

September 13, 2001

Mr. William A. Eaton  
Vice President, Operations GGNS  
Entergy Operations, Inc.  
P. O. Box 756  
Port Gibson, MS 39150

SUBJECT: GRAND GULF NUCLEAR STATION, UNIT 1 - REJECTION OF REQUEST FOR  
ENFORCEMENT DISCRETION RE: TECHNICAL SPECIFICATION 3.3.4.1,  
END OF CYCLE RECIRCULATION PUMP TRIP (EOC-RPT)  
INSTRUMENTATION

Dear Mr. Eaton:

On August 9, 2001, Entergy Operations, Inc., verbally requested that the U.S. Nuclear Regulatory Commission (NRC) issue a Notice of Enforcement Discretion (NOED) allowing Grand Gulf Nuclear Station (GGNS) to be in temporary non-compliance with the actions required by Technical Specification (TS) 3.3.4.1. GGNS provided a draft technical justification supporting this request to the NRC Senior Resident Inspector at GGNS on the morning of August 9, 2001. The GGNS verbal request for the NOED was subsequently discussed with the NRC staff in a telephone conference at 1:00 p.m. on August 9, 2001. After the telephone conference, the NRC Office of Nuclear Reactor Regulation (NRR) staff and the NRC Region IV staff continued the evaluation of the GGNS verbal request. Following these continued discussions, the NRR staff concluded that the NOED process was not the appropriate means for resolution of this issue, and, in a subsequent telephone conversation on August 9, 2001, informed your staff that the GGNS request for enforcement discretion was rejected.

GGNS requested that a NOED be issued pursuant to the NRC policy regarding exercise of enforcement discretion for an operating facility, as provided in Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. You requested that an allowance be granted for power operation greater than 40% Rated Thermal Power (RTP) for the time needed for the NRC staff to consider an exigent TS change submitted per 10 CFR 50.91. Your basis for this request was that compliance with TS 3.3.4.1 Limiting Condition for Operation (LCO), which requires thermal power to be less than 40% if the EOC-RPT instrumentation is inoperable, would result in an undesirable plant transient, i.e., holding plant thermal power output at less than 100% rated capacity.

Based on the staff's evaluation of your verbal request, we concluded that a NOED was not appropriate. The staff determined that the conditions justifying enforcement discretion for either startup or operating modes were not evident in this case, because there were no apparent safety consequences or operational risks for an operating plant in Mode 1 holding at less than

William A. Eaton

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40% RTP in compliance with existing TS LCO's. Therefore, the staff rejected the GGNS verbal request for enforcement discretion.

If you have any questions regarding this issue, please contact Patrick Sekerak at 301-415-2623.

Sincerely,

***/RA by R. Gramm for/***

Stuart A. Richards, Director  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-416

cc: See next page

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-2-

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EDO Contact, Region IV (SAM1)

Accession No.: ML012530137

\*\*Concurrence via telephone conference

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DATE	09/13/01	09/13/01	09/13/01	**09/13/01	09/13/01

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Grand Gulf Nuclear Station

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May 1999