



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 8, 2009

Holders of Licenses for Operating
Power Reactors as Listed in
Enclosure 1

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

On April 29, 2003, the U.S. Nuclear Regulatory Commission (NRC) issued Order EA-03-038 modifying the license for your facility to require compliance with specified compensatory measures related to fitness-for-duty (FFD) enhancements applicable to nuclear facility security personnel. Order EA-03-038 states that "all measures implemented or actions taken in response to this Order shall be maintained until the Commission determines otherwise."

On March 31, 2008, the NRC amended Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26, "Fitness for Duty Programs," through a final rule published in the Federal Register on March 31, 2008 (73 FR 17176) to strengthen the effectiveness of licensee FFD programs and to establish clear and enforceable requirements for the management of worker fatigue (including security personnel). The rule became effective on April 30, 2008. However, licensees and other applicable entities could defer implementation of Part 26, Subpart I, "Managing Fatigue," requirements to a date no later than October 1, 2009. The staff notes that some licensees have indicated a desire to implement the Subpart I provisions prior to October 1, 2009.

As described in Section IV.D of the Statement of Considerations for the final rule, the NRC evaluated the compensatory measures required by Order EA-03-038 against the requirements of the rule. The NRC found that the provisions of Part 26, Subpart I, specified for security force personnel would replace the requirements imposed by the Order. Furthermore, the NRC recognized that Order EA-03-038 would need to be relaxed (i.e., removed from being a requirement) prior to licensee implementation of the rule in part because of some conflicting terminology and work-hour calculation methods between the Order and the rule.

In light of the above determination, licensees will not be required to comply with the requirements of Order EA-03-038 for security force personnel in the following circumstances:

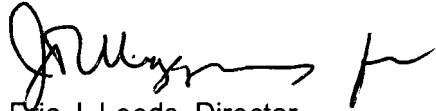
- For each licensee that implements all of the requirements of 10 CFR Part 26, Subpart I, prior to October 1, 2009, and submits a letter to the NRC under 10 CFR 50.4 that affirms the licensee's implementation of the Part 26, Subpart I requirements, the NRC will find that good cause is shown and I hereby relax Order EA-03-038 in its entirety for that licensee as of the date of the licensee's letter.
- For each licensee that did not submit the above 10 CFR 50.4 letter, I hereby relax the requirements of Order EA-03-038 in its entirety on October 1, 2009, because that licensee is subject to the 10 CFR Part 26, Subpart I requirements as of that date.

Holders of Licenses for
Operating Power Reactors

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Licenses should consider whether relaxation of the Order will result in changes to their licenses and Security Plans. Please contact your licensing project manager to facilitate resolution of any issue related to the requirements outlined in this letter, or if you have any other questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Leeds", with a stylized flourish at the end.

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket Nos. As shown in Addressee List

Enclosure: Addressee List

cc: w/encl: Listserve

ADDRESSEE LIST

Facilities	Addressee
Arkansas Nuclear One, Units 1 and 2 Docket Nos. 50-513 & 50-368 License Nos. DPR 51, NPF-6	Vice President, Operations Entergy Operations, Inc. Arkansas Nuclear One 1448 S.R. 333 Russellville, AR 72802
Beaver Valley Power Station, Unit Nos. 1 and 2 Docket Nos. 50-334 - 50-412 License Nos. DPR-66, NPF-73	Mr. Peter P. Sena III Site Vice President FirstEnergy Nuclear Operating Company Beaver Valley Power Station Mail Stop A-BV-SEB1 P.O. Box 4, Route 168 Shippingport, PA 15077
Braidwood Station, Units 1 and 2 Docket Nos. STN 50-456 & STN 50-457 License Nos. NPF-72, NPF- 73	Mr. Charles G Pardee President and Chief Nuclear Officer Exelon Nuclear 4300 Winfield Road Warrenville, IL 60555
Byron Station, Unit Nos. 1 and 2 Docket Nos. STN 50-454, STN 50-455 License Nos. NPF-37, NPF-66	
Clinton Power Station, Unit No. 1 Docket No. 50-461 License No. NPF-62	
Dresden Nuclear Power Station, Units 2 and 3 Docket Nos. 50-237, 50-249 License Nos. DPR-19, DPR-25	
LaSalle County Station, Units 1 and 2 Docket Nos. 50-373, 50-374 License Nos. NPF-11, NPF-18	
Quad Cities Nuclear Power Station, Units 1 and 2 Docket Nos. 50-254, 50-265 License Nos. DPR-29, DPR-30	

Limerick Generating Station, Units 1 and 2 Docket Nos. 50-352, 50-353 License Nos. NPF-39, NPF-85	
Oyster Creek Nuclear Generating Station Docket Nos. 50-219 License Nos. DPR-16	
Peach Bottom Atomic Power Station, Units 2 and 3 Docket Nos. 50-277, 50-278 License Nos. DPR-44, DPR-56	
Three Mile Island Nuclear Station, Unit 1 Docket Nos. 50-289 License Nos. DPR-50	
Browns Ferry Nuclear Plant, Units 1, 2, and 3 Docket Nos. 50-259, 50-260, & 50-296 License Nos. DPR-33, DPR-52, DPR-68	Mr. Karl W. Singer Chief Nuclear Officer and Executive Vice President Tennessee Valley Authority 6A Lookout Place 1101 Market Street Chattanooga, TN 37402-2801
Sequoyah Nuclear Plant, Units 1 and 2 Docket Nos. 50-327 and 50-328 License Nos. DPR-77 and DPR-79	Mr. William R. Campbell, Jr. Chief Nuclear Officer and Executive Vice President Tennessee Valley Authority 6A Lookout Place 1101 Market Street Chattanooga, TN 37402-2801
Watts Bar Nuclear Plant, Unit 1 Docket No. 50-390 License No. NPF-90	
Brunswick Steam Electric Plant, Units 1 and 2 Docket Nos. 50-424, 50-425 License Nos. DPR-71, DPR-62	Mr. Benjamin Waldrep, Vice President Brunswick Steam Electric Plant Carolina Power & Light Company Post Office Box 10429 Southport, North Carolina 28461
Callaway Plant, Unit 1 Docket No. 50-483 License No. NPF-30	Mr. Adam C. Heflin Senior Vice President and Chief Nuclear Officer Callaway Union Electric Company P.O. Box 620 Fulton, MO 65251

<p>Calvert Cliffs Nuclear Power Plant, Units 1 and 2 Docket Nos. 50-317, 50-318 License Nos. DPR-53, DPR-69</p>	<p>Mr. James A. Spina, Vice President Calvert Cliffs Nuclear Power Plant, Inc. Calvert Cliffs Nuclear Power Plant 1650 Calvert Cliffs Parkway Lusby, MD 20657-4702</p>
<p>Catawba Nuclear Station, Units 1 and 2 Dockets Nos. 50-413, 50-414 License Nos. NPF-35, NPF-52</p>	<p>Mr. J. R. Morris Site Vice President Catawba Nuclear Station Duke Energy Carolinas, LLC 4800 Concord Road York, SC 29745</p>
<p>Columbia Generating Station Docket No. 50-397 License No. NPF-21</p>	<p>Mr. J. V. Parrish, Chief Executive Officer Energy Northwest P.O. Box 968 (Mail Drop 1023) Richland, WA 99352-0968</p>
<p>Comanche Peak Steam Electric Station, Units 1 and 2 Docket Nos. 50-445, 50-446 License Nos. NPF-87, NPF-89</p>	<p>Mr. Rafael Flores Senior Vice President & Chief Nuclear Officer Luminant Generation Company LLC P. O. Box 1002 Glen Rose, TX 76043</p>
<p>Cooper Nuclear Station Docket No. 50-298 License No. DPR-46</p>	<p>Mr. Stewart B. Minahan Vice President-Nuclear and Chief Nuclear Officer Nebraska Public Power District 72676 648A Avenue Brownville, NE 68321</p>
<p>Crystal River Unit 3 Nuclear Generating Plant Docket No. 50-302 License No. DPR-72</p>	<p>Mr. Dale E. Young, Vice President Crystal River Nuclear Plant (NA1B) ATTN: Supervisor, Licensing & Regulatory Programs 15760 W. Power Line Street Crystal River, Florida 34428-6708</p>
<p>Davis-Besse Nuclear Power Station, Unit No. 1 Docket No. 50-346 License No. NPF-3</p>	<p>Mark B. Bezilla Site Vice President FirstEnergy Nuclear Operating Company Davis-Besse Nuclear Power Station Mail Stop A-DB-3080 5501 North State Route 2 Oak Harbor, OH 43449-9760</p>

<p>Diablo Canyon Nuclear Power Plant, Units 1 and 2 Docket Nos. 50-275 & 50-323 License Nos. DPR-80 & DPR-82</p>	<p>Mr. John T. Conway Senior Vice President –Generation and Chief Nuclear Officer Pacific Gas and Electric Company Diablo Canyon Power Plant P.O. Box 3, Mail Code 104/6/601 Avila Beach, CA 93424</p>
<p>Donald C. Cook Nuclear Plant, Units 1 and 2 Docket Nos. 50-315 & 50-316 License Nos. DPR-58 & DPR-74</p>	<p>Mr. Michael W. Rencheck Senior Vice President and Chief Nuclear Officer (DC Cook) Indiana Michigan Power Company Nuclear Generation Group One Cook Place Bridgman, MI 49106</p>
<p>Duane Arnold Energy Center Docket No. 50-331 License No. DPR-49</p>	<p>Mr. Richard L. Anderson Vice President Duane Arnold Energy Center 3277 DAEC Road Palo, IA 52324-9785</p>
<p>Edwin I. Hatch Nuclear Plant, Units 1 and 2 Docket Nos. 50-321 & 50-366 License Nos. DPR-57 & NPF-5</p>	<p>Mr. Dennis R. Madison Vice President - Hatch Edwin I. Hatch Nuclear Plant 11028 Hatch Parkway North Baxley, GA 31513</p>
<p>Fermi, Unit 2 Docket No. 50-341 License No. NPF-43</p>	<p>Mr. Jack M. Davis Senior Vice President and Chief Nuclear Officer Detroit Edison Company Fermi 2 - 210 NOC 6400 North Dixie Highway Newport, MI 48166</p>
<p>Fort Calhoun Station, Unit 1 Docket No. 50-285 License No. DPR-40</p>	<p>Mr. David J. Bannister Vice President and CNO Omaha Public Power District Fort Calhoun Station. 444 South 16th Street Mall Omaha, NE 68102-2247</p>
<p>Grand Gulf Nuclear Station, Unit 1 Docket No. 50-416 License No. NPF-29</p>	<p>Vice President, Operations Entergy Operations, Inc. Grand Gulf Nuclear Station P. O. Box 756 Port Gibson, MS 39150</p>

<p>H. B. Robinson Steam Electric Plant, Unit 2 Docket No. 50-261 License No. DPR-23</p>	<p>Mr. Thomas D. Walt, Vice President Carolina Power & Light Company H. B. Robinson Steam Electric Plant Unit No. 2 3581 West Entrance Road Hartsville, South Carolina 29550</p>
<p>Hope Creek Generating Station Docket Nos. 50-354 License Nos. NPF-57</p>	<p>Mr. Thomas Joyce President and Chief Nuclear Officer PSEG Nuclear (Hope Creek & Salem) P.O. Box 236, N09 Hancocks Bridge, NJ 08038</p>
<p>Salem Nuclear Generating Station, Unit Nos. 1 and 2 Docket Nos. 50-272, 50-311 License Nos. DPR-70, DPR-75</p>	
<p>Indian Point Nuclear Generating, Unit Nos. 2 and 3 Docket Nos. 50-247, 50-286 License Nos. DPR-26, DPR-64</p>	<p>Vice President, Operations Entergy Nuclear Operations, Inc. Indian Point Energy Center 450 Broadway, GSB P.O. Box 249 Buchanan, NY 10511-0249</p>
<p>James A. Fitzpatrick Nuclear Power Plant Docket Nos. 50-333 License Nos. DPR-59</p>	<p>Vice President, Operations Entergy Nuclear Operations, Inc. James A. FitzPatrick Nuclear Power Plant P.O. Box 110 Lycoming, NY 13093</p>
<p>Pilgrim Nuclear Power Station Docket Nos. 50-293 License Nos. DPR-35</p>	<p>Site Vice President Entergy Nuclear Operations, Inc. Pilgrim Nuclear Power Station 600 Rocky Hill Road Plymouth, MA 02360-5508</p>
<p>Vermont Yankee Nuclear Power Station Docket Nos. 50-271 License Nos. DPR-28</p>	<p>Site Vice President Entergy Nuclear Operations, Inc. Vermont Yankee Nuclear Power Station P.O. Box 250 Governor Hunt Road Vernon, VT 05354</p>
<p>Joseph M. Farley Nuclear Plant, Units 1 and 2 Docket Nos. 50-348 & 50-364 License Nos. NPF-2 & NPF-8</p>	<p>Mr. J. Randy Johnson Vice President - Farley Joseph M. Farley Nuclear Plant 7388 North State Highway 95 Columbia, AL 36319</p>

<p>Kewaunee Power Station Docket Nos. 50-305 License Nos. DPR-43</p>	<p>Mr. David A. Christian President and Chief Nuclear Officer Dominion Nuclear Connecticut, Inc. Innsbrook Technical Center 5000 Dominion Boulevard Glen Allen, VA 23060-6711</p>
<p>Millstone Power Station, Unit Nos. 2 and 3 Docket Nos. 50-336, 50-423 License Nos. DPR-65, NPF-49</p>	
<p>North Anna Power Station, Units 1 and 2 Docket Nos. 50-338, 50-339 License Nos. NPF-4, NPF-7</p>	
<p>Surry Power Station, Units 1 and 2 Docket Nos. 50-280, 50-281 License Nos. DPR-32, DPR-37</p>	
<p>McGuire Nuclear Station, Units 1 and 2 Docket Nos. 50-369 & 50-370 License Nos. NPF-9 & NPF-17</p>	<p>Mr. Bruce H. Hamilton Vice President McGuire Nuclear Station Duke Energy Carolinas, LLC 12700 Hagers Ferry Road Huntersville, NC 28078</p>
<p>Monticello Nuclear Generating Plant, Unit No. 1 Docket No. 50-263 License No. DPR-22</p>	<p>Mr. Timothy J. O'Connor, Site Vice President Monticello Nuclear Generating Plant Northern States Power - Minnesota 2807 West County Road 75 Monticello, MN 55362-9637</p>
<p>Nine Mile Point Nuclear Station, Units 1 and 2 Docket Nos. 50-220 & 50-410 License Nos. DPR-63 & NPF-69</p>	<p>Mr. Keith J. Polson Vice President, Nine Mile Point Nine Mile Point Nuclear Station, LLC P. O. Box 63 Lycoming, NY 13093-0063</p>
<p>Oconee Nuclear Station, Units 1, 2, and 3 Docket Nos. 50-269, 50-270, & 50-287 License Nos. DPR-38, DPR-47, & DPR-55</p>	<p>Mr. Dave Baxter Vice President, Oconee Site Duke Power Company LLC 7800 Rochester Highway Seneca, SC 29672</p>
<p>Palisades Nuclear Plant Docket No. 50-255 License No. DPR-20</p>	<p>Vice President, Operations Entergy Nuclear Operations, Inc. Palisades Nuclear Plant 27780 Blue Star Memorial Highway Covert, MI 49043-9530</p>

<p>Palo Verde Nuclear Generating Station, Units 1, 2 and 3 Docket Nos. 50-528, 50-529, & 50-530 License Nos. NPF-41, NPF-51, & NPF-74</p>	<p>Mr. Randall K. Edington Executive Vice President Nuclear/CNO Mail Station 7602 Arizona Public Service Company P. O. Box 52034 Phoenix, AZ 85072-2034</p>
<p>Perry Nuclear Power Plant, Unit No. 1 Docket No. 50-440 License No. NPF-58</p>	<p>Mr. Barry S. Allen Site Vice President FirstEnergy Nuclear Operating Company Mail Stop: A-PY-A290 P. O. Box 97 10 Center Road Perry, OH 44081-0097</p>
<p>Point Beach Nuclear Plant, Units 1 and 2 Docket Nos. 50-266 & 50-301 License Nos. DPR-24 & DPR-27</p>	<p>Mr. Larry Meyer Site Vice President Point Beach Nuclear Plant 6610 Nuclear Road Two Rivers, WI 54241-9516</p>
<p>Prairie Island Nuclear Generating Plant, Units 1 and 2 Docket Nos. 50-282 & 50-306 License Nos. DPR-42 & DPR-60</p>	<p>Mr. Michael D. Wadley Site Vice President Prairie Island Nuclear Generating Plant Northern States Power Co. – Minnesota 1717 Wakonade Drive East Welch, MN 55089</p>
<p>R. E. Ginna Nuclear Power Plant Docket No. 50-244 License No. DPR-18</p>	<p>Mr. John T. Carlin, Vice President R. E. Ginna Nuclear Power Plant, LLC 1503 Lake Road Ontario, NY 14519-9364</p>
<p>River Bend Station, Unit 1 Docket No. 50-458 License No. NPF-47</p>	<p>Vice President - Operations Entergy Operations, Inc. River Bend Station 5485 US Highway 61N St. Francisville, LA 70775</p>
<p>San Onofre Nuclear Generating Station, Units 2 and 3 Docket Nos. 50-361 & 50-362 License Nos. NPF-10 & NPF-15</p>	<p>Mr. Ross T. Ridenoure Senior Vice President and Chief Nuclear Officer Southern California Edison Company San Onofre Nuclear Generating Station P. O. Box 128 San Clemente, CA 92674-0128</p>

<p>Seabrook Station, Unit 1 Docket No. 50-443 License No. NPF-86</p>	<p>Mr. Gene St. Pierre Site Vice President, Seabrook Station NextEra Energy Seabrook, LLC P. O. Box 300 Seabrook, NH 03874</p>
<p>Shearon Harris Nuclear Power Plant, Unit 1 Docket No. 50-400 License No. NPF-63</p>	<p>Mr. Chris L. Burton Vice President Shearon Harris Nuclear Power Plant Carolina Power & Light Company P. O. Box 165, Mail Code: Zone 1 New Hill, NC 27562-0165</p>
<p>South Texas Project, Units 1 and 2 Docket Nos. 50-498 & 50-499 License Nos. NPF-76 & NPF-80</p>	<p>Mr. Edward D. Halpin Chief Nuclear Officer STP Nuclear Operating Company South Texas Project P. O. Box 289 Wadsworth, TX 77483</p>
<p>St. Lucie Nuclear Plant, Units 1 and 2 Docket Nos. 50-335, 50-389 License Nos. DPR-67, NPF-16</p>	<p>Mr. J. A. Stall Senior Vice President, Nuclear and Chief Nuclear Officer Florida Power and Light Company P. O. Box 14000 Juno Beach, FL 33408-0420</p>
<p>Turkey Point Nuclear Plant, Units 3 and 4 Docket Nos. 50-250, 50-251 License Nos., DPR-31, DPR-41</p>	<p>Mr. Mano Nazar Senior Vice President and Nuclear Chief Operating Officer Florida Power & Light Company P.O. Box 14000 Juno Beach, FL 33408-0420</p>
<p>Susquehanna Steam Electric Station, Units 1 and 2 Docket Nos. 50-387 & 50-388 License Nos. NPF-14 & NPF-22</p>	<p>Mr. William H. Spence Executive Vice President/Chief Operating Officer Chief Nuclear Officer PPL Susquehanna, LLC Two North Ninth Street, GENTW16 Allentown, PA 18101-1179</p>
<p>Virgil C. Summer Nuclear Station Docket No. 50-395 License No. NPF-12</p>	<p>Mr. Jeffrey B. Archie Vice President, Nuclear Operations South Carolina Electric and Gas Company P. O. Box 88 Jenkinsville, SC 29065</p>

<p>Vogtle Electric Generating Plant, Units 1 and 2 Docket Nos. 50-424 & 50-425 License Nos. NPF-68 & NPF-81</p>	<p>Mr. Tom E. Tynan Vice President – Vogtle Vogtle Electric Generating Plant 7821 River Road Waynesboro, GA 30830</p>
<p>Waterford Steam Electric Station, Unit 3 Docket No. 50-382 License No. NPF-38</p>	<p>Vice President, Operations Entergy Operations, Inc. Waterford Steam Electric Station, Unit 3 17265 River Road Killona, LA 70057-3093</p>
<p>Wolf Creek Generating Station Docket No. 50-482 License No. NPF-42</p>	<p>Mr. Rick A. Muench President and Chief Executive Officer Wolf Creek Nuclear Operating Corporation P. O. Box 411 Burlington, KS 66839</p>

Licensees should consider whether relaxation of the Order will result in changes to their licenses and Security Plans. Please contact your licensing project manager to facilitate resolution of any issue related to the requirements outlined in this letter, or if you have any other questions.

Sincerely,

/RA by JWiggins for/

Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Docket Nos. As shown in Addressee List

Enclosure: Addressee List

cc: w/encl: Listserve

ADAMS Accession NO.: ML091060582

OFFICE	NSIR/DSP/ISCPB	QTE	NSIR/DSP/ISCPB	NSIR/DSP/ISCPB	NSIR/DSP
NAME	MRalph/byEmail	K Azariah-0-Kribbs	PHarris	CErlanger	S.Morris for/RCorreia
DATE	04/16/2009	4/30/2009	5/1/09	5/4/09	5/4/09
OFFICE	OGC -- NLO	OE	NRR/DLR	NRR/DORL	NSIR
NAME	CMarco	CCarpenter	TMcGinty	JGitter	RZimmerman
DATE	5/18/09	5/21/09	5/20/09	5/19/09	5/26 /09
OFFICE	NRR/ADRO	NRR			
NAME	BBoger	JWiggins for ELeeds			
DATE	6/ 08 /09	6/ 08 /09			

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