

June 6, 2002

Mr. Rick J. King, Director
Nuclear Safety Assurance
Entergy Operations, Inc.
River Bend Station
P. O. Box 220
St. Francisville, LA 70775

SUBJECT: RIVER BEND STATION - REPLY TO RESPONSE TO ORDER FOR INTERIM
SAFEGUARDS AND SECURITY COMPENSATORY MEASURES
(TAC NO. MB4195)

Dear Mr. King:

On February 25, 2002, the U.S. Nuclear Regulatory Commission (NRC) issued an Order modifying the operating license for the River Bend Station (RBS) to require compliance with the specified interim safeguards and security compensatory measures. The interim compensatory measures (ICMs) were listed in Attachment 2 to the Order. When issuing the Order, the Commission recognized that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001, but in light of the continuing generalized high-level threat environment, the Commission concluded that the security measures should be embodied in an Order consistent with the established regulatory framework.

The Order required responses and actions within specified time frames. Section III.A of the Order required licensees to immediately start implementation of the requirements listed in Attachment 2 to the Order and to complete implementation no later than August 31, 2002. Section III.B of the Order required licensees to notify the Commission: (1) if they are unable to comply with the requirements described in Attachment 2, (2) if compliance with any of the requirements is unnecessary in their specific circumstances, (3) if implementation of any of the requirements would cause the licensee to be in violation of the provisions of any Commission regulation or the facility license, or (4) if implementation of any of the requirements described in Attachment 2 would adversely impact the safe operation of the facility. Section III.C.1 of the Order required licensees to submit to the Commission, within 20 days of the date of the Order, a schedule for achieving compliance with each requirement described in Attachment 2 to the Order. Section IV of the Order noted that in accordance with 10 CFR § 2.202, the licensee must submit an answer to the Order and may request a hearing on the Order within 20 days of the date of the Order and, where good cause is shown, consideration would be given to extend the time to request a hearing.

In a letter dated March 15, 2002 (RBF1-02-0040), you submitted a response to the Order for RBS. By letter dated March 15, 2002 (CNRO-2002-00015), Entergy Operations, Inc. (Entergy), requested an extension of time until June 14, 2002, to respond to ICMs B.2.a(1), B.2.a(2), and B.2.b, and requested a comparable extension of time to file a request for hearing for those matters. On May 9, 2002 (RBF1-02-0076), Entergy provided supplementary information for RBS.

R. King

The NRC staff has reviewed these responses and finds that you have satisfied the 20-day reporting requirements of the Order, with the exception of ICMs B.2.a(1), B.2.a(2), and B.2.b. An extension of time is hereby granted until June 14, 2002, for submission of the required response to these ICMs. An extension of time is granted until June 14, 2002, for your filing of a request for a hearing related to ICMs B.2.a(1), B.2.a(2), and B.2.b.

Your response to ICM B.3.d refers to licensee implementation guidance that has not yet been formally submitted to the NRC staff by NEI. Accordingly, the staff has not made a finding on its acceptability. The staff has found the guidance proposed by NEI in its March 8, 2002, letter to be an acceptable method for licensee implementation of the ICMs, as stated in our letter to NEI dated March 11, 2002. You have referenced the March 8, 2002, guidance in your response to ICM B.3.d. Therefore, we find that your response to ICM B.3.d, exclusive of the additional reference to the unapproved guidance, meets the reporting requirements of the Order.

Attachment 2 of RBF1-02-0040 and Attachment 1 of CNRO-2002-00015 provided a list of commitments. The NRC staff regards the specific responses to the Order made to each of the ICMs to be the applicable responses to the Order and, accordingly, has not reviewed the list of commitments.

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact David Wrona at (301) 415-1924 if you have any other questions on these issues.

Sincerely,

/RA/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-458

cc: See next page

R. King

-2-

The NRC staff has reviewed these responses and finds that you have satisfied the 20-day reporting requirements of the Order, with the exception of ICMs B.2.a(1), B.2.a(2), and B.2.b. An extension of time is hereby granted until June 14, 2002, for submission of the required response to these ICMs. An extension of time is granted until June 14, 2002, for your filing of a request for a hearing related to ICMs B.2.a(1), B.2.a(2), and B.2.b.

Your response to ICM B.3.d refers to licensee implementation guidance that has not yet been formally submitted to the NRC staff by NEI. Accordingly, the staff has not made a finding on its acceptability. The staff has found the guidance proposed by NEI in its March 8, 2002, letter to be an acceptable method for licensee implementation of the ICMs, as stated in our letter to NEI dated March 11, 2002. You have referenced the March 8, 2002, guidance in your response to ICM B.3.d. Therefore, we find that your response to ICM B.3.d, exclusive of the additional reference to the unapproved guidance, meets the reporting requirements of the Order.

Attachment 2 of RBF1-02-0040 and Attachment 1 of CNRO-2002-00015 provided a list of commitments. The NRC staff regards the specific responses to the Order made to each of the ICMs to be the applicable responses to the Order and, accordingly, has not reviewed the list of commitments.

The NRC will determine the effectiveness of your implementation of the ICMs through on-site inspections. I would like to remind you that, pursuant to Section III.C.2 of the Order, you are to report to the Commission when you have achieved full compliance with the requirements described in Attachment 2 to the Order.

Please contact David Wrona at (301) 415-1924 if you have any other questions on these issues.

Sincerely,

/RA/

John A. Zwolinski, Director
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-458

cc: See next page

DISTRIBUTION:

PUBLIC
WBorchardt
VDricks
RCrlenjak
OGC
G. Hill (2)
RAibert
JBelanger
RPalla

SCollins/JJohnson
LMarsh
SMorris
EMerschhoff, RIV
ACRS/ACNW
PDIV-1R/F
RSullivan
RGramm
DJohnson

BSheron
BBoger
GTracy
D. Wrona
SECY
RMartin
VOrdaz
KBrockman, RIV

Document Name: C:\ORPCheckout\FileNET\ML021610596.wpd

Accession No. ML021610596

NRR-106

*See previous concurrence

OFFICE	DLPM/PM	EP	DSSA	DIPM	NSIR	OGC(NLO)
NAME	RMartin	C. Gibson	M.Rubin	W.Dean	A. Madison	J. Goldberg
DATE	06/6/02	06/5/02	06/6/02	06/06/02	06/5/02	06/6 /02

OFFICE	PDIV-1/PM *	PDII-2/LA	PDIV-1/SC *	PDIV/D	DLPM/D
NAME	NKalyanam	MMcAllister for EDunnington	RGramm	A:CHolden	JZwolinski
DATE	05/09/02	06/10/02	05/09/02	06/7/02	06/6/02

OFFICIAL RECORD COPY

River Bend Station

cc:

Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005-3502

Manager - Licensing
Entergy Operations, Inc.
River Bend Station
P. O. Box 220
St. Francisville, LA 70775

Senior Resident Inspector
P. O. Box 1050
St. Francisville, LA 70775

President of West Feliciana
Police Jury
P. O. Box 1921
St. Francisville, LA 70775

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

Ms. H. Anne Plettinger
3456 Villa Rose Drive
Baton Rouge, LA 70806

Mr. Michael E. Henry, Administrator
and State Liaison Officer
Department of Environmental Quality
P. O. Box 82135
Baton Rouge, LA 70884-2135

Wise, Carter, Child & Caraway
P. O. Box 651
Jackson, MS 39205

Executive Vice President and
Chief Operating Officer
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

General Manager - Plant Operations
Entergy Operations, Inc.
River Bend Station
P. O. Box 220
St. Francisville, LA 70775

Director - Nuclear Safety
Entergy Operations, Inc.
River Bend Station
P. O. Box 220
St. Francisville, LA 70775

Vice President - Operations Support
Entergy Operations, Inc.
P. O. Box 31995
Jackson, MS 39286-1995

Attorney General
State of Louisiana
P. O. Box 94095
Baton Rouge, LA 70804-9095

Brian Almon
Public Utility Commission
William B. Travis Building
P.O. Box 13326
1701 North Congress Avenue
Austin, Texas 78701-3326

John R. McGaha, President
Entergy Operations, Inc.
P.O. Box 31995
Jackson, MS 39286-1995

Mr. Paul D. Hinnenkamp
Vice President - Operations
Entergy Operations, Inc.
River Bend Station
P. O. Box 220
St. Francisville, LA 70775

March 2002