



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
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September 7, 2006

EA-06-103

Paul D. Hinnenkamp
Vice President - Operations
Entergy Operations, Inc.
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5485 US Highway 61N
St. Francisville, LA 70775

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A PRELIMINARY
WHITE FINDING AT RIVER BEND STATION - NRC INSPECTION
REPORT 05000458/2006011**

Dear Mr. Hinnenkamp:

The purpose of this letter is to provide you the final results of our significance determination of the preliminary White finding identified in the subject inspection report dated June 19, 2006. The finding involved the failure to ensure that adequate preplanned measures were in place to ensure accurate and timely emergency classification using seismic activity emergency action levels during periods when seismic monitoring instrumentation was out of service at various times in 2004 and 2005. With certain seismic monitor instrumentation removed from service, the River Bend Station emergency plan implementing procedure would not provide adequate direction to station personnel to declare a Notification of Unusual Event, Alert, or Site Area Emergency following a seismic event. As described in detail below, we have concluded that the issue constituted a violation of NRC requirements, but the underlying safety significance of the violation was very low.

In the cover letter of the subject report, we informed Entergy Operations, Inc. (EOI) of the NRC's preliminary conclusion and provided EOI an opportunity to request a regulatory conference on this matter. On July 20, 2006, a regulatory conference was conducted at the NRC Region IV office in Arlington, Texas. During this meeting, EOI described their assessment of the finding, including a detailed discussion of the process and instrumentation available at River Bend Station to properly classify a seismic event during periods when specific seismic instrumentation was out of service in 2004 and 2005. Additionally, EOI stated that, while it did not agree with the preliminary significance of the finding, it did agree that the finding constituted a violation of regulatory requirements. During the meeting, you described the corrective actions taken for the underlying performance deficiency.

The NRC has considered the information developed during the inspection, the EOI position on the issue which was attached to the inspection report, the information you provided at the Regulatory Conference, and the information provided by your staff in a July 28, 2006, letter

following the conference. On the basis of this information, the NRC has concluded that a violation occurred. The violation involves a failure to meet 10 CFR 50.54(q), which requires that the licensee follow and maintain in effect emergency plans which meet the standards in 10 CFR 50.47(b). Specifically, during periods when certain seismic monitoring instrumentation was out of service, the licensee could not implement the emergency actions levels as described in the applicable Emergency Plan implementing procedure. However, there was other seismic instrumentation available during these periods that could be used to determine the ground force acceleration associated with a seismic event in the vicinity of the River Bend Station. This information could then be used by the Operations Shift Manager or Emergency Director to determine the correct classification for a seismic event; although, the classification could be delayed for as long as 4 hours. On the basis of this information, the NRC has concluded that the inspection finding did not represent a degradation of a risk significant planning standard function, as defined in Appendix B of NRC's Inspection Manual Chapter 0609, and therefore is of very low safety significance (Green).

While the final significance of this finding was determined to be very low, the finding was indicative of several performance deficiencies at River Bend Station. These included: a failure to assess, in advance, the impact that inoperable instrumentation had on the implementation of the Emergency Plan; a failure to adequately evaluate conditions even after a condition report was written; a failure to take appropriate actions in response to recent industry operating experience in this area; and a failure to appropriately consider other applicable requirements beyond those described in the Technical Requirements Manual when removing seismic instrumentation from service. Consequently, the River Bend Station staff did not appropriately consider the actual effect that the inoperable seismic monitoring instrumentation had on the ability to implement the River Bend Station Emergency Plan.

Also, this finding had crosscutting aspects in the area of problem identification and resolution because the River Bend Station staff did not identify the effect that inoperable seismic monitoring instrumentation had on the ability to implement the River Bend Station Emergency Plan and did not effectively utilize pertinent industry operating experience to prevent the performance deficiency. Although condition reports were written to document those occasions when instrumentation was out of service for more than 30 days, the River Bend Station staff did not identify the impact that the inoperable instrument had on implementation of the Emergency Plan and did not require any actions related to the condition. In addition, there were missed opportunities to revise River Bend Station processes and procedures to address situations in which the monitors are removed from service for prolonged periods. Specifically, the River Bend Station staff did not take adequate actions in response to an emergency preparedness peer group recommendation that licensees evaluate conditions when instruments used to determine emergency action levels are temporarily out of service for extended periods of time (Condition Report LO-OPX-2004-00224 issued in October 2004) or following the review and evaluation of NRC Information Notice 2005-19, "Effect of Plant Configuration Changes on the Emergency Plan," (issued in July 2005).

Because the finding is of very low safety significance and has been entered into the licensee's corrective action program as Condition Report CR-RBS-2006-01283, this violation is being treated as a noncited violation consistent with Section VI.A of the Enforcement Policy:

NCV 05000458/2006011-01, "Failure to Maintain a Standard Scheme of Emergency Classification and Action Levels in Use," as documented in NRC Inspection Report 05000458/2006011.

If you contest the violation or its significance, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with copies to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011-4005; the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the River Bend Station facility.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Arthur T. Howell III, Director
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