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NINE MILE POINT  
NUCLEAR STATION

June 13, 2011

U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**ATTENTION:** Document Control Desk  
Director, Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety and Safeguards

**SUBJECT:** Nine Mile Point Nuclear Station  
Independent Spent Fuel Storage Installation  
Docket No. 72-1036

Response to Sections III.B and III.C of NRC Order EA-11-081

**REFERENCE:** (a) Letter from C. Haney (NRC) to S. L. Belcher (NMPNS), dated May 25, 2011, Issuance of Order for Implementation of Additional Security Measures and Fingerprinting for Unescorted Access for Nine Mile Point Nuclear Station Independent Spent Fuel Storage Installation

On May 25, 2011, the NRC issued Order EA-11-081 to Nine Mile Point Nuclear Station, LLC (NMPNS) regarding additional security measures (ASMs) for the NMPNS Independent Spent Fuel Storage Installation (ISFSI). The Order (Reference a) imposes requirements as set forth in Attachments 1 and 2 to the Order, and requires responses and actions within timeframes specified in Sections III.A, III.B, and III.C of the Order.

NMPNS consents to the Order. Since the NMPNS ISFSI will be located within the protected area for the operating Nine Mile Point Unit 1 and Unit 2 power reactor plants, NMPNS will implement the ASMs described in Section D of Attachment 1 to the Order. Based on the current ISFSI project schedule, analyses needed to satisfy the requirements in Section D of Attachment 1 (Items 1.a and 1.b) are expected to be completed by December 30, 2011. Upon completion, NMPNS will submit the analysis results to the NRC and will inform the NRC of the status of completion of the associated requirements.

Additionally, for the ASMs for access authorization and fingerprinting that are described in Attachment 2 to the Order, NMPNS intends to comply with the NRC-approved reactor access authorization program for

*NM5526*

Document Control Desk

June 13, 2011

Page 2

the associated operating Nine Mile Point Unit 1 and Unit 2 power reactor plants as an alternative means to satisfy the provisions of Sections B through G of Attachment 2. This is in accordance with Section A.2 of Attachment 2 to the Order.

NMPNS will demonstrate our ability to comply with the required ASMs by no later than May 24, 2012 (365 days from the date of the Order), or 90 days before the first day that spent fuel is initially placed in the ISFSI, whichever is earlier. NMPNS is currently scheduled to begin spent fuel placement in the ISFSI on August 5, 2012. Based on this schedule, the demonstration of our ability to comply with the ASMs would be completed by May 7, 2012. Implementation of the required ASMs will be completed before initially placing spent fuel in the ISFSI. NMPNS will notify the NRC when full compliance with the requirements of Attachments 1 and 2 to the Order has been achieved.

Should you have any questions regarding the information in this response, please contact John J. Dosa, Director Licensing, at (315) 349-5219.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. BELCHER". The signature is stylized and includes a large flourish on the left side. To the right of the signature, the name "S. BELCHER" is printed in a simple, sans-serif font.

SB/DEV

cc: Regional Administrator, Region I, NRC  
Project Manager, NRC  
Resident Inspector, NRC  
A. L. Peterson, NYSERDA