

August 18, 2006

Mr. Jeffrey S. Forbes
Site Vice President
Arkansas Nuclear One
Entergy Operations, Inc.
1448 S.R. 333
Russellville, AR 72802

SUBJECT: PERIOD OF ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, ARKANSAS NUCLEAR ONE, UNITS 1 AND 2.

Dear Mr. Forbes:

In a letter dated January 31, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML053500434), the U.S. Nuclear Regulatory Commission (NRC) acknowledged your letter of November 2, 2005 (ADAMS No. ML053140128), in which you stated that Entergy Operations, Inc. intended to adopt National Fire Protection Association (NFPA) Standard 805, "NFPA 805, Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generating Plants," 2001 Edition, pursuant to Section 50.48(c) of Part 50 of Title 10 of the *Code of Federal Regulations*, at Arkansas Nuclear One, Units 1 and 2.

In your letter, you requested enforcement discretion for a period of 3 years for existing identified incidents of noncompliances, in accordance with the NRC's Interim Enforcement Policy. In the January 31, 2006, letter, the NRC granted a 2-year enforcement discretion period for Arkansas Nuclear One, Units 1 and 2. However, we noted that the NRC is considering your request for extended discretion and would contact you when we have reached a decision.

On the basis of a revision to the Enforcement Policy (71 *Federal Register* 19905), I am now informing you that your request for a 3-year enforcement discretion period is granted. Therefore, the discretion period for Arkansas Nuclear One, Units 1 and 2, which began on December 31, 2005, will expire on December 31, 2008.

As you are aware, in order to receive enforcement discretion, you must: (a) evaluate the risk significance of all noncompliances to assure that they do not constitute "Red" (or Severity Level I) findings under the Reactor Oversight Program, (b) enter them into your corrective action program, and (c) implement and maintain appropriate compensatory measures until you complete your corrective actions, or until the NRC staff approves your license amendment request and issues its safety evaluation. You should refer to NRC Regulatory Issue Summary 2005-07, "Compensatory Measures to Satisfy the Fire Protection Program Requirements," for additional NRC staff guidance on appropriate compensatory measures.

J. Forbes

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If you have any questions regarding this matter, please contact Drew Holland, Project Manager, at 301-415-1436 or DGH1@nrc.gov.

Sincerely,

IRA

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-313 and 50-368

cc: Those on the attached list

J. Forbes

- 2 -

If you have any questions regarding this matter, please contact Drew Holland, Project Manager, at 301-415-1436 or DGH1@nrc.gov.

Sincerely,

IRA

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-313 and 50-368

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Letter to Mr. Jeffrey S. Forbes from Catherine Haney dated August 18, 2006

SUBJECT: PERIOD OF ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF
NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, ARKANSAS
NUCLEAR ONE, UNITS 1 AND 2.

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