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0CAN110502

November 2, 2005

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Subject: Letter of Intent to Adopt NFPA 805 - Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants, 2001 Edition
Arkansas Nuclear One – Units 1 and 2
Docket Nos. 50-313 and 50-368
License Nos. DPR-51 and NPF-6

Dear Sir or Madam:

This letter serves to inform you that Entergy Operations, Inc. (Entergy) intends to adopt NFPA 805 (Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants, 2001 Edition) in accordance with 10CFR50.48(c) for Arkansas Nuclear One, Units 1 and 2.

The transition to the performance-based standard will commence during the first quarter, 2006, and will take approximately 36 months to fully implement. The schedule is subject to change depending on the extent of any physical plant modifications and/or changes to the fire protection program determined necessary to comply with NFPA 805. An updated schedule will accompany the License Amendment Request required under 10CFR50.48(c)(3)(i).

The NFPA 805 transition process will proceed in three phases:

Phase 1-Preliminary assessment of the Fire Protection Program (Complete)

- Technical and regulatory assessments performed to determine the feasibility and practicality of performing the transition.

Phase 2-Reviews and Engineering Analysis

- Fundamental Fire Protection Program and Design Elements review
- Nuclear Safety Performance Criteria Transition review
- Non-Power Operational Mode Transition review

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- Radiological Release Transition review
- Change Evaluations
- License Amendment Requests

Phase 3-Implementation

- Program Documentation
- Configuration Control
- Monitoring

The process will be considered complete upon receipt of the approved license amendment authorizing the transition to NFPA 805.

The NRC Interim Enforcement Policy (69FR33684, June 16, 2004) provides guidelines for enforcement discretion for identified non-compliances. Those non-compliances must be entered into the licensee's Corrective Action Program, must not be associated with findings that the Reactor Oversight Process Significance Determination Process would evaluate as Red, or would not be categorized as Severity Level 1, and appropriate compensatory measures have been taken. As outlined in the Enforcement Policy, enforcement discretion begins with the licensee's letter of intent.

For the reasons stated below, Entergy requests an extension of the enforcement discretion window to three years for each of the ANO units.

- Within Entergy, and the nuclear industry in general, there are a limited number of experts in the areas of Electrical Engineering (circuit analysis), System Engineering, and Appendix R Safe Shutdown needed to support reconstitution of the Appendix R design basis and the transition to NFPA 805.
- The ANO units are dissimilar in that Unit-1 is a B&W plant and Unit-2 is a CE plant. Therefore, separate analyses and evaluations must be performed for each unit. For efficiency and consistency, Entergy plans on conducting the evaluations in series utilizing the same resources. Even if sufficient personnel were available to perform the Appendix R Reconstitution Project and NFPA 805 transition in parallel, there would be added burden to maintain the analysis consistency and quality. For this reason we estimate the total project duration to be approximately 36 months.
- Entergy believes that the risk of extension of the enforcement discretion window is low since all issues have either been assessed as low risk or corrective actions taken.

Based on the fact that the ANO units are dissimilar and that they will be the first two units to transition to NFPA 805 in NRC Region IV, Entergy believes there is much to be learned from the transition. Therefore, Entergy proposes that Arkansas Nuclear One, Units 1 and 2, be considered pilot plants for the initial implementation of performance based fire protection using NFPA 805. As part of this pilot process, Entergy requests all licensing and review fees be waived for the License Amendment Requests for both ANO units. Entergy believes that our participation in the pilot process will benefit the NRC significantly through the experience gained throughout the NRC observation process, especially considering the dissimilarity of the ANO units. The experience gained by the NRC and Entergy in

developing, submitting, and reviewing the Transition Report will allow the development of valid industry templates for future licensees undergoing transition. The knowledge and experience gained during the observation process will provide valuable input into the NRC inspection guidance for transition. In addition, waiver of the licensing fees will somewhat offset the expense and burden of orchestrating the on-site observation process.

Commitments made in this submittal are documented in the attachment. Should you have any questions regarding this submittal, contact Richard Scheide at 479-858-4618.

Sincerely,



JSF/rhs
Attachment

cc: Dr. Bruce S. Mallett
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**Attachment
to**

OCAN100507

List of Regulatory Commitments

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The following table identifies those actions committed to by Entergy in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

COMMITMENT	TYPE (Check One)		SCHEDULED COMPLETION DATE (If Required)
	ONE- TIME ACTION	CONTINUING COMPLIANCE	
ANO-1 and ANO-2 will transition the Fire Protection Program to comply with NFPA 805	X		March 31, 2009