



ENTERGY

Entergy Operations, Inc.
P.O. Box 8
Kilona, LA 70066
Tel 504 739 6774

R. F. Burski
Director
Nuclear Safety
Waterford 3

W3F1-94-0143
A4.05
PR

August 19, 1994

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Subject: Waterford 3 SES
Docket No. 50-382
License No. NPF-38
10CFR50 Appendix J, Exemption of Type A
Test Schedule Change

Gentlemen:

The purpose of this letter is to request reconsideration by the NRC of the review and processing of the subject exemption request. This letter provides the background information and the justification for the request.

On November 16, 1993, Entergy Operations Inc., Waterford 3 submitted to the NRC via letter W3F1-93-0098 a request for a specific exemption to 10CFR50, Appendix J, Section III.D, in accordance with 10CFR50.12. The purpose of the exemption was to change the periodic test schedule for Type A tests from a set of three Type A tests performed at approximately equal intervals during each ten year period to one Type A test performed at ten year intervals. The technical specification amendment request and the 10CFR50.92 evaluation were submitted to the NRC also on November 16, 1993, via letter W3F1-93-0305.

The staff, in SECY-94-036 dated February 17, 1994, informed the Commission of the specific modifications to Appendix J being pursued by the staff. We understand that the processing and review of the Waterford 3 Appendix J exemption request is currently in abeyance pending the generic resolution of Appendix J proposed changes. This decision is apparently predicated on

9408250021 940819
PDR ADDCK 05000382
PDR

A017
1/0

the policy noted in SECY-94-036 that the staff does not propose to encourage the review of licensee specific performance based Appendix J exemptions. The staff, in SECY-94-036, proposes to review the Grand Gulf Nuclear Station (GGNS) Appendix J exemption request in parallel with rulemaking, despite its similarity to the rule revisions under consideration, because review of the GGNS proposal would be helpful to the staff's effort to develop a new Appendix J.

Subsequently, the Commission has recently approved SECY-94-090 dated March 31, 1994. SECY-94-090 sets forth new policies, a framework, and procedures for institutionalizing a continuing program for regulatory improvement. One of the important policies set forth in SECY-94-090 is that a limited number of meritorious proposals and requests for plant specific licensing actions may be processed and granted even though generic actions, e.g., rulemaking, are ongoing. In fact, SECY-94-090 conveys that such licensing actions may be processed to provide incentives to utilities. SECY-94-090, section III.B.1, specifically states, "In order to provide incentives to utilities for developing innovative new technical methods and approaches, a limited number of meritorious proposals and requests for plant-specific licensing actions may be processed and granted even though generic actions, e.g. rulemaking, are ongoing."

The next Type A test for Waterford 3 is required to be performed during Refuel 7, which is currently scheduled to commence September 15, 1995. The schedule noted in SECY-94-090 for the publishing of the final Appendix J rule is April 1995. However, we are currently expending resources in preparation for the Type A test, such as training of personnel and the preparation of procedures. The level of expenditure of resources is expected to increase as the time for Refuel 7 approaches. Also, should there be a delay in the promulgation of the Appendix J changes, Waterford 3 may not be able to benefit from the change due to schedule or contractual considerations. We understand that the current schedule for publishing a draft Appendix J rule revision is October 31, 1994, which is already a slip of two or three months from the August 1994 timeframe noted in SECY-94-090.

August 19, 1994

Based on our research, the Waterford 3 Appendix J Type A test exemption request was the second submittal made by the industry. The Entergy Cost Beneficial Licensing Action (CBLA) submittals were implemented as one Entergy program initiative. The selection and scheduling of the CBLA submittals were coordinated and planned among site personnel in order to enhance the quality of and the diversity of CBLAs for NRC review. Therefore, during the initial timeframe for preparing CBLAs submittals, GGNS took the lead on Appendix J, and Waterford 3 took the lead on EQ for Mechanical Equipment and Hydrogen Recombiners CBLAs. Nonetheless, relative to the specific CBLAs, Waterford 3 collaborated with GGNS on the Appendix J issue. The Waterford 3 Appendix J Type A Test exemption request was submitted three months after the GGNS submittal, and it is essentially the same as the GGNS Appendix J Type A test exemption request. The Waterford 3 exemption request provides additional information that could be considered by the NRC in the generic changes to Appendix J.

We have reviewed available industry sources, and we are not aware of any other such Appendix J exemption requests, other than GGNS and Waterford 3, submitted to the NRC as of this time frame. We therefore believe that the review of our exemption request would not require significant NRC resources.

In summary, the review and processing of the Waterford 3 Appendix J Type A test exemption request is in agreement with the policy and spirit of SECY-94-090, would preclude the expenditure of unnecessary resources, and would provide assurance Waterford 3 would benefit from Appendix J changes.

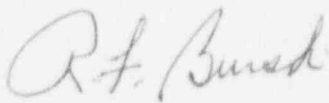
10CFR50 Appendix J, Exemption of Type A Test Schedule Change
W3F1-94-0143

Page 4

August 19, 1994

We appreciate the opportunity to comment on this matter. Please contact me or R.J. Murillo at (504) 739-6715 should there be any questions on this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R.F. Burski".

R.F. Burski
Director
Nuclear Safety

RFB/RJM/tmm

cc: L.J. Callan, NRC Region IV
R.B. McGehee
N.S. Reynolds
NRC Resident Inspectors Office