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Director  
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66 FR 33718

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August 8, 2001

Mr. Joseph M. Sebrosky  
Mail Stop O-11 F1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Subject: Request for Public Comment on the Inspections, Tests and Acceptance Criteria for Combined Licenses

Reference: *Federal Register* Vol. 66, No. 122, Pages 33718 – 33719, dated June 25, 2001

CNRO-2001-00036

Dear Mr. Sebrosky:

Entergy Operations, Inc. (Entergy) is pleased to submit our comments in the above captioned matter. Subpart C of 10 CFR Part 52 sets forth a process for issuing combined licenses (COLs) authorizing construction and conditional operation of a future nuclear power facility. 10CFR52.79(c) requires that the COL application include inspections, tests, analyses and acceptance criteria (ITAAC) that are necessary and sufficient to demonstrate that the facility has been constructed and will operate in conformity with the COL. The NRC Staff is seeking public comment on whether or not COL applications should contain ITAAC on operational programs such as security, training, and emergency planning (programmatic ITAAC).

As the second largest generator of nuclear power in the United States, Entergy strongly supports maintaining open the nuclear option as one possible way of meeting future power generation demands. However, one of the keys to possible future construction of new nuclear power plants is having a stable, predictable and efficient licensing process. Critical to this licensing process is 10 CFR Part 52 and in particular Subpart C and the associated ITACC. ITACC are important because they are the inspections, tests, analyses and acceptance criteria established in the combined license process that will be used to verify that the completed plant has been constructed in conformance with the approved design and thus is ready to be operated.

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Call: J. Sebrosky (JMS3)

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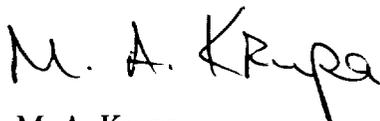
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A one-time verification of programmatic ITACC does very little in terms of establishing adequacy of such operational programs. The adequacy of such operational programs is best established by the NRC observing the day-to-day compliance of these programs with the appropriate regulatory requirements via the NRC's established oversight process and authority. Consequently, including ITACC for operational programs would not increase the assurance of licensee performance provided by the NRC's oversight of compliance with the license and associated regulations. Programmatic ITACC would thus constitute redundant and unnecessary NRC regulation that would unduly burden licensees and the associated Part 52 Subpart C licensing process.

In a letter dated May 14, 2001, to Chairman Meserve the Nuclear Energy Institute (NEI) provided its position that COL applications should not contain ITACC on operational programs. Entergy endorses the position espoused in the NEI letter. In addition to these comments, Entergy asks that the staff expeditiously finalize its decision concerning programmatic ITACC. This will allow licensees, the NRC and other stakeholders to be clear on the requirements of 10 CFR Part 52 Subpart C and on the scope of COL ITACC. Such a timely decision is needed in order for all stakeholders to appropriately assess important licensing issues in anticipation of possible new plant applications.

Thank you for the opportunity to provide these comments. If you have any questions concerning this submittal, please contact Kenneth Hughey (601-368-5327) or me (601-368-5758).

Sincerely,



M. A. Krupa  
MAK/WKH/baa

cc: (See Next Page)

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cc: Mr. C. G. Anderson (ANO)  
Mr. Russ Bell, (NEI)  
Mr. W. A. Eaton (GGNS)  
Mr. R. K. Edington (RBS)  
Mr. J. T. Herron (W-3)  
Mr. P. D. Hinnenkamp (ECH)  
Mr. R. L. Simard, (NEI)  
Mr. G. J. Taylor (ECH)  
Mr. T. W. Alexion, NRR Project Manager, ANO-2  
Mr. N. Kalyanam, NRR Project Manager, Waterford-3  
Mr. R. E. Moody, NRR Project Manager, RBS  
Mr. W. D. Reckley, NRR Project Manager, ANO-1  
Mr. S. P. Sekerak, NRR Project Manager, GGNS