

November 14, 2003

Mr. Craig G. Anderson
Vice President, Operations ANO
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72801

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR
DOCKETING, PROPOSED REVIEW SCHEDULE, AND OPPORTUNITY FOR A
HEARING REGARDING THE APPLICATION FROM ENTERGY OPERATIONS
FOR RENEWAL OF THE OPERATING LICENSE FOR ARKANSAS NUCLEAR
ONE, UNIT 2

Dear Mr. Anderson:

On October 15, 2003, the staff of the U.S. Nuclear Regulatory Commission (NRC) received the Entergy Operations, Inc. application for renewal of Operating License NPF-6 for the Arkansas Nuclear One, Unit 2. Notice of receipt of this application was published in the *Federal Register* on October 24, 2003 (68 FR 61020).

The NRC staff has determined that the Entergy Operations, Inc. has submitted sufficient information that your application is acceptable for docketing, in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c). However, the staff's determination does not preclude requests for additional information as the review proceeds.

This letter forwards the staff's safety and environmental review schedule for the subject application (Enclosure 1). The NRC staff will follow established review procedures and the enclosed schedule to complete the safety and environmental reviews required by 10 CFR Parts 54 and 51, respectively. This schedule has been established in accordance with a 30-month review plan, which includes time to conduct a hearing should a hearing be requested and granted. Milestones for hearing activities are not included in the enclosed schedule because these dates are established by the Commission and the Atomic Safety and Licensing Board.

I would like to stress that this is a very ambitious schedule. Nevertheless, the NRC staff will make every effort to meet the goal of schedule. We request that you inform the staff as early as possible should potential delays arise in your support of the schedule.

Finally, we have also enclosed, for your information, a copy of the notice relating to your application that is being sent to the Office of the Federal Register for publication (Enclosure 2). This notice provides, in accordance with the provisions of 10 CFR 2.105, the opportunity to request a hearing and to file a petition for leave to intervene.

C. Anderson

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If you have any questions on this matter, please contact Mr. Gregory Suber, License Renewal Project Manager for Arkansas Nuclear One, application at 301-415-1124 or via electronic mail at gxs@nrc.gov.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos. 50-368

Enclosures: As stated

cc w/encls: See next page

C. Anderson

- 2 -

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GSuber (PM)
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C. Li
J. Moore
R. Weisman
M. Mayfield
A. Murphy
R. Irish
S. Smith (srs3)
S. Duraiswamy
Y. L. (Renee) Li
B. Jain
S. Coffin
L. Lund
RLEP Staff

C. Julian (R-II)
OPA
B. Rogers

Entergy: Arkansas Nuclear One, Unit 2 License Renewal Application Review Schedule

Milestone	Schedule	Actual
Receive license renewal application	10/15/03	10/15/03
FRN published for receipt & acceptability review	10/24/03	10/24/03
FRN pub. for acceptance/rejection/opportunity for hearing	11/24/03	
FRN pub. for intent/env. scoping meeting	12/22/03	
Deadline for filing hearing requests & petitions for intervention	12/24/03	
Scoping and screening methodology audit complete	01/19/04	
Environmental scoping meeting	02/03/04	
Environmental scoping period ends	02/20/04	
Environmental requests for additional information (RAIs) issued	03/26/04	
Environmental RAIs responses received	05/14/04	
Draft SEIS issued	09/03/04	
Public meeting to discuss draft SEIS	10/19/04	
End of draft SEIS comment period	11/17/04	
Safety evaluation report (SER) with open items issued	10/15/04	
ACRS Subcommittee meeting on SER with open items	11/12/04	
SER open items responses received	12/04/04	
Final SEIS issued	04/22/05	
SER issued	02/25/05	
ACRS Full Committee meeting on SER	04/01/05	
ACRS letter issued	05/07/05	
Staff recommendation to Director, NRR	01/16/06	
Decision - Director, NRR (license issued, if approved)	04/17/06	

UNITED STATES NUCLEAR REGULATORY COMMISSIONENTERGY OPERATIONS, INC.ARKANSAS NUCLEAR ONE, UNIT 2

NOTICE OF ACCEPTANCE FOR DOCKETING OF THE APPLICATION
AND NOTICE OF OPPORTUNITY FOR HEARING REGARDING RENEWAL OF
FACILITY OPERATING LICENSE NO. NPF-6
FOR AN ADDITIONAL 20-YEAR PERIOD
DOCKET NO. 50-368

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for the renewal of Operating License No. NPF-6, which authorize the Entergy Operations, Inc. (Entergy) to operate Arkansas Nuclear One, Unit 2, at 3026 megawatts thermal. The renewed license would authorize the applicant to operate Arkansas Nuclear One, Unit 2, for an additional 20-years beyond the period specified in the current license. The current operating license for Arkansas Nuclear One, Unit 2, will expire on July 17, 2018.

On October 15, 2003, the Commission's staff received an application from Entergy, filed pursuant to 10 CFR Part 54, to renew the Operating License No. NPF-6 for Arkansas Nuclear One, Unit 2. A Notice of Receipt and Availability of the license renewal application, "Entergy Operation Inc., Arkansas Nuclear One, Unit 2; Notice of Receipt and Availability of Application for Renewal of Facility Operating License No. NPF-6 for an Additional 20-Year Period," was published in the *Federal Register* on October 24, 2003 (68 FR 61020).

The Commission's staff has determined that Entergy has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is acceptable for docketing. The current Docket No. 50-368 for Operating License No. NPF-6, will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of the requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," dated May 1996. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future *Federal Register* notice. The Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the

event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

Within 30 days from the date of publication of this *Federal Notice*, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the license in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, and on the NRC Web site at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/ano-2.html>. If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board (ASLB) designated by the Commission or by the Chairman of the ASLB Panel will rule on the request(s) and/or petition(s), and the Secretary or the designated ASLB will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR Parts 51 and 54, renew the licenses without further notice.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR Parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in

the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest. The petition must also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the board up to 15 days before the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

No later than 15 days before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully

in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

Requests for a hearing and petitions for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Rulemakings and Adjudications Staff, or it may be delivered to the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, by the above date. Because of the continuing disruptions in delivery of mail to United States Government offices, it is requested that petitions for leave to intervene 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. A copy of the request for hearing and the petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, and because of continuing disruptions in delivery of mail to the United States Government offices, it is requested that copies be transmitted either by means of facsimile transmission at 301-415-3725 or by e-mail to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to Mr. Craig G. Anderson, Vice President, Operations ANO, Entergy Operations, Inc., 1448 S. R. 333, Russellville, AR 72801.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions, and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the ASLB that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

Detailed information about the license renewal process can be found under the Nuclear Reactors icon on the NRC's Web page at <http://www.nrc.gov/reactors/operating/licensing/renewal.html>. A copy of the application to renew the operating license for Arkansas Nuclear One, Unit 2, is available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, and on the NRC's Web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/ano-2.html> while the application is under review. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS accession number ML032890483. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to pdrc@nrc.gov.

The staff has verified that a copy of the license renewal application is also available to local residents near the Arkansas Nuclear One site at the Ross Pendergraft Library and Technology Center at the Arkansas Tech University in Russellville, Arkansas.

Dated at Rockville, Maryland, this the 14th day of November, 2003.

FOR THE NUCLEAR REGULATORY COMMISSION
/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Arkansas Nuclear One, Unit 2

cc:

Executive Vice President
& Chief Operating Officer
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Director, Division of Radiation
Control and Emergency Management
Arkansas Department of Health
4815 West Markham Street, Slot 30
Little Rock, AR 72205-3867

Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005-3502

Mr. Mike Schoppman
Framatome ANP, Richland, Inc.
Suite 705
1911 North Fort Myer Drive
Rosslyn, VA 22209

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 310
London, AR 72847

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

County Judge of Pope County
Pope County Courthouse
Russellville, AR 72801

Vice President, Operations Support
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Wise, Carter, Child & Caraway
P. O. Box 651
Jackson, MS 39205

Garry Young
1448 SR 333
Russellville, AR 72802

Mr. Fred Emerson
Nuclear Energy Institute
1776 I St., N.W., Suite 400
Washington, DC 20006-3708

Mr. Craig G. Anderson
Vice President Operations, ANO
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72801