

SAFEGUARDS INFORMATION

March 20, 2006

EA-06-037

Holders of Licenses for Operating
Power Reactors listed in
Attachment 1 to the Order

**SUBJECT: ISSUANCE OF ORDER REQUIRING COMPLIANCE WITH UPDATED
ADVERSARY CHARACTERISTIC**

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Order, which modifies the current license for your facility. The Order applies to all addressees listed in Attachment 1 to the Order and is effective immediately.

The Order requires you to provide high assurance of protection against an updated adversary characteristic associated with the design basis threat. The updated adversary characteristic is identified in Section E of Attachment 2 to this Order and must be incorporated into your physical security plan, safeguards contingency plan, or guard training and qualification plan as appropriate. Also included, as Enclosure 2, is revised implementation guidance. Incorporation of the updated adversary characteristic may require you to change security systems described in the security plan.

Changes to your site security plans necessary to fully implement the updated adversary characteristic must be completed within 60 days of the date of the Order. Once implementation is complete, you must notify the Commission by sending to the NRC the changed security plan pages. The NRC will then issue updated license pages to reflect the revision to your security plans. The NRC will confirm your implementation of the Order through routine licensing security reviews, baseline inspections, and security performance evaluations.

This Order does not obviate the need for you to continue compliance with Orders issued on February 25, 2002, January 7, 2003, and April 29, 2003.

Enclosure 2 and Attachment 2 to Enclosure 1 transmitted herewith contain Safeguards information. When separated from Enclosure 2 and Attachments 2 to Enclosure 1, the Letter, Enclosure 1, and Attachment 1 are decontrolled.

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SAFEGUARDS INFORMATION

All Operating Reactor Licensees

- 2 -

The enclosed Order calls for 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/

J. E. Dyer, Director

Office of Nuclear Reactor Regulation

Docket Nos.: See Attachment 1

Enclosures: 1. Order w/atts 1 and 2
2. Revised Implementation Guidance

cc w/Order and Att 1 only: See Plant Mailing Lists (ADAMS No. ML060680072)

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All Operating Reactor Licensees

- 2 -

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Sincerely,

/RA/
 J. E. Dyer, Director
 Office of Nuclear Reactor Regulation

Docket Nos.: See Attachment 1

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 2. Revised Implementation Guidance

cc w/Order and Att 1 only: See Plant Mailing Lists (ADAMS No. ML060680072)

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 Cover Letter w/ Order and Att 1: ML060590464
 Order Attachment 2: **Safeguards Information (Not in ADAMS)**
 Revised Implementation Guidance: **Safeguards Information (Not in ADAMS)**

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DATE	03/16 /06	03/16 /06	03/10/06	03/17/06
OFFICE	OGC, nlo	OE/D	NSIR/D	NRR/D
NAME	JGoldberg	MJohnson	RZimmerman	JDyer
DATE	03/16/06	03/14/06	03/14/06	03/ 20 /06

OFFICIAL RECORD COPY

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	Docket Nos. (as shown in Attachment 1)
OPERATING POWER REACTOR)	License Nos. (as shown in Attachment 1)
LICENSEES IDENTIFIED IN ATTACHMENT 1)	EA-06-037

**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 the 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., using 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, and eventually Orders to selected licensees,

to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. On April 29, 2003, the Commission issued an Order to all operating power reactor licensees that enhanced the design basis threat (DBT) specified in 10 CFR 73.1.

As a result of the Commission's continued assessment of threat information, the Commission has determined that a revision to one of the specific adversary characteristics set forth in the April 29, 2003, DBT Order needs to be updated and enhanced. The update to the adversary characteristic is set forth in Attachment 2¹ of this Order. Each licensee must amend its site security plans to address the new adversary characteristic in its protective strategy.

Any needed changes to the physical security plan, safeguards contingency plan, or guard training and qualification plan required by 10 CFR 50.34(c), 50.34(d), and 73.55(b)(4)(ii), respectively, shall be completed and implemented within 60 days of the date of this Order.

Pursuant to 10 CFR 2.202, I find that in the circumstances described above, the public health, safety, and interest and the common defense and security require that this Order be immediately effective.

III.

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. 1. Each licensee shall revise its physical security plan and safeguards contingency plan, prepared pursuant to 10 CFR 50.34(c) and 50.34(d), to provide protection

¹Attachment 2 contains Safeguards Information and will not be publicly disclosed.

against the updated adversary characteristic set forth in Attachment 2 to this Order. In addition, each licensee shall revise its training and qualification plan, required by 10 CFR 73.55(b)(4)(ii), to implement the updated adversary characteristic set forth in Attachment 2 to this Order.

2. Each licensee shall implement necessary changes to its physical security plan, safeguards contingency plan, and guard training and qualification plan **no later than 60 days from the date of this Order.**
- B.
1. Each licensee shall, within **twenty-one (21) days** of the date of this Order, notify the Commission: (1) if the licensee is unable to comply with any requirement of this Order, (2) if compliance with any requirement of this Order is unnecessary in the licensee's specific circumstances, or (3) if implementation of any requirement of this Order 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 of this Order would adversely impact safe operation of the facility must notify the Commission, within **twenty-one (21) 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 of this Order, or a schedule for modifying the facilities 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. Each licensee shall report to the Commission, in writing, when it has fully implemented this Order. The notification shall be made **no later than 60 days from the date of the Order** and include substitute security plan pages that reflect any changes made to implement the Order.
- D. All measures implemented or actions taken in response to this Order shall be maintained until the Commission determines otherwise, except that the licensee may change its revised physical security plans, safeguards contingency plans, and guard training and qualification plans if authorized by 10 CFR 50.54(p).

Licensee responses to Conditions A.1, B.1, B.2, and C above, shall be submitted in accordance with 10 CFR 50.4. In addition, licensee 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, in writing, relax or rescind any of the above conditions upon demonstration by the licensee of good cause.

IV.

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 **twenty-one (21) 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 an 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 20555-0001, 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 20555-0001. Copies also shall be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; 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 delays 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.gov. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(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 **twenty-one (21) 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/
J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Dated this 20th day of March 2006.

Attachment 1 - List of Addressees

Power Plants - Senior Executive/Security Contacts

Mr. William Levis
Senior Vice President & Chief Nuclear Officer
PSEG Nuclear LLC-N09
Salem Nuclear Generating Station, Units 1 & 2
Docket Nos. 50-272 & 50-311
License Nos. DPR-70 & DPR-75
End of Buttonwood Road
Hancocks Bridge, NJ 08038

Mr. William Levis
Senior Vice President & Chief Nuclear Officer
PSEG Nuclear LLC-X15
Hope Creek Generating Station, Unit 1
Docket No. 50-354
License No. NPF-57
End of Buttonwood Road
Hancocks Bridge, NJ 08038

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station, Unit 1
Docket No. 50-293
License No. DPR-35
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
Vermont Yankee Nuclear Power Station
Docket No. 50-271
License No. DPR-28
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
James A FitzPatrick Nuclear Power Plant
Docket No. 50-333
License No. DPR-59
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
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Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Station,
Units 2 & 3
Docket Nos. 50-247 & 50-286
License Nos. DPR-26 & DPR-64
440 Hamilton Avenue
White Plains, NY 10601

Mr. Gene St. Pierre
Site Vice President
FPL Energy
Seabrook Station, Unit 1
Docket No. 50-443
License No. NPF-86
Central Receiving, Lafayette Road
Seabrook, NH 03874

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

Mr. James A. Spina
Vice President
Calvert Cliffs Nuclear Power Plant, Inc.
Calvert Cliffs Nuclear Power Plant, Units 1 & 2
Docket Nos. 50-317 & 50-318
License Nos. DPR-53 & DPR-69
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

Mrs. Mary G. Korsnick
Vice President
R. E. Ginna Nuclear Power Plant, LLC
Docket No. 50-244
License No. DPR-18
1503 Lake Road
Ontario, NY 14519-9364

Mr. Timothy J. O'Connor
Vice President
Nine Mile Point Nuclear Station, LLC
Nine Mile Point Nuclear Station, Units 1 & 2
Docket Nos. 50-220 & 50-410
License Nos. DPR-63 & NPF-69
348 Lake Road
Oswego, NY 13126

Mr. Britt T. McKinney
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PPL Susquehanna, LLC
Susquehanna Steam Electric Station,
Units 1 & 2
Docket Nos. 50-387 & 50-388
License Nos. NPF-14 & NPF-22
769 Salem Boulevard, NUCSB3
Berwick, PA 18603-0467

Mr. David A. Christian
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Dominion Nuclear Connecticut, Inc.
Millstone Power Station, Units 2 & 3
Docket Nos. 50-336 & 50-423
License Nos. DPR-65 & NPF-49
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060

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Virginia Electric and Power Company
North Anna Power Station, Units 1 & 2
Docket Nos. 50-338 & 50-339
License Nos. NPF-4 & NPF-7
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060

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Surry Power Station, Units 1 & 2
Docket Nos. 50-280 & 50-281
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Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060

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Kewaunee Nuclear Power Plant
Docket No. 50-305
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5000 Dominion Boulevard
Glen Allen, VA 23060

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Vice President
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Catawba Nuclear Station, Units 1 & 2
Docket Nos. 50-413 & 50-414
License Nos. NPF-35 & NPF-52
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York, SC 29745

Mr. L. M. Stinson
Vice President - Farley Project
Southern Nuclear Operating Company, Inc.
Joseph M. Farley Nuclear Plant, Units 1 & 2
Docket Nos. 50-348 & 50-364
License Nos. NPF-2 & NPF-8
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. H. L. Sumner, Jr.
Vice President - Nuclear, Hatch Project
Southern Nuclear Operating Company, Inc.
Edwin I. Hatch Nuclear Plant, Units 1 & 2
Docket Nos. 50-321 & 50-366
License Nos. DPR-57 & NPF-5
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. G. R. Peterson
Vice President
Duke Energy Corporation
William B. McGuire Nuclear Station,
Units 1 & 2
Docket Nos. 50-369 & 50-370
License Nos. NPF-9 & NPF-17
12700 Hagers Ferry Road
Huntersville, NC 28078

Mr. Bruce H. Hamilton
Vice President, Oconee Site
Duke Energy Corporation
Oconee Nuclear Station, Units 1, 2 & 3
Docket Nos. 50-269, 50-270 & 50-287
License Nos. DPR-38, DPR-47 & DPR-55
7800 Rochester Highway
Seneca, SC 29672

Mr. Don E. Grissette
Vice President
Southern Nuclear Operating Company, Inc.
Vogtle Electric Generating Plant, Units 1 & 2
Docket Nos. 50-424 & 50-425
License Nos. NPF-68 & NPF-81
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. James Scarola
Vice President
Carolina Power & Light Company
Progress Energy, Inc.
Brunswick Steam Electric Plant, Units 1 & 2
Docket Nos. 50-325 & 50-324
License Nos. DPR-71 & DPR-62
Hwy 87, 2.5 Miles North
Southport, NC 28461

Mr. C.J. Gannon
Vice President
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant, Unit 1
Docket No. 50-400
License No. NPF-63
5413 Shearon Harris Road
New Hill, NC 27562-0165

Mr. Dale E. Young
Vice President
Supervisor, Licensing & Regulatory Programs
Florida Power Corporation
Crystal River Nuclear Generating Plant, Unit 3
Docket No. 50-302
License No. DPR-72
15760 W. Power Line Street
Crystal River, FL 34428-6708

Mr. J. W. Moyer
Vice President Carolina Power & Light
Company
Progress Energy
H. B. Robinson Steam Electric Plant, Unit 2
Docket No. 50-261
License No. DPR-23
3581 West Entrance Road
Hartsville, SC 29550

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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
10835 Shaw Rd.
Athens, AL 35611

Mr. Michael Skaggs
Site Vice President
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

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Site Vice President
Sequoyah Nuclear Plant, Units 1 & 2
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Docket Nos. 50-327 & 50-328
License Nos. DPR-77 & DPR-79
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Soddy Daisy, TN 37379

Mr. J. A. Stall
Senior Vice President, Nuclear & Chief
Nuclear Officer
Florida Power and Light Company
St. Lucie, Units 1 & 2
Docket Nos. 50-335 & 50-389
License Nos. DPR-67 & NPF-16
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Juno Beach, FL 33408-0420

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Turkey Point Nuclear Generating Station,
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Docket Nos. 50-250 & 50-251
License Nos. DPR-31 & DPR-41
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License Nos. DPR-58 & DPR-74
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Site Vice President
FLP Energy
Duane Arnold Energy Center
Docket No. 50-331
License No. DPR-49
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Point Beach Nuclear Plant, Units 1 & 2
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License Nos. DPR-24 & DPR-27
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Two Rivers, WI 54241-9516

Mr. Thomas J. Palmisano
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Nuclear Management Company, LLC
Prairie Island Nuclear Generating Plant,
Units 1 & 2
Docket Nos. 50-282 & 50-306
License Nos. DPR-42 & DPR-60
1717 Wakonade Drive East
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Braidwood Station, Units 1 & 2
Docket Nos. 50-456 & 50-457
License Nos. NPF-72 & NPF-77
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Warrenville, IL 60555

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Byron Station, Units 1 & 2
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License Nos. NPF-37 & NPF-66
4300 Winfield Road
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Dresden Nuclear Power Station, Units 2 & 3
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License Nos. DPR-19 & DPR-25
4300 Winfield Road
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Docket Nos. 50-373 & 50-374
License Nos. NPF-11 & NPF-18
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Docket Nos. 50-254 & 50-265
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Docket Nos. 50-352 & 50-353
License Nos. NPF-39 & NPF-85
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Warrenville, IL 60555

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Peach Bottom Atomic Power Station,
Units 2 & 3
Docket Nos. 50-277 & 50-278
License Nos. DPR-44 & DPR-56
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Warrenville, IL 60555

Mr. Christopher M. Crane
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Oyster Creek Nuclear Generating Station
Docket No. 50-219
License No. DPR-16
4300 Winfield Road
Warrenville, IL 60555

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AmerGen Energy Company, LLC
Clinton Power Station
Docket No. 50-461
License No. NPF-62
4300 Winfield Road
Warrenville, IL 60555

Mr. Christopher M. Crane
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AmerGen Energy Company, LLC
Three Mile Island Nuclear Station, Unit 1
Docket No. 50-289
License No. DPR-50
4300 Winfield Road
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FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
Docket No. 50-346
License No. NPF-3
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Vice President - Nuclear, Acting
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Perry Nuclear Power Plant, Unit 1
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Perry, OH 44081

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

M. R. Blevins
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TXU Generation Company, LP
Comanche Peak Steam Electric Station,
Units 1 & 2
Docket Nos. 50-445 & 50-446
License Nos. NPF-87 & NPF-89
5 Miles North of Glen Rose
Glen Rose, TX 76043

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Vice President - Nuclear and CNO
Nebraska Public Power District
Cooper Nuclear Station
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License No. DPR-46
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Entergy Operations, Inc.
Grand Gulf Nuclear Station, Unit 1
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License No. NPF-29
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Vice President - Operations
Entergy Operations, Inc.
River Bend Station, Unit 1
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St. Francisville, LA 70775

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South Texas Nuclear Operating Company
South Texas Project, Units 1 & 2
Docket Nos. 50-498 & 50-499
License Nos. NPF-76 & NPF-80
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Waterford Steam Electric Generating Station,
Unit 3
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License No. NPF-38
17265 River Road
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Mr. Charles D. Naslund
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Union Electric Company
Callaway Plant, Unit 1
Docket No. 50-483
License No. NPF-30
Junction Hwy CC & Hwy O: 5 Miles North
of Hwy 94
Portland, MO 65067

Mr. John S. Keenan
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and Chief Nuclear Officer
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Diablo Canyon Nuclear Power Plant,
Units 1 & 2
Docket Nos. 50-275 & 50-323
License Nos. DPR-80 & DPR-82
77 Beale Street, Mail Code B32
San Francisco, CA 94105

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Vice President - Chief Nuclear Officer
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Fort Calhoun Station, Unit 1
Docket No. 50-285
License No. DPR-40
Fort Calhoun Station Administration Building
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Blair, NE 68008

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Executive Vice President, Generation
Arizona Public Service Company
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
5801 S. Wintersburg Road
Tonopah, AZ 85354-7529

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Southern California Edison Company
San Onofre Nuclear Station, Units 2 & 3
Docket Nos. 50-361 & 50-362
License Nos. NPF-10 & NPF-15
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Chief Executive Officer
Energy Northwest
Columbia Generating Station
Docket No. 50-397
License No. NPF-21
Snake River Warehouse
North Power Plant Loop
Richland, WA 99352

Mr. Rick A. Muench
President & Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
Wolf Creek Generating Station, Unit 1
Docket No. 50-482
License No. NPF-42
1550 Oxen Lane, NE
Burlington, KS 66839

Mr. Jeffrey B. Archie
Vice President, Nuclear Operations
South Carolina Electric and Gas Company
Virgil C. Summer Nuclear Station
Docket No. 50-395
License No. NPF-12
Hwy 215N at O.S. Bradham Boulevard
Jenkinsville, SC 29065