

April 29, 2003

EA-03-038

Holders of Licenses for Operating
Power Reactors as listed in
Enclosure 2

**SUBJECT: ISSUANCE OF ORDER FOR COMPENSATORY MEASURES RELATED TO
FITNESS-FOR-DUTY ENHANCEMENTS APPLICABLE TO NUCLEAR
FACILITY SECURITY FORCE PERSONNEL**

The U.S. Nuclear Regulatory Commission (NRC) has issued the enclosed Order that modifies the current license for your facility to require compliance with the specified compensatory measures (CMs). The Order applies to all Addressees listed in Enclosure 2 (Attachment 1 to the enclosed Order). The CMs are listed in Enclosure 3 (Attachment 2 to the enclosed Order).

The Commission recognizes that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001. However, work hour demands on security force personnel have increased substantially over the past 18 months, and the current terrorist threat environment continues to require heightened security measures. Therefore, the Commission has determined that the security measures addressed by the enclosed CMs should be implemented by licensees as prudent measures to address issues that may arise from fatigue of nuclear facility security force personnel. The Commission has determined that the enclosed Order should be effective immediately.

This Order does not obviate the need for licensees to continue to meet the objectives of the current security protective measures level described in NRC Regulatory Issue Summary 2002-12A, "Power Reactors NRC Threat Advisory and Protective Measures System," as promulgated by updated security advisories. Licensees must also continue to maintain the effectiveness of existing security measures taken in response to the events of September 11, 2001, and the Order issued on February 25, 2002. The requirements will remain in effect until the Commission determines otherwise.

The enclosed Order requires responses and actions within specified time frames. Please contact your Licensing Project Manager to facilitate resolution of any issues related to compliance with the requirements in the enclosed Order, or if you have any other questions.

The enclosed Order has been forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Docket Nos. As shown in Order Attachment 1 - Addressee List

Enclosures: 1. Order
2. Order Attachment 1 - Addressee List
3. Order Attachment 2 - Compensatory Measures Regarding Fitness-for-Duty Requirements Applicable to Security Force Personnel

cc: See next page *

* For a complete listing of all parties cc'd, see ADAMS Accession number ML030850429. In order to reduce the size and weight of documents mailed, the enclosed service list is associated with the specific facility noted.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
) Docket Nos. (as shown in Attachment 1)
ALL OPERATING POWER REACTOR) License Nos. (as shown in Attachment 1)
LICENSEES) EA-03-038

**ORDER MODIFYING LICENSES
(EFFECTIVE IMMEDIATELY)**

I.

The licensees identified in Attachment 1 to this Order hold licenses issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) authorizing operation of nuclear power plants in accordance with the Atomic Energy Act of 1954 and Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50. Commission regulations at 10 CFR 50.54(p)(1) require these licensees to maintain safeguards contingency plan procedures in accordance with 10 CFR Part 73, Appendix C. Specific safeguards requirements for reactors are contained in 10 CFR 73.55.

II.

On September 11, 2001, terrorists simultaneously attacked targets in New York, N.Y., and Washington, D.C., utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees in order to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. On

February 25, 2002, the Commission issued Orders to the licensees of operating power reactors to put the actions taken in response to the Advisories in the established regulatory framework and to implement additional security enhancements which emerged from the NRC's ongoing comprehensive security review.

Work hour demands on nuclear facility security force personnel have increased substantially since the September 11, 2001 attacks and the current threat environment continues to require heightened security measures. The Commission has determined that the security measures addressed by the enclosed compensatory measures are required to be implemented by licensees as prudent measures to address issues that may arise from work-hour related fatigue of nuclear facility security force personnel. Therefore, the Commission is imposing requirements, as set forth in Attachment 2 of this Order, on all licensees of these facilities. These requirements, which supplement existing regulatory requirements, will provide the Commission with reasonable assurance that the public health and safety and common defense and security continue to be adequately protected. These requirements will remain in effect until the Commission determines otherwise.

In order to provide assurance that licensees are implementing prudent measures to achieve a consistent level of protection, all licenses identified in Attachment 1 to this Order shall be modified to include the requirements identified in Attachment 2 to this Order. In addition, pursuant to 10 CFR 2.202, the NRC finds that in the circumstances described above, the public health, safety and interest require that this Order be immediately effective.

Accordingly, pursuant to Sections 103, 104, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202

and 10 CFR Parts 50 and 73, IT IS HEREBY ORDERED, **EFFECTIVE IMMEDIATELY**, THAT ALL LICENSES IDENTIFIED IN ATTACHMENT 1 TO THIS ORDER ARE MODIFIED AS FOLLOWS:

- A. All Licensees shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment 2 to this Order except to the extent that a more stringent requirement is set forth in the Licensees' security plans. The Licensees shall immediately start implementation of the requirements in Attachment 2 to the Order and shall complete implementation **no later than October 29, 2003**.
- B.
 1. All Licensees shall, within **thirty-five (35) days** of the date of this Order, notify the Commission, (1) if they are unable to comply with any of the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, or (3) if implementation of any of the requirements would cause the Licensee to be in violation of the provisions of any Commission regulation or the facility license. The notification shall provide the Licensee's justification for seeking relief from or variation of any specific requirement.
 2. Any Licensee that considers that implementation of any of the requirements described in Attachment 2 to this Order would adversely impact safe operation of the facility must notify the Commission, within **thirty-five (35) days** of this Order, of the adverse safety impact, the basis for its determination that the requirement has an adverse safety impact, and either a proposal for achieving

the same objectives specified in the Attachment 2 requirement in question, or a schedule for modifying the facility to address the adverse safety condition. If neither

approach is appropriate, the Licensee must supplement its response to Condition B.1 of this Order to identify the condition as a requirement with which it cannot comply, with attendant justifications as required in Condition B.1.

- C. 1. All Licensees shall, within **thirty-five (35) days** of the date of this Order, submit to the Commission, a schedule for achieving compliance with each requirement described in Attachment 2.
- 2. All Licensees shall report to the Commission when they have achieved full compliance with the requirements described in Attachment 2.
- D. Notwithstanding the provisions of 10 CFR 50.54(p), all measures implemented or actions taken in response to this Order shall be maintained until the Commission determines otherwise.

Licensees' responses to Conditions B.1, B.2, C.1, and C.2 above, shall be submitted in accordance with 10 CFR 50.4. In addition, Licensees' submittals that contain Safeguards Information shall be properly marked and handled in accordance with 10 CFR 73.21.

The Director, Office of Nuclear Reactor Regulation may, by letter, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

In accordance with 10 CFR 2.202, the Licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within thirty-five (35) days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time in which to submit an answer or request a hearing must be made in writing to the

Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically set forth the matters of fact and law on which the Licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555; to the Assistant General Counsel for Materials Litigation and Enforcement at the same address; to the Regional Administrator for NRC Region I, II, III, or IV, as appropriate for the specific facility; and to the Licensee if the answer or hearing request is by a person other than the Licensee. Because of possible disruptions in delivery of mail to United States Government offices, it is requested that answers and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to hearingdocket@nrc.gov and also to the Office of

the General Counsel either by means of facsimile transmission to 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by the Licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the Licensee may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section III above shall be final thirty-five (35) days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section III shall be final when the extension expires if a hearing request has not been received. AN ANSWER OR A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Dated this 29th day of April 2003

Attachments: 1. List of Addressees
2. Compensatory Measures

ADDRESSEE LIST

Michael R. Higgins
Superintendent of Plant Security
Arkansas Nuclear One, Units 1 & 2
Entergy Operations, Inc.
Docket Nos. 50-313 & 50-368
License Nos. DPR-51 & NPF-6
1448 S.R. 333
Russellville, AR 72802

Mark Bezilla
Vice President
Beaver Valley Power Station, Units 1 & 2
FirstEnergy Nuclear Operating Company
Docket Nos. 50-334 & 50-412
License Nos. DPR-66 & NPF-73
Route 168
Shippingport, PA 15077-0004

Gregory Baker
Braidwood Station, Units 1 & 2
Exelon Generation Company, LLC
Docket Nos. STN 50-456 & STN 50-457
License Nos. NPF-72 & NPF-77
35100 S. Rt. 53, Suite 84
Braceville, IL 60407

Ashok S. Bhatnagar
Site Vice President
Browns Ferry Nuclear Plant, Units 1, 2, & 3
Tennessee Valley Authority
Docket Nos. 50-259, 50-260 & 50-296
License Nos. DPR-33, DPR-52 & DPR-68
Intersection Limestone Country Roads
20 and 25
Athens, AL 35611

Allen Brittain
Security Manager
Brunswick Steam Electric Plant, Units 1 & 2
Progress Energy
Docket Nos. 50-325 & 50-324
License Nos. DPR-71 & DPR-62
Hwy 87, 2.5 Miles North
Southport, NC 28461

David Combs
Byron Station, Units 1 & 2

Exelon Generation Company, LLC
Docket Nos. STN 50-454 & STN 50-455
License Nos. NPF-37 & NPF-66
4450 N. German Church Road
Byron, IL 61010

J. Mark Dunbar
Security Manager
Callaway Plant, Unit 1
Ameren Union Electric Company
Docket No. STN 50-483
License No. NPF-30
Highway CC
(5 Miles North of Highway 94)
Portland, MO 65067

Vince Williams
Security Programs Specialist
Calvert Cliffs Nuclear Power Plant,
Units 1 & 2
Calvert Cliffs Nuclear Power Plant, Inc.
Docket Nos. 50-317 & 50-318
License Nos. DPR-53 & DPR-69
1650 Calvert Cliffs Parkway
Lusby, MD 20657

G. R. Peterson
Vice President Catawba Site
Catawba Nuclear Station, Units 1 & 2
Duke Power Company
Docket Nos. 50-413 & 50-414
License Nos. NPF-35 & NPF-52
4800 Concord Road
York, SC 29745

Ed Wrigley
Security Manager
Clinton Power Station
AmerGen Energy Company, LLC
Docket No. 50-461
License No. NPF-62
Route 54 East
Clinton, IL 61727

J. V. Parrish
Chief Executive Officer
Columbia Generating Station

Energy Northwest
Docket No. 50-397
License No. NPF-21
Snake River Warehouse, North Power Plant
Loop
Richland, WA 99352

Neil Harris
Comanche Peak Steam Electric Station,
Units 1 & 2
TXU Electric & Gas
Docket No. 50-445 & 50-446
License Nos. NPF-87 & NPF-89
FM 56
5 Miles North of Glen Rose
Glen Rose, TX 76043

Martin Faulkner
Security Manager
Cooper Nuclear Station
Nebraska Public Power District
Docket No. 50-298
License No. DPR-046
1200 Prospect Road
Brownville, NE 68321-0098

Marty Folding
Security Manager
Crystal River Nuclear Generating Plant,
Unit 3
Progress Energy
Docket No. 50-302
License No. DPR-72
Crystal River Energy Complex
15760 West Power Line Street (NAID)
Crystal River, FL 34428-6708

William Mugge
Security Manager
Davis-Besse Nuclear Power Station
FirstEnergy Nuclear Operating Company
Docket No. 50-346
License No. NPF-3
5501 N. State, Route 2
Oak Harbor, OH 43449

Ron Todaro
Security Director

Diablo Canyon Nuclear Power Plant,
Units 1 & 2
Pacific Gas & Electric Company
Docket Nos. 50-275 & 50-323
License Nos. DPR-80 & DPR-82
9 Miles Northwest of Avila Beach
Avila Beach, CA 93424

Garland Gibson
Manager, Site Protective Services
Donald C. Cook Nuclear Plant, Units 1& 2
American Electric Power
Docket Nos. 50-315 & 50-316
License Nos. DPR-58 & DPR-74
1 Cook Place
Bridgman, MI 49106

Valheria Gengler
Dresden Nuclear Power Station, Units 2 & 3
Exelon Generation Company
Docket Nos. 50-237 & 50-249
License Nos. DPR-19 & DPR-25
6500 North Dresden Road
Morris, IL 60450-9765

Ben Kindred
Security Manager
Duane Arnold Energy Center
Nuclear Management Co.
Docket No. 50-331
License No. DPR-49
3277 DAEC Road
Palo, Iowa 52324

John R. Thompson
Security Manager
Edwin I. Hatch Nuclear Plant, Unit 1 & 2
Southern Nuclear Operating Company, Inc.
Docket Nos. 50-321 & 50-366
License Nos. DPR-57 & NPF-5
Plant E. I. Hatch, US Hwy #1 North
Baxley, GA 31515-2010

Joe Korte
Nuclear Security Manager

Fermi, Unit 2
Detroit Edison Company
Docket No. 50-341
License No. NPF-43
6400 N. Dixie Highway
Newport, MI 48166

John Sefick
Manager, Security & Emergency Planning
Fort Calhoun Station
Omaha Public Power District
Docket No. 50-285
License No. DPR-40
9750 Power Lane
Blair, NE 68008

Greg D. Brown
Grand Gulf Nuclear Station, Unit 1
Entergy Operations, Inc.
Docket No. 50-416
License No. NPF-29
Bald Hill Road - Waterloo Road
Port Gibson, MS 39150

Scott Young
Security Superintendent
H.B. Robinson Steam Electric Plant, Unit 2
Carolina Power & Light Company
Docket No. 50-261
License No. DPR-23
3581 West Entrance Road
Hartsville, SC 29550

David Thompson
Security Manager
Indian Point Nuclear Generating Station,
Units 2 & 3
Entergy Nuclear Operations, Inc.
Docket Nos. 50-247 & 50-286
License Nos. DPR-26 & DPR-64
Mail Stop K-IP2-4331
295 Broadway Suite 1
Buchanan, NY 10511

J. Haley

Security Manager
James A FitzPatrick Nuclear Power Plant
Entergy Nuclear Operations, Inc.
Docket No. 50-333
License No. DPR-59
268 Lake Road
Lycoming, NY 13093

Ken Dyer
Site Security Manager
Joseph M. Farley Nuclear Plant, Units 1 & 2
Southern Nuclear Operating Co.
Docket Nos. 50-348 & 50-364
License No. NPF-2 & NPF-8
7388 North Sate Highway 95
Columbia, AL 36319-4120

Mark Fencl
Security Manager
Kewaunee Nuclear Power Plant
Nuclear Management Co.
Docket No. 50-305
License No. DPR-43
N 490 Highway 42
Kewaunee, WI 54216-9510

Cindy Wilson
LaSalle County Station, Units 1 & 2
Exelon Generation Company
Docket No. 50-373 & 50-374
License Nos. NPF-11 & NPF-18
2601 North 21st Road
Marseilles, IL 61341-9757

Peter R. Supplee
Limerick Generating Station, Units 1 & 2
Exelon Generation Company, LLC
Docket No. 50-352 & 50-353
License Nos. NPF-39 & NPF-85
Evergreen & Sanatoga Road
TSC 1-2
Sanatoga, PA 19464

c/o Mr. David W. Dodson
Millstone Power Station, Units 2 & 3
Dominion Nuclear Connecticut, Inc.
Docket Nos. 50-336 & 50-423
License Nos. DPR-65 & NPF-49
Rope Ferry Road
Waterford, CT 06385

Brian B. Linde
Security Manager
Monticello Nuclear Generating Plant
Nuclear Management Company
Docket No. 50-263
License No. DPR-22
2807 W. Highway 75
Monticello, MN 55362

Mr. John T. Conway
Site Vice President
Nine Mile Point Nuclear Station, Units 1 & 2
Nine Mile Point Nuclear Station, LLC
Docket Nos. 50-220 & 50-410
License Nos. DPR-63 & NPF-69
348 Lake Road
Oswego, NY 13126

Tim Maddy
Manager, Station Nuclear Security
North Anna Power Station, Units 1 & 2
Virginia Electric & Power Company
Docket Nos. 50-338 & 50-339
License Nos. NPF-4 & NPF-7
1022 Haley Drive
Mineral, Virginia 23117

Terry King
Security Manger
Oconee Nuclear Station, Units 1, 2, & 3
Duke Energy Corporation
Docket Nos. 50-269, 50-270 & 50-287
License Nos. DPR-38, DPR-47 & DPR-55
7800 Rochester Highway
Seneca, SC 29672

J. Alan Price, Site Vice President

Rick Ewart
Security Manager
Oyster Creek Nuclear Generating Station
AmerGen Energy Company, LLC
Docket No. 50-219
License No. DPR-16
Route 9 South
Forked River, NJ 08731

Douglas Cooper
Site Vice President
Palisades Plant
Nuclear Management Company
Docket No. 50-255
License No. DPR-20
27780 Blue Star
Memorial Highway
Covert, MI 49043

Michael W. Priebe
Dept. Leader-Security Operations
Palo Verde Nuclear Generating,
Units 1, 2 & 3
Arizona Public Service Company
Docket Nos. STN 50-528, 50-529 &
STN 50-530
License Nos. NPF-41, NPF-51 & NPF-74
5801 S. Wintersburg Road
Tonapah, Arizona 85354-7529

Wayne Trump
Manager - Site Security
Peach Bottom Atomic Power Station,
Units 2 & 3
Exelon Generation Company, LLC
Docket Nos. 50-277 & 50-278
License Nos. DPR-44 & DPR-56
1848 Lay Road
Delta, PA 17314

Thomas Mahon
Security Manager
Perry Nuclear Power, Unit 1
FirstEnergy Nuclear Operating Company
Docket No. 50-440
License No. NPF-58
10 North Center Street
Perry, OH 44081

Michael Bellamy
Senior Vice President
Pilgrim Nuclear Power Station, Unit 1
Entergy Nuclear Generation Company
Docket No. 50-293
License No. DPR-35
Rocky Hill Road
Plymouth, MA 02360

Mark FencI
Security Manager
Point Beach Nuclear Plant, Units 1 & 2
Nuclear Management Company
Docket Nos. 50-266 & 50-301
License Nos. DPR-24 & DPR-27
610 Nuclear Road
Two Rivers, WI 54241

John Waddell
Security Manager
Prairie Island, Units 1 & 2
Nuclear Management Company
Docket No. 50-282 & 50-306
License No. DPR-42 & DPR-60
1717 Wakonade Drive East
Welch, MN 55089

Tim Tulon
Site Vice President
Quad Cities Nuclear Power Station, Units 1 &
2
Exelon Generation Company
Docket Nos. 50-254 & 50-265
License Nos. DPR-29 & DPR-30
22710 - 206th Ave., North
Cordova, IL 61242

Ronald C. Teed
Site Security Supervisor
R. E. Ginna Nuclear Power Plant
Rochester Gas & Electric Corporation
Docket No. 50-244
License No. DPR-18
1503 Lake Road
Ontario, NY 14519

Andre James
Security Manager
River Bend Station
Entergy Operations, Inc.
Docket No. 50-458
License No. NPF-47
5485 U.S. Highway 61
St. Francisville, LA 70775

Ted Straub
Manager of Nuclear Security & Fire,
Security Center
Salem Nuclear Generating Station,
Units 1 & 2
Docket Nos. 50-272 & 50-311
License No. DPR-70 & DPR-75
Hope Creek Generating Station, Unit 1
Docket No. 50-354
License No. NPF-57
PSEG Nuclear LLC
End of Buttonwood Road
Hancocks Bridge, NJ 08038

John Todd
Manager, Site Security
San Onofre Nuclear Station, Units 2 & 3
Southern California Edison
Docket Nos. 50-361 & 50-362
License Nos. NPF-10 & NPF-15
5000 Pacific Coast Highway (A82)
San Clemente, CA 92674

James Pandolfo
Security Manager
Seabrook Station, Unit 1
FPL Energy Seabrook, LLC
Docket No. 50-443
License No. NPF-86
Central Receiving, Lafayette Road
Seabrook, NH 03874

Kenneth Stevens
Security Manager
Sequoyah Nuclear Plant, Units 1 & 2
(OPS5N)
Tennessee Valley Authority (TVA)
Docket Nos. 50-327 & 50-328
License Nos. DPR-77 & DPR-79
Sequoyah Road
Soddy Daisy, TN 37384
Denny Braund
Shearon Harris Nuclear Power Plant, Unit 1
Carolina Power & Light Company
Docket No. 50-400
License No. NPF-63
5413 Shearon Harris Road
New Hill, NC 27562

William T. Cottle
President & Chief Executive Officer
South Texas Project Electric Generating
Company, Units 1 & 2
STP Nuclear Operating Company
Docket Nos. 50-498 & 50-499
License Nos. NPF-76 & NPF-80
8 Miles West of Wadsworth, on FM 521
Wadsworth, TX 77483

Gary L. Varnes
Site Security Manager
St. Lucie Nuclear Plant, Units 1 & 2
Florida Power & Light Company
Docket Nos. 50-335 & 50-389
License Nos. DPR-67 & NPF-16
6351 South Ocean Drive
Jensen Beach, FL 34957

Curtis Luffman
Surry Power Station, Units 1 & 2
Virginia Electric & Power Company
Docket Nos. 50-280 & 50-281
License Nos. DPR-32 & DPR-37
5570 Hog Island Road
Surry, VA 23883-0315

Roland Ferentz
Manager, Nuclear Security
Susquehanna Steam Electric Station,
Units 1&2
Pennsylvania Power and Light Company
Docket Nos. 50-387 & 50-388
License Nos. NPF-14 & NPF-22
769 Salem Blvd.
Berwick, PA 18603

Michael Bruecks
Three Mile Island Nuclear Station, Unit 1
Amergen Energy Company, LLC
Docket No. 50-289
License No. DPR-50
Route 441 South
Middletown, PA 17057

William S. Johns
Site Security Supervisor
Turkey Point Nuclear Generating Station,
Units 3 & 4
Florida Power & Light Company
Docket Nos. 50-250 & 50-251
License Nos. DPR-31 & DPR-41
9760 SW 344th Street
Florida City, FL 33035

Mr. Jay K. Thayer
Site Vice President
Vermont Yankee Nuclear Power Station
Entergy Nuclear Vermont Yankee, LLC
Docket No. 50-271
License No. DPR-28
185 Old Ferry Road
Brattleboro, VT 05302-0500

Stephen A. Byrne
Senior Vice President- Nuclear Operations
Virgil C. Summer Nuclear Station
South Carolina Electric & Gas Company
Docket No. 50-395
License No. NPF-12
Hwy 215 N at Bradham Blvd.
Jenkinsville, SC 29065

Doug G. Huyck
Security Manager
Vogtle Electric Generating Plant, Unit 1 & 2
Southern Nuclear Operating Company, Inc
Docket Nos. 50-424 & 50-425
License Nos. NPF-68 & NPF-81
7821 River Road
Waynesboro, GA 30830

Joseph E. Venable
Vice President, Operations
Waterford Steam Electric Generating Station,
Unit 3
Entergy Operations, Inc.
Docket No. 50-382
License No. NPF-38
17265 River Road
Killona, LA 70066-0751

Bonnie A. Schnetzler
Security Manager
Watts Bar Nuclear Plant, Unit 1
Tennessee Valley Authority
Docket No. 50-390
License No. NPF-90
Highway 68 Near Spring City
Spring City, TN 37381

William A. Evans
William B. McGuire Nuclear Station, Units 1
& 2
Duke Energy Corporation
Docket Nos. 50-369 & 50-370
License Nos. NPF-9 & NPF-17
Mail - MG01SC
12700 Hagers Ferry Road
Huntersville, NC 28078

David Erbe
Security Manager
Wolf Creek Generating Station, Unit 1
Wolf Creek Nuclear Operating Corporation
Docket No. STN 50-482
License No. NPF-42
1550 Oten Lane, NE
Burlington, KS 66839

Compensatory Measures

A. Background:

These compensatory measures (CMs) are established to delineate licensee responsibility in response to the threat environment presently in existence in the aftermath of the events of September 11, 2001. Excessive work schedules can challenge the ability of security force personnel to remain vigilant and effectively perform their duties.

B. Scope:

Operating nuclear power reactor licensees shall comply with the following CMs to ensure, in part, that nuclear facility security force personnel are not assigned to duty while in a fatigued condition that could reduce their alertness or ability to perform functions necessary to identify and promptly respond to plant security threats. Work hour controls shall apply to personnel performing the following functions: armed member of the security force, central alarm station operator, secondary alarm station operator, security shift supervisor, and watchperson (i.e., watchman).

C. Compensatory Measures:

1. Individual Work Hour Controls

(a) Personnel performing the functions identified in B:

(1) Shall not exceed the following limits, excluding shift turnover time:

- (i) 16 hours in any 24-hour period,
- (ii) 26 hours in any 48-hour period, and
- (iii) 72 hours in any 7-day period.

(2) Shall have a minimum 10-hour break between work periods. The participation in turnover is permitted during the break period.

(3) May be authorized, by the licensee, to deviate from the limits specified in C.1(a)(1) and/or C.1(a)(2) provided:

- (i) The licensee could not have reasonably foreseen or controlled the circumstance necessitating the deviation,
- (ii) The security shift supervisor has determined that the deviation is required to maintain the security for the facility,
- (iii) An evaluation is performed, in advance, by individuals with training, as provided by the licensee, in the symptoms, contributing factors, and effects of fatigue that determined that the individual's fitness for duty would not be

adversely affected by the additional work period to be authorized under the deviation, and

(iv) The basis and approval for C.1(a)(3) items (i), (ii), and (iii) are documented.

Note 1: An 8-hour break may be authorized as deviation from the 10-hour requirement of C.1(a)(2) if the deviation is required for a scheduled transition of crews between work schedules or shifts.

(b) The number and duration of approved deviations shall be reviewed by the Security Manager and limited to the extent practicable.

(c) The licensee shall monitor and control individual work hours to ensure that excessive work hours are not compromising worker alertness and performance.

2. Group Work Hour Controls

Group average work hours for personnel performing the functions identified in B shall be controlled in accordance with the following limits:

(a) Normal Plant Conditions: The average number of hours actually worked by personnel performing the functions identified in B, shall not exceed 48 hours per week averaged over consecutive periods not to exceed six (6) weeks. Workers who did not work at least 75 percent of the normally scheduled hours during the averaging period shall not be included when calculating the average. If the group average limit is exceeded, the licensee shall take prompt action to reduce the average hours worked in accordance with this compensatory measure and take actions to prevent recurrence.

(b) Planned Plant or Planned Security System Outages:

(1) The average number of hours actually worked by personnel performing the functions identified in B, shall not exceed 60 hours per week averaged over consecutive periods not to exceed six (6) weeks. For planned abnormal plant conditions whose duration is less than the averaging period the limit would be 60 hours per week averaged over the duration of the condition. Workers who did not work at least 75 percent of the normally scheduled hours during the averaging period shall not be included when calculating the average. If the group average limit is exceeded, the licensee shall take prompt action to reduce the average hours worked in accordance with this compensatory measure and take actions to prevent recurrence.

Note 2: Licensee may define the beginning of a planned plant outage to be up to 3 weeks prior to the plant shutdown (i.e., plant operational mode not equal to 1).

(2) The limit defined in C.2(b)(1) can be used for up to 90 days. For periods greater than 90 days, the licensee shall take prompt action to limit hours worked in accordance with the requirements of C.2(a). The use of the limits defined in C.2(b)(1) shall not exceed 120 days.

(c) Unplanned Plant or Unplanned Security Outages or An Increase in Plant Threat Condition (i.e., increase in protective measure level as promulgated by NRC Advisory):

(1) There are no specific group limits for this condition.

(2) For periods greater than 90 days, the licensee shall take prompt action to limit hours worked in accordance with the requirements of C.2(a). The use of the allowance defined in C.2(c)(1) shall not exceed 120 days.

Note 3: For the purposes of these CMs, the baseline threat condition is defined as the least significant threat condition in effect in the last 120 days.

Note 4: If an increase in threat condition occurs while the plant is in a planned outage, the requirements of C.2(c) apply for the increased threat condition. If the threat condition returns to the baseline threat condition during the planned outage, the requirements of C.2(b) apply using the original licensee defined start date for the planned outage.

Note 5: If multiple increases in threat condition occur while the conditions of C.2(c) are in effect, the requirements of C.2(c)(2) reset with each increase.

Note 6: If the threat condition decreases, the new threat condition shall be compared to the baseline to determine if the requirements of C.2(c) apply as a result of an increased threat condition. If so, C.2(c)(2) shall be referenced to the date when the current threat condition was last entered as the result of an increase.

Note 7: Licensees shall reference changes in threat condition prior to the issuance of these CMs to determine the baseline threat condition and whether the requirements of C.2(c) apply.

3. Licensees shall be exempt from the requirements of C.1 and C.2 during declared emergencies as defined in the licensee's emergency plan.

4. Procedures

Develop or augment procedures, as necessary, for personnel within the scope of this CM to:

- (a) Describe the process for implementing the controls for hours worked specified in C.1, C.2, and C.3 of this CM.
- (b) Describe the process to be followed if an individual reports prior to or during a duty period that he or she considers himself or herself unfit for duty due to fatigue.
- (c) Document self-declarations of unfit for duty due to fatigue if upon completion of the licensee's evaluation it is determined the individual should be returned to work without a break of at least 10 hours.