached, the cover letter may be made publicly available

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SOA

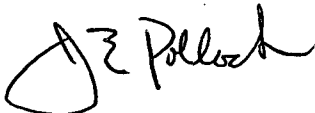
as "stand-alone preemption authority." With the issuance of the Firearms Guidelines (Reference 1) on September 11, 2009, Section 161A of the Atomic Energy Act, 42 U.S.C. 2201a, went into effect. In Reference 2, the NRC staff published in the *Federal Register* a revised proposed rule implementing the Firearms Guidelines that included proposed regulations governing applications for stand-alone preemption authority. In Reference 3, the NRC staff describes methods that the staff considers acceptable for licensees to comply with the Commission's proposed regulations when applying for preemption authority and performing firearms background checks. In preparing this application for preemption authority, Entergy has followed the revised proposed rule, draft regulatory guide, and the Firearms Guidelines.

Attachment 1 provides the basis for Entergy's request and the information necessary to allow the NRC to make the required determinations under Section 161A. Attachment 1 contains security related information and should be withheld from public disclosure per 10 CFR 2.390.

Should you have any questions or require additional information regarding this Application, please contact Mr. Robert Walpole, Licensing Manager at 914-734-6710.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 27, 2011.

Sincerely,



JEP/sp

Attachment: (1) Application for Preemption Authority Pursuant to Section 161A of the Atomic Energy Act (**Contains Security-Related Information—Withhold under 10 CFR 2.390**)

cc: Mr. John P. Boska, Senior Project Manager, NRC NRR DORL
Mr. William M. Dean, Regional Administrator, NRC Region 1
NRC Resident Inspector, IP2
NRC Resident Inspector, IP3