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Date: Wed, Jan 28, 2004 4:35 PM
Subject: 68 FR 69730 Comments-Manual Actions to Achieve Post-Fire Safe Shutdown

11/26/03

68 FR 66501

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Entergy comment letter attached regarding the Federal Register Notice. A hardcopy was mailed on 1/27/04. If there are questions on these comments, please contact Les England at 601-368-5766 or Rick Thomas at 601-368-5747. <<CNRO200400009lae.pdf>>

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Michael A. Krupa
Director
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CNRO-2004-00009

January 27, 2004

Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

Attention: Rulemaking and Adjudication Staff

Subject: Request for Comments on Draft Manual Actions Interim Acceptance Criteria, 68 Fed. Reg. 66501 dated November 26, 2003 and 68 FR 69730 dated December 15, 2003 extension of comment period until January 26, 2004.

References *Federal Register* Vol. 68, No. 228, Pages 66501-66503, dated November 26 2003; *Federal Register* Vol. 68, No. 240 page 69703 dated December 15, 2003.

Ladies and Gentlemen:

On November 26, 2003, the NRC published in the *Federal Register* a request for comments on the staff proposal for interim acceptance criteria for manual actions. We understand that these criteria will be used by the NRC's interim enforcement discretion policy during the period until the planned manual actions rulemaking is final. Entergy Operations, Inc. (Entergy) is pleased to submit our comments in the above captioned matter. Entergy has actively participated in the NEI Fire Protection Working Groups' extensive comments being separately provided by NEI and endorses those comments and does not duplicate them herein. However, Entergy would like to emphasize certain key points and offer our additional perspectives and comments herein.

Entergy believes manual actions are an essential element of the plant response repertoire for fire protection and that manual actions always have been essential elements as utilities strive to minimize the station risk to fire.

First, the use of manual actions is a carefully considered element of our response to a fire. Following analysis of likely and risk significant scenarios, existing and possible design approaches and of other mitigative options including operator or manual actions, response

strategies are selected. Operators are extensively trained in actions to take to manage plant transients regardless of the initiator, including a fire.

The regulatory history of the use of manual actions is extensively discussed in the referenced NEI letter. Some of this history was lost or forgotten and has been recovered or deduced from approved license basis documentation. It is clear the approved approaches spanned a spectrum over time and what is needed going forward is a well documented, safety focused and easy to understand criteria for licensees and inspectors to use. Entergy specifically endorses NEI's recommended changes to the text of the proposed NRC criteria to reestablish the criteria for use of manual actions consistent with time honored licensee approaches used heretofore.

Ad Hoc new requirements for detection and suppression in areas where equipment will be operated but is not subject to the fire requiring mitigation do not logically follow the regulatory basis and would add confusion and unnecessary regulatory burden. Numerous scenarios demonstrating the illogic of this new requirement and associated burden without benefit are detailed in the NEI letter.

Thank you for the opportunity to provide these comments. Entergy looks forward to resolution of this longstanding issue.

Sincerely,



MAK/LAE/baa

cc:

Mr. W. R. Campbell (ECH)
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Mr. J. S. Forbes (ANO)
Mr. P. D. Hinnenkamp (RBS)
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