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Jerry C. Roberts  
Director  
Nuclear Safety Assurance

December 3, 2001

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

Subject: Exemption from 10 CFR 50, Appendix E, Section IV.F.2.c - Rescheduling of Biennial Full-participation Emergency Preparedness Exercise Grand Gulf Nuclear Station  
Docket No. 50-416  
License No. NPF-29

GNRO-2001/00088

Ladies & Gentlemen:

Pursuant to 10 CFR 50.12(a), Entergy Operations, Inc. Grand Gulf Nuclear Station (GGNS) hereby requests a temporary one-time exemption from the year 2001 full-participation emergency preparedness exercise as required by 10 CFR 50 Appendix E, Section IV.F.2.c. GGNS previously scheduled a graded emergency preparedness exercise for the week of September 17, 2001. However, as a result of the unanticipated immediate implications related to plant security following the national security events of September 11, 2001, the exercise was canceled. The requested exemption would allow the rescheduling of the 2001 biennial full-participation emergency preparedness exercise for GGNS to be conducted in 2002. Following coordination with federal, state, and local participants, the earliest practical date that the exercise could reasonably be conducted is the week of March 4, 2002. Therefore, the 2001 biennial full-participation emergency preparedness exercise, including state and local officials participation, is presently scheduled for the week of March 4, 2002. The schedule for future full-participation emergency plan exercises will remain consistent with the pre-September 11, 2001 schedule.

An exemption is needed because of the difficult task of coordinating and scheduling an exercise that involves multiple governmental agencies at the Federal, State and local level, resulting in our exceeding the required time limit for performing the off-site biennial emergency plan exercise.

The proposed change has been discussed with the Nuclear Regulatory Commission (NRC), Federal Emergency Management Agency (FEMA), as well as state and local officials having roles under our Emergency Response Plan. All of these agencies have indicated support of the proposed change in light of circumstances that were beyond our control.

GGNS satisfies the exemption requirements of 10 CFR 50.12(a). Special circumstances are present, as described in 10CFR50.12(a)(2)(v) to warrant granting the exemption.

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### **REQUIREMENTS OF 10 CFR 50.12**

The Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are- (1) Authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present.

The requested exemption is clearly authorized by law and consistent with the common defense and security. The remaining requirements of the regulation for the exemption are also satisfied, as described below.

### **DOES NOT PRESENT AN UNDUE RISK TO THE PUBLIC HEALTH AND SAFETY**

The last biennial exercise for GGNS was conducted on June 23, 1999, with the results documented in NRC Inspection Report No. 50-416/99-07. During this exercise, good overall performance was identified and only one weakness was documented. The weakness was for untimely completion of personnel accountability following a site area emergency declaration. This item was entered into our corrective action program and corrective actions taken to preclude reoccurrence.

Since the June 23, 1999 exercise, GGNS has maintained emergency preparedness by conducting ten emergency preparedness drills, each requiring the full activation of all GGNS emergency facilities and including personnel accountability determinations. State and Local agencies participated in many of these ten drills. This robust program exceeds the requirements for drills as identified in 10 CFR 50 App. E. Section IV. F.2.b.

During the drill conducted on August 20, 2001, all attributes of a NRC Graded Exercise were observed with the exception of observations by the NRC and FEMA. This drill was conducted as an evaluated drill without coaching or on the spot correction of issues from the controller/evaluator team. Oversight of this drill by our Quality Assurance organization concluded that the site personnel accountability process is consistent with site procedures. No additional issues were identified with the drill that were not identified during the drill critique process.

A site drill was conducted on November 7, 2001, which included activation of all GGNS Emergency Response Facilities. A Technical Support Center drill is scheduled to be performed on December 4, 2001 and a site drill with expected participation from the states of Mississippi and Louisiana as well as local officials is scheduled to be conducted on February 6, 2002.

Our emergency preparedness drills are observed and evaluated by trained evaluators. Some emergency preparedness drills are observed by the GGNS Quality Assurance Department. While we have no direct control over the critique of external participants drill performance i. e., federal, state, or local officials, the comprehensiveness of the exercises in which they participated are adequate to ensure they remain fully qualified to perform their duties as stakeholders in the GGNS emergency plan should the need arise.

The NRC has allowed flexibility in scheduling full-participation emergency preparedness exercises by allowing them to be performed at any time during the biennial calendar year. This provides a 12 to 36 month window for scheduling of the graded exercise. With the last graded exercise performed on June 23, 1999 and the proposed graded exercise scheduled for the week of March 4, 2002, GGNS would have conducted the biennial exercise in an approximately 34 months interval, which is within the maximum allowed time frame of generally accepted NRC policy for meeting the intent of the regulation, although outside of a biennial year.

Until the graded exercise is completed GGNS will continue with its present robust emergency plan training program. As such, no additional compensating measures to ensure the adequacy of our emergency planning program are necessary.

#### SPECIAL CIRCUMSTANCES

GGNS has satisfied the special circumstances required to obtain an exemption pursuant to the requirements of 10 CFR 50.12(a). Special circumstances are present as described in 10 CFR 50.12(a)(2)(v), to warrant granting the exemption. Under 10 CFR 50.12(a)(2)(v), special circumstances are present whenever the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation. Section IV.F.2.c of 10 CFR Part 50, Appendix E requires each licensee at each site to conduct an exercise of offsite emergency plans biennially with full participation by each offsite authority having a role in the plan. The requested exemption provides only temporary relief from these requirements. GGNS was prepared to conduct the exercise as originally scheduled for the week of September 17, 2001 and has therefore made good faith efforts to comply with the regulation.

In addition to the special circumstances described under 10 CFR 50.12(a)(2)(v), there are other circumstances that are presently beyond our control. There is heightened security at GGNS as well as heightened patrol activities by local law enforcement officials. Increased security measures have resulted in increased monitoring of people and equipment and additional controls on maintenance activities. Conducting an emergency preparedness exercise during this period of heightened security would increase the security risk. The full participation exercise will have exercise players moving in multiple locations inside and outside the GGNS protected area. At the heightened security level, exercise activities may present an unwarranted distraction of the nuclear security officers.

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Conducting the full participation emergency preparedness exercise at this time could also create undue public alarm with attendant public relation challenges. Exercising the emergency plan increases employee traffic into and out of the plant site, increases radio communication that could potentially be monitored by the public, requires the release of press releases to simulate public information dissemination, and increases the use of the site emergency alarms. Given the current public sensitivity to the activities at the plant, there is greater potential for the public to misinterpret the noted exercise activities as something other than an exercise. The full-participation emergency preparedness exercise could place the public and GGNS at risk of unanticipated consequences associated with misinterpretation of exercise activities. This has the potential to create a public safety concern.

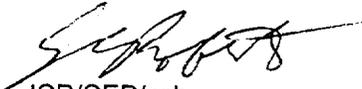
Although the increased security may still exist at the scheduled exercise time (week of March 4, 2002), the requested delay allows integrating the heightened activities into the drill activities (controller/evaluator awareness).

#### CONCLUSION

Only temporary relief from the regulation during these extraordinary conditions is provided by the requested exemption since the exercise will be conducted at a later date. GGNS has consistently made a good faith effort to comply with the regulation. The exercise will be conducted in a time frame that is well within the generally accepted NRC policy of 36 months for meeting the intent of 10 CFR 50, Appendix E, Section IV.F.2.c. GGNS believes that the exemption request meets the special circumstances of 10 CFR 50.12(a)(2)(v). Granting the exemption is not expected to reduce the effectiveness of the emergency plan at GGNS.

Should you have any questions or require additional information concerning this exemption request, please contact Charles E. Brooks at 601-437-6555.

Sincerely,



JCR/CEB/ceb

attachment: LICENSEE-IDENTIFIED COMMITMENTS

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cc:

Hoeg	T. L.	(GGNS Senior Resident)	(w/a)
Levanway	D. E.	(Wise Carter)	(w/a)
Reynolds	N. S.		(w/a)
Smith	L. J.	(Wise Carter)	(w/a)
Thomas	H. L.		(w/o)

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U.S. Nuclear Regulatory Commission ATTN: Mr. S. P. Sekerak, NRR/DLPM (w/2) ATTN: FOR ADDRESSEE ONLY Mail Stop O7D1 Rockville, MD 20555-0001	
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Attachment to  
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LICENSEE-IDENTIFIED COMMITMENTS

Letter #:	2001/00088	TYPE		SCHEDULED COMPLETION DATE (If Required)
		ONE-TIME ACTION	CONTINUING COMPLIANCE	
		Yes	N/A	Week of 3/4/2002