

SAFEGUARDS INFORMATION

May 7, 2004

Mr. Michael R. Kansler
President
Entergy Nuclear Operations, Inc.
Indian Point Power Station
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: ISSUANCE OF ORDER FOR INTERIM SAFEGUARDS AND SECURITY
COMPENSATORY MEASURES FOR INDIAN POINT POWER STATION

Dear Mr. Kansler:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Order that modifies the general license for your proposed independent spent fuel storage installation (ISFSI) to require compliance with the specified interim safeguards and security compensatory measures. The interim compensatory measures are listed in Attachment 1 (contains Safeguards Information (SGI)) to the enclosed Order. The Commission has determined that additional security measures are required following the events of September 11, 2001, and concluded that the security measures should be embodied in an Order, consistent with the established regulatory framework. Due to the current threat environment, the requirements of the enclosed Order must be in place prior to you initiating operations of your ISFSI.

These actions are interim and the basis for the Order is the need to take prudent actions to address security requirements in the current threat environment. This Order does not obviate the need for licensees to continue to meet and maintain the effectiveness of existing security measures taken in response to the events of September 11, 2001. The requirements will remain in effect pending notification from the Commission that a significant change in the threat environment has occurred, or the Commission determines that other changes are needed.

The enclosed Order calls for responses and actions within specified time frames.

WARNING: Violation of Section 147 of the Atomic Energy Act, "Safeguards Information" is subject to Civil and Criminal Penalties.

NOTICE: Upon removal of Attachment 1 to the Order and Enclosure 3 to the Letter, this document and enclosed Order are DECONTROLLED

Safeguards Information determination made by:
Name/Title M.Wayne Hodges, Dep.Dir. SFPO
Organization NMSS/SFPO/STRD
Basis 73.21
Signature /RA/ Date 05/07/04

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M. Kansler

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With respect to the notices and submission required by Sections III.B and III.C of the Order, for any requirement of Attachment 1 that requires an analysis or is contingent upon completion of another requirement of Attachment 1, it will be a sufficient response if the licensee states in its 20-day submission: (1) that completion of the requirement is dependent upon completion of an analysis or other requirement; (2) the expected date of completion of the analysis or other requirement; and (3) that upon such completion, the licensee will promptly submit the results of such analysis or inform the NRC of the completion of the other requirement and the actions thereafter proposed with respect to the requirement at issue, as well as the projected date of completion. No extension of time from the 20-day requirement is necessary for such responses submitted within 20 days.

As a separate matter, if the licensee wishes to preserve its right to request a hearing on any requirement contingent upon completion of an analysis or other requirement, a request for an extension of time to request a hearing must be filed within 20 days of the date of this Order in accordance with Section IV of the Order. Such a request may seek a reasonable period of time to request a hearing beyond the date that the staff informs the licensee whether the actions proposed and completion date for the requirement(s), contingent upon an analysis or other requirement, are satisfactory.

Please contact the following individuals, Paul J. Kelley, Jr. at 301-415-6101 of the Office of Nuclear Security and Incident Response, or Mary Jane Ross-Lee at 301-415-3781, of my staff, 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/

Jack Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-51

Enclosures: 1. Order
 2. Order Attachment 1 - Interim
 Compensatory Measures for
 Dry Independent Spent Fuel
 Storage Installations (**SGI**)
 3. Regulatory Issue Summary
 2002-12D (**SGI**)

cc w/enclosure 1 only: See next page

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/RA/
Jack Strosnider, Director
Office of Nuclear Material Safety
and Safeguards

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- Enclosures:
1. Order
 2. Order Attachment 1 - Interim Compensatory Measures for Dry Independent Spent Fuel Storage Installations (**SGI**)
 3. Regulatory Issue Summary 2002-12D (**SGI**)

cc w/enclosure 1 only: See next page

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Indian Point Power Station

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