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CNRO-2005-00064

December 21, 2005

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555-0001

**Subject: Letter of Intent to Adopt NFPA 805 - Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants 2001 Edition Waterford 3 Nuclear Station Docket No. 50-382**

Dear Sir or Madam:

This letter serves to inform you that Entergy Operations, Inc. (Entergy) intends to adopt NFPA 805 (Performance-Based Standard for Fire Protection for Light Water Reactor Generating Plants, 2001 Edition) in accordance with 10CFR50.48(c) for Waterford 3 Nuclear Station.

The transition to the performance-based standard will commence during the first quarter, 2006, and will take approximately 42 months to fully implement. The schedule is subject to change depending on the extent of any physical plant modifications and/or changes to the fire protection program determined necessary to comply with NFPA 805. An updated schedule will accompany the License Amendment Request required under 10CFR50.48(c)(3)(i).

The NFPA 805 transition process will proceed in three phases:

**Phase 1 - Preliminary Assessment of the Fire Protection Program**

- Technical and regulatory assessments performed to determine the scope and feasibility of the transition.

**Phase 2 - Reviews and Engineering Analysis**

- Fundamental Fire Protection Program and Design Elements review
- Nuclear Safety Performance Criteria Transition review
- Non-Power Operational Mode Transition review
- Radiological Release Transition review
- Change Evaluations
- License Amendment Requests

ADD

### Phase 3 - Implementation

- Program Documentation
- Configuration Control
- Monitoring

The process will be considered complete upon receipt of the approved license amendment authorizing the transition to NFPA 805.

The NRC Interim Enforcement Policy (69FR33684, June 16, 2004) provides guidelines for enforcement discretion for identified non-compliances. Those non-compliances must be entered into the licensee's Corrective Action Program, must not be associated with findings that the Reactor Oversight Process Significance Determination Process would evaluate as Red, or would not be categorized as Severity Level 1, and appropriate compensatory measures have been taken. As outlined in the Enforcement Policy, enforcement discretion begins with the licensee's letter of intent.

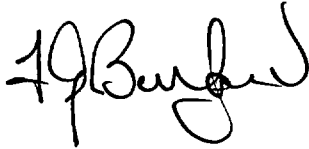
For the reasons stated below, Entergy requests an extension of the enforcement discretion window to three and one-half years for Waterford 3.

- Within Entergy, and the nuclear industry in general, there are a limited number of experts in the areas of Fire Protection Engineering, System Engineering, and Appendix R Safe Shutdown needed to support the transition to NFPA 805.
- Entergy intends to adopt NFPA 805 for Arkansas Nuclear One (Units 1 and 2) and as such that transition process and available personnel must be considered when conducting evaluations utilizing the same resources.
- Arkansas Nuclear One (ANO) has requested (by separate correspondence dated November 2, 2005) to be a pilot plant for the NFPA 805 transition process. There will be much to be learned by allowing ANO to lead the transition efforts and capitalizing on the lessons learned from that pilot process. There is also a desire to maintain consistency among the Entergy Plants that can only be facilitated by allowing some portions of the transition to be performed in series. The estimated total project duration for Waterford 3 is 42 months and is based on parallel as well as series implemented standardized approaches to transition tasks. This approach produces a consistent and quality transition for the Entergy plants.
- Waterford 3 utilizes the Hemyc electrical raceway fire barrier system. Resolution of this issue will be performed in parallel to the NFPA 805 transition process.
- Finally, Entergy believes that the risk of granting the requested enforcement discretion window is low since non-compliances for which we request enforcement discretion have been, or will have been, determined to be non-safety significant.

This correspondence contains no regulatory commitments.

If you have any questions concerning this subject, please contact me at (601) 368-5755.

Sincerely,



FGB/bal

cc: Mr. W. A. Eaton (ECH)  
Mr. J. E. Venable (W3)

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