

SAFEGUARDS INFORMATION

(Document Date)

[Chief Nuclear Officer]

SUBJECT: ISSUANCE OF ORDER FOR INTERIM SAFEGUARDS AND SECURITY
COMPENSATORY MEASURES FOR [Plant Name]

Dear Mr. [Chief Nuclear Officer]

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Order that modifies the general license for your independent spent fuel storage installation (ISFSI) to require compliance with the specified interim safeguards and security compensatory measures. The Order applies to all Addressees listed in Attachment 1 to the enclosed Order. The interim compensatory measures are listed in Attachment 2 (contains Safeguards Information) 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, in light of the current threat environment, the Commission concludes that the security measures should be embodied in an Order, consistent with the established regulatory framework. The Commission has determined that the current threat environment requires that the enclosed Order be effective immediately.

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.

NOTICE: Attachment 2 to the Order (Interim Compensatory Measures) contains "Safeguards Information." Upon separation of Attachment 2 to the Order, this letter, the enclosed Order, and Attachment 1 to the Order (Address List) are "DECONTROLLED."

SAFEGUARDS INFORMATION

With respect to the notices and submission required by Sections III.B and III.C of the Order, for any requirement of Attachment 2 that requires an analysis or is contingent upon completion of another requirement of Attachment 2, it will be a sufficient response if the licensee states in its twenty-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 twenty-day requirement is necessary for such responses submitted within twenty 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 twenty 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, Francis Young, of the Office of Nuclear Security and Incident Response, at 301-415-3207, or Robert Temps, of my staff, at 301-415-2552, 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,

Martin J. Virgilio, Director
Office of Nuclear Material Safety
and Safeguards

Docket No(s).

- Enclosures:
1. Order
 2. Order Attachment 1 - Address List
 3. Order Attachment 2 - Interim Compensatory Measures for Dry Independent Spent Fuel Storage Installations (Safeguards Information)
 4. Regulatory Issue Summary 2002-12D (Safeguards Information)

cc w/enclosures 1 and 2 only: See next page

With respect to the notices and submission required by Sections III.B and III.C of the Order, for any requirement of Attachment 2 that requires an analysis or is contingent upon completion of another requirement of Attachment 2, it will be a sufficient response if the licensee states in its twenty-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 twenty-day requirement is necessary for such responses submitted within twenty days.

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Enclosures: 1. Order
2. Order Attachment 1 - Address List
3. Order Attachment 2 - Interim Compensatory Measures for Dry Independent Spent Fuel Storage Installations (Safeguards Information)
4. Regulatory Issue Summary 2002-12D (Safeguards Information)

cc w/enclosures 1 and 2 only:

DISTRIBUTION (with enclosure 1 and 2 only):

NRC File Center	DOCKET	MVirgilio/MFederline	OGC	ACRS	FYoung	SECY
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Accession No.	(Package)					
Accession No.	(Cover Letter)					
Accession No.	(Order; without Attachment 2 to Order which is Safeguards Information)					
Accession No.	(Order Attachment 1 - Address List)					
Accession No.	(Regulatory Issue Summary 2002-12D (w/o Attachment which is Safeguards Information))					

OFFICE	SFPO	SFPO	SFPO	NSIR	OE
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OFFICE	OGC	NSIR	SFPO	NMSS	
NAME	LChandler	GTracy	EWBrach	MVirgilio	

DATE	10/ /02	10/ /02	10/ /02	10/ /02	10/ /02
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*see previous concurrence

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