

May 27, 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 - PRE-APPLICATION  
REVIEW FOR REMOVAL OF TECHNICAL SPECIFICATION 3.7.4 ACTION  
STATEMENT "c" (TAC NO. MC1863)

Dear Mr. Venable:

By electronic mail dated January 20, 2004 (ADAMS Accession Number ML040640180), your staff had inquired the feasibility of submitting an amendment to the Waterford Steam Electric Station, Unit 3 (Waterford 3) Technical Specifications (TSs), deleting ACTION "c" in TS 3.7.4, Ultimate Heat Sink (UHS) and deleting the note with single asterisk, "With a tornado watch in effect, all 9 DCT [dry cooling tower] fans under the missile protected portion of the DCT shall be OPERABLE." on Table 3.7-3, "ULTIMATE HEAT SINK MINIMUM REQUIREMENTS PER FAN." The justification for the amendment was that you would rely on the safety evaluation (SE) issued to Waterford 3 on September 15, 2000. The SE states that Waterford 3 had demonstrated that the probability of a tornado missile strike on certain components, including the DCT fans and motors and associated conduits and electrical boxes, is  $6.4 \times 10^{-7}$ , which is below the acceptance criterion of  $10^{-6}$  per year. You had indicated your plan to use this information to take credit for the DCT fans above the missile shield being operable essentially giving the plant an additional 6 DCT it can rely on.

In essence there were two questions posed in your electronic mail as listed below:

1. Can the plant licensing basis be changed under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50.59 to using the TORMIS Code as reference?

Response: No.

The regulation at 10 CFR 50.59(b)(2)(viii) allows changes that do not, "Result in a departure from a method of evaluation described in the FSAR [Final Safety Analysis Report] (as updated) used in establishing the design bases or in the safety analyses." In addition, 10 CFR 50.59(a)(2)(ii) further clarifies that the licensee can change from a method described in the FSAR if the new method has been approved by the NRC for the intended application.

The Waterford 3 SE dated September 15, 2000, states that the approved use of the TORMIS methodology is limited to the evaluation of specific plant features where additional costly tornado missile protective barriers are under consideration. Waterford 3 appears to be requesting the use of the results of the TORMIS methodology to remove a protective feature. This is not the intended application for which the TORMIS methodology is approved. The TORMIS methodology is currently

not approved for justifying the removal of existing barriers, the methodology is limited to the evaluation of specific plant features where additional costly tornado missile protective barriers are under consideration.

2. Does the NRC concur with Entergy's interpretation of the September 15, 2000, SE that the dry cooling tower fans which are not under the tornado missile shield will survive a tornado?

Response: No.

It may be that the likelihood of the DCT surviving the a tornado is high or even very high, but it is not in the nature of probabilistic analyses to categorically state that the DCT will survive.

If you have any questions, please call me at (301) 415-1480.

Sincerely,

**/RA/**

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

Docket No. 50-382

cc: See next page

not approved for justifying the removal of existing barriers, the methodology is limited to the evaluation of specific plant features where additional costly tornado missile protective barriers are under consideration.

3. Does the NRC concur with Entergy's interpretation of the September 15, 2000, SE that the dry cooling tower fans which are not under the tornado missile shield will survive a tornado?

Response: No.

It may be that the likelihood of the DCT surviving the a tornado is high or even very high, but it is not in the nature of probabilistic analyses to categorically state that the DCT will survive.

If you have any questions, please call me at (301) 415-1480.

Sincerely,

*/RA/*

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

Docket No. 50-382

cc: See next page

DISTRIBUTION

PUBLIC

RidsAcrsAcnwMailCenter

RidsNrrLADJohnson

RHernandez-Figueroa

PDIV-1 r/f

RidsNrrDlpmLpdiv1 (RGramm)

RidsNrrPMNKalyanam

RidsRgn4MailCenter (AHowell)

Rids OgcRp

RidsNrrLADBaxley

SDinsmore

Accession No.:ML041490149

\*Minor editorial changes from input provided

OFFICE	PDIV-1/PM	PDIV-1/LA	DSSA/SPLB*	DSSA/SPSB*	PDIV-1/SC
NAME	NKalyanam	DBaxley	Raul Hernandez-Figueroa	Stephen Dinsmore	RGramm
DATE	5/20/04	5/20/04	05/17/04	05/17/04	5/27/04

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML041490149.wpd

OFFICIAL RECORD COPY

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.  
P. O. Box 31995  
Jackson, MS 39286-1995

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

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

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