



Entergy

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Michael A. Krupa
Director
Nuclear Safety & Licensing

RULES & DIR. BRANCH
US NRC

65 FR 6399

Feb. 9, 2000

(4)

April 6, 2000

Mr. David Meyer
Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Mail Stop T6 D-59
11545 Rockville Pike
Rockville, MD 20852-2738

Subject: Request for Public Comment on the Allegations Program Under the
New Regulatory Oversight Program
(65 Fed. Reg. 6399; February 9, 2000)

CNRO-2000/00009

Dear Mr. Meyer

Entergy Operations, Inc. (EOI) is pleased to submit these comments on the proposed improvements to the NRC's process for handling allegations. Notice of the opportunity to comment was published in *Federal Register* February 9, 2000 (65 Fed. Reg. 6399). EOI appreciates the NRC's effort to obtain stakeholder views regarding potential revisions to the NRC's process for handling allegations. In addition to our comments, Entergy participated in and agrees with the comments submitted by the Nuclear Energy Institute (NEI) on this subject.

After consideration of all options, EOI endorses *Option 4 – Risk-Informed Allegation Program with Allegor Input* as the recommended route for revising the Allegation Program for consistency with the new regulatory oversight program. We note that Options 3 and 4 are similar. Elements of Option 4 that EOI found to be particularly positive include:

- Integration of the Significance Determination Process,
- Opportunity for allegor participation in selecting the resolution route,
- Observation of the timeliness goals of the current allegation process, as needed.

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Request for Public Comment on the Allegations Program Under the New Regulatory Oversight Program

April 6, 2000

CNRO-2000-00009

Page 2 of 2

We share the NRC's concern regarding the protection of an alleged's identity. In cases where the alleged goes directly to the NRC, we assume he or she wishes to remain anonymous. After the NRC has completed its Significance Determination Process and determines the concern should be turned over to the licensee for investigation, it should be handled in a fashion that assures preservation the alleged's anonymity. Upon receipt of an anonymous allegation, Entergy might elect entry either directly into our corrective action program or, alternately, into our concerns program, which accomplishes the same objectives while providing a greater degree of assurance of confidentiality. Entergy believes licensees should be given the opportunity to address concerns that the NRC may find through its significance determination process to be of low risk or no risk and decides not to investigate. The allegation process should allow for licensee notification in cases such as this.

For the low safety significance concerns turned over to the licensee through the process presented in Option 4, it is our intent to investigate, resolve and provide feedback to the alleged in a timeframe commensurate with the issue's importance. When the identity of the alleged is unknown to us, we would have to rely on the NRC as a mechanism to provide our feedback to the alleged.

Thank you for the opportunity to provide these comments.

Sincerely,



MAK/DS/LAE/baa

cc: Mr. C. G. Anderson (ANO)
Mr. C. M. Dugger (W-3)
Mr. W. A. Eaton (GGNS)
Mr. R. K. Edington (RBS)
Mr. J. R. McGaha (ECH)
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