

June 18, 2015

MEMORANDUM TO: Mark A. Satorius
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary */RA/*

SUBJECT: STAFF REQUIREMENTS – SECY-15-0046 – REQUEST FOR APPROVAL OF STAFF RECOMMENDATION TO AUTHORIZE INDIAN POINT NUCLEAR GENERATING; JAMES A. FITZPATRICK NUCLEAR POWER PLANT; NINE MILE POINT NUCLEAR STATION; AND R.E. GINNA NUCLEAR POWER PLANT TO USE SECTION 161A PREEMPTION AUTHORITY

The Commission has approved authorization for use of Atomic Energy Act Section 161A preemption authority by Entergy at its Indian Point and James A. Fitzpatrick nuclear power plants and by Exelon at its Nine Mile Point and R.E. Ginna nuclear power plants. The Commission has authorized the Directors of the Offices of Nuclear Reactor Regulation and Nuclear Material Safety and Safeguards to complete the required license amendment actions and issue the draft Final Confirmatory Orders included in SECY-15-0046, subject to the enclosed edit being made to each of the Orders. The staff should coordinate with the Office of the Secretary to finalize and issue the letter to the Governor of New York concurrent with issuance of the final Confirmatory Orders and the associated *Federal Register* notice.

Enclosure:
Changes to Confirmatory Orders and Letter

cc: Chairman Burns
Commissioner Svinicki
Commissioner Ostendorff
Commissioner Baran
OGC
CFO
OCA
OPA
ODs, RAs, ACRS, ASLBP (via email)
PDR

Changes to the Confirmatory Orders and Letter in SECY-15-0046

Change to the Confirmatory Orders

1. On page 2, paragraph (2), revise line 1 to read 'There is reasonable assurance that The facilities'

Changes to the Letter to the Governor

2. On page 1, 1st paragraph, revise lines 1 and 2 to read ' ... am writing to informing you that of an action the Commission is taking to granting a limited'
3. On page 1, 1st paragraph, revise lines 4 and 5 to read ' ... 1954 (AEA), as amended'
4. On page 1, 1st paragraph, revise lines 6 and 7 to read ' ... notwithstanding local, State, local, and certain Federal firearms laws (including regulations) that'
5. On page 1, 2nd paragraph, revise line 1 and 2 to read ' ... ensure the continued implementation of effective physical security strategies maintenance of the necessary security posture at'
6. On page 1, 2nd paragraph, revise line 4 to read ' ... 161A of the Atomic Energy Act of 1954, as amended, through'
7. On page 1, 2nd paragraph, revise lines 6 through 11 to delete everything after ' ... issued an order ...' and continue the sentence from the following paragraph.
8. On page 1, 3rd paragraph, revise line 1 to read 'The order designating Indian Point ...' and move this to follow the revised sentence at the end of the 2nd paragraph.
9. On page 1, 4th paragraph, revise lines 2 and 3 to read ' ... facilities by the appropriate NRC licensing office. These confirmatory orders will be issued in accordance'