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W3F1-2003-0057

July 24, 2003

Ken Peters
Director, Nuclear Safety Assurance
Waterford 3

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

SUBJECT: Withdrawal of Appendix R Deviation Request
Waterford Steam Electric Station, Unit 3
Docket No. 50-382
License No. NPF-38

- REFERENCES:**
1. Entergy letter dated July 26, 2001, *Appendix R Deviation Request (W3F1-2001-0012)*
 2. Entergy letter dated February 26, 2003, *Appendix R Deviation Request Supplemental Information (W3F1-2003-0007)*

Dear Sir or Madam:

In Reference 1, Entergy Operations, Inc. (Entergy) had submitted a request to obtain approval of a deviation to Appendix R for the Waterford Steam Electric Station, Unit 3 (Waterford 3). Additional information was also provided in support of this request in Reference 2. Entergy hereby withdraws that request from further consideration and review by the NRC.

The Waterford 3 Operating License contains license condition 2.C.9 requiring Entergy to "...implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report (FSAR)" The referenced request identified a condition in which the plant configuration did not completely reflect the program as described in the FSAR.

During a June 12, 2003 conference call to discuss the request, some members of the NRC staff maintained that the appropriate review process for this deviation request is as a license amendment request. Therefore, in accordance with license condition 2.C.9, the requested deviation must be approved pursuant to 10 CFR 50.90. Waterford 3 plans to submit a license amendment request to obtain approval of the change to the Fire Protection Program under separate cover.

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There are no new commitments contained in this letter. If you have any questions or require additional information, please contact Jerry Burford at 601-368-5755.

Sincerely,



K.J. Peters
Director, Nuclear Safety Assurance

KJP/FGB/ssf

cc: Thomas P. Gwynn, NRC Region IV
N. Kalyanam, NRC-NRR
J. Smith
N.S. Reynolds
NRC Resident Inspectors Office
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