

January 28, 2004

Mr. Joseph E. Venable  
Vice President Operations  
Entergy Operations, Inc.  
17265 River Road  
Killona, LA 70066-0751

SUBJECT: WATERFORD STEAM ELECTRIC STATION UNIT 3 - NOTICE OF  
CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE FOR EXTENDED POWER UPRATE AND  
OPPORTUNITY FOR HEARING (TAC NO. MC1355)

Dear Mr. Venable:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating Licenses and Opportunity For Hearing." This notice relates to your application dated November 13, 2003, for an amendment to the Waterford Steam Electric Station, Unit 3.

The proposed amendment would allow an increase in the licensed power from 3441 megawatts thermal (MWt) to 3716 MWt. This represents an increase of approximately 8 percent above the current rated licensed thermal power. The proposed amendment would also change the operating license and the technical specifications appended to the operating license to provide for implementing uprated power operation.

This notice is being forwarded to the Office of Federal Register for publication.

Sincerely,

*/RA/*

Nageswaran Kalyanam, Project Manager, Section 1  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-382

Enclosures: As stated

cc w/encls: See next page

Waterford Steam Electric Station, Unit 3

cc:

Mr. Michael E. Henry, State Liaison Officer  
Department of Environmental Quality  
Permits Division  
P.O. Box 4313  
Baton Rouge, Louisiana 70821-4313

Vice President, Operations Support  
Entergy Operations, Inc.  
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Jackson, MS 39286-1995

Director  
Nuclear Safety Assurance  
Entergy Operations, Inc.  
17265 River Road  
Killona, LA 70066-0751

Wise, Carter, Child & Caraway  
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General Manager Plant Operations  
Waterford 3 SES  
Entergy Operations, Inc.  
17265 River Road  
Killona, LA 70066-0751

Licensing Manager  
Entergy Operations, Inc.  
17265 River Road  
Killona, LA 70066-0751

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

Resident Inspector/Waterford NPS  
P. O. Box 822  
Killona, LA 70066-0751

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

Parish President Council  
St. Charles Parish  
P. O. Box 302  
Hahnville, LA 70057

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

Chairman  
Louisiana Public Services Commission  
P. O. Box 91154  
Baton Rouge, LA 70825-1697

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The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating Licenses and Opportunity For Hearing." This notice relates to your application dated November 13, 2003, for an amendment to the Waterford Steam Electric Station, Unit 3.

The proposed amendment would allow an increase in the licensed power from 3441 megawatts thermal (MWt) to 3716 MWt. This represents an increase of approximately 8 percent above the current rated licensed thermal power. The proposed amendment would also change the operating license and the technical specifications appended to the operating license to provide for implementing uprated power operation.

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Sincerely,

*/RA/*

Nageswaran Kalyanam, Project Manager, Section 1  
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Office of Nuclear Reactor Regulation

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RidsAcrcAcnwACRS

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ADAMS ACCESSION NUMBER ML040300802

OFFICE	PDIV-1/PM	PDIV-1/LA	OGC(NLO)*	PDIV-1/SC
NAME	NKalyanam	DJohnson	RWeisman	RGramm
DATE	1/15/04	1/15/04	1/23/04	1/28/04

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UNITED STATES NUCLEAR REGULATORY COMMISSION

ENTERGY OPERATIONS, INC.

DOCKET NO. 50-382

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-38, issued to Entergy Operations, Inc. (the licensee), for operation of the Waterford Steam Electric Station, Unit 3, located in St. Charles Parish, Louisiana.

The proposed amendment would increase the maximum authorized power level from 3441 megawatts thermal (MWt) to 3716 MWt. This change represents an increase of approximately 8 percent above the current licensed power. The proposed amendment would also change the operating license and the technical specifications appended to the operating license to provide for implementing uprated power operation.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By March 8, 2004, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in

accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 2. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically on the Internet at the NRC Web site <http://www.nrc.gov/reading-rm/doc-collections/cfr>. If there are problems in accessing the document, contact the PDR Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdrr@nrc.gov](mailto:pdrr@nrc.gov). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest. The petition must also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or expert opinion that support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing and petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. Because of continuing disruptions in delivery of mail to United States Government offices, it is requested that petitions for leave to

intervene and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 0001, and because of continuing disruptions in delivery of mail to United States Government offices, it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to N. S. Reynolds, Esquire, Winston & Strawn, 1400 L Street NW., Washington, DC 20037-1128, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated November 13, 2003, which is available for public inspection at the Commission's PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in

ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 28th day of January 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

Nageswaran Kalyanam, Project Manager, Section 1  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation