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Sr. Mgr. Nuclear Safety & Licensing -

CNRO-2013-00005

February 22, 2013

DOCKETED
USNRC

February 26, 2013 (12:00 p.m.)

Ms. Annette L. Vietti-Cook
Office of the Secretary
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

OFFICE OF THE SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Attn: Rulemakings and Adjudications Staff

SUBJECT: Docket ID NRC-2012-0031; 10 CFR Parts 50 & 52, Onsite
Emergency Response Capabilities; Draft Regulatory Basis (78 Fed.
Reg. 1154)

Dear Ms. Vietti-Cook:

Entergy Nuclear (Entergy) appreciates the opportunity to submit our comments on the subject draft regulatory basis document. Entergy has been an active participant in the NRC and industry meetings regarding a proposed NRC rulemaking addressing onsite emergency response capabilities and endorses the comments provided by the Nuclear Energy Institute (NEI). Entergy offers additional comments, in the attachment to this letter, that are consistent with those submitted by NEI. However, Entergy believes that, rather than pursuing the rulemaking described in Option 1, the other options should be seriously considered since they will provide many of the benefits at a lower cost.

If you have any questions, please contact Mr. Bryan Ford at (601) 368-5516.

Sincerely,

BSF/gpn

Attachment: Entergy Comments on Draft Regulatory Basis (78 Fed. Reg. 1154)

Template = SECY-067

DS10

ATTACHMENT

Entergy Comments on Draft Regulatory Basis (78 Fed. Reg. 1154)

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Draft Regulatory Basis section 3.3

With respect to bullet number 4, which states "The NRC's regulations do not identify the training and qualifications necessary for key personnel relied upon to implement severe accident mitigating strategies", Entergy wishes to point out that the Institute of Nuclear Power Operations (INPO) has published guidelines for emergency response organization (ERO) personnel training which govern the training needed for key personnel which bound the NRC's proposal. New regulation may not necessarily increase effectiveness of the training already developed, and could result in added administrative burden on training organizations. Further, regarding training for non-licensed operators and craft, many of the skills relied upon to implement EDMGs are common tasks for those positions. For example, a flange assembly process is the same for normal operations as it would be for EDMG implementation. There are no special skills involved in this process.

Draft Regulatory Basis section 4.4

In Section 4.4, paragraph 4, it discusses the need to develop knowledge and abilities (K/A) items for licensed operators' written examinations and job performance measures (JPM). The current revision initiative for the K/A catalogue does not include this activity. The addition of more knowledge and ability requirements on the current training programs could impact the frequency of training the operators on the current procedures. Most sites use a 1, 2 and 4 year periodicity retraining requirement. With these periodicity requirements, the ability to complete just the required training for maintenance of existing knowledge is challenged in the available training time.

Draft Regulatory Basis section 5.1:

Option 1, item 4 indicates that only initial written examinations and JPMs will require severe accident testing methods. However, Appendix C wording for 10 CFR 55.45 does not clearly indicate this limitation.

Draft Regulatory Basis section 5.4:

Option 4 appears to allow more use of existing industry guidance (INPO ACADs, EPRI etc.) practices for implementation vs. duplication of, and potential conflicts of, requirements.

Draft Regulatory Basis section 6.2:

The final paragraph does not fully address the impact of the proposed changes to 10 CFR 55.41, 55.43 or 55.45. Changes could require extending the initial license classes longer than they are currently scheduled, challenging the ability to meet current staffing plans and needs, as well as impacting the ability of a site to schedule and conduct non-licensed operator initial classes due to available instructional resources. This would be an ongoing cost for each facility.

Draft Regulatory Basis Appendix C:

The proposed changes to the 10 CFR 55 requirements would significantly challenge the standards for test item development (direct look-ups) currently used in regulatory required exams and associated materials. Since the nature of the tasks associated with severe accident guideline and flex activities are, by design, diverse and flexible, the standards for evaluation will not be comparable to our traditional and expected methods. This evaluation requirement would place an undue burden on initial and requalification training staff and students, and should be left to evaluate only in specialized settings or during emergency plan drills and exercises.