

February 6, 2007

Mr. Kevin T. Walsh
Vice President of Operations
Entergy Operations, Inc.
17265 River Road
Killona, LA 70066-0751

SUBJECT: WATERFORD STEAM ELECTRIC STATION, UNIT 3 - ISSUANCE OF
AMENDMENT RE: REMOVAL OF VENDOR RECOMMENDED DIESEL
GENERATOR SURVEILLANCE REQUIREMENT (TAC NO. MD2357)

Dear Mr. Walsh:

The Commission has issued the enclosed Amendment No. 211 to Facility Operating License No. NPF-38 for the Waterford Steam Electric Station, Unit 3 (Waterford 3). This amendment consists of changes to the Technical Specifications in response to your application dated June 14, 2006, as supplemented by letter dated November 7, 2006.

The amendment removes Waterford 3 Surveillance Requirement 4.8.1.1.2.f, which is associated with vendor recommended inspections of the emergency diesel generators. Entergy Operations, Inc. has committed to relocate these vendor recommended inspections to the Technical Requirements Manual.

A copy of our related Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's next biweekly *Federal Register* notice.

Sincerely,

/RA/

Mel B. Fields, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-382

Enclosures: 1. Amendment No. 211 to NPF-38
2. Safety Evaluation

cc w/encls: See next page

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ENERGY OPERATIONS, INC.

DOCKET NO. 50-382

WATERFORD STEAM ELECTRIC STATION, UNIT 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 211
License No. NPF-38

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Entergy Operations, Inc. (EOI), dated June 14, 2006, as supplemented by letter dated November 7, 2006, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.2. of Facility Operating License No. NPF-38.
3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David Terao, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the Facility
Operating License and
Technical Specifications

Date of Issuance: February 6, 2007

ATTACHMENT TO LICENSE AMENDMENT NO. 211

TO FACILITY OPERATING LICENSE NO. NPF-38

DOCKET NO. 50-382

Replace the following pages of the Facility Operating License and Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Facility Operating License

REMOVE

INSERT

- 4 -

- 4 -

Technical Specifications

REMOVE

INSERT

3/4 8-6a

3/4 8-6a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 211 TO

FACILITY OPERATING LICENSE NO. NPF-38

ENTERGY OPERATIONS, INC.

WATERFORD STEAM ELECTRIC STATION, UNIT 3

DOCKET NO. 50-382

1.0 INTRODUCTION

By application dated June 14, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML061670071), as supplemented by letter dated November 7, 2006 (ADAMS Accession No. ML063130047), Entergy Operations, Inc. (the licensee) requested a change to the Technical Specifications (TSs) for Waterford Steam Electric Station, Unit 3 (Waterford 3).

The proposed TS change would remove Surveillance Requirement (SR) 4.8.1.1.2.f, which is associated with vendor recommended inspections of the emergency diesel generators (EDGs). The licensee has committed to relocate these vendor recommended inspections to the Technical Requirements Manual.

The November 7, 2006, letter provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on August 15, 2006 (71 FR 46931).

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.90, "Application for amendment of license or construction permit," allows a licensee to amend or change the original license applications. The regulations in 10 CFR 50.92, "Issuance of amendment," specifies that the Nuclear Regulatory Commission (NRC) staff will be guided by the considerations which govern the issuance of initial licenses to the extent applicable and appropriate in determining whether an amendment will be issued to the applicant.

The regulations in 10 CFR 50.36(c), "Technical specifications," require that the TSs include items in five specific categories. These categories include: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation; (3) SRs; (4) design features; and (5) administrative controls. Furthermore, 10 CFR 50.36(c)(3) defines SRs as requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

Improved Standard Technical Specifications (STSs) have been developed based on the criteria in 10 CFR 50.36, and the NRC staff evaluation of the licensee's request to remove the specified SR was based in part on conformity with the EDG SRs contained in NUREG-1432, Revision 3.0, "Standard Technical Specifications Combustion Engineering Plants."

3.0 TECHNICAL EVALUATION

SR 4.8.1.1.2.f currently states:

At the first refueling outage, and thereafter, at intervals not to exceed 24 months, subject the diesels to an inspection in accordance with the procedures prepared in conjunction with its manufacturer's recommendations for this class of standby service.

The applicable manufacturer's recommendations referred to in this SR are listed in the licensee's June 14, 2006, application. These recommendations constitute preventative maintenance activities that do not verify the ability of the EDGs to perform their safety function. As such, SR 4.8.1.1.2.f does not meet the criteria stated in 10 CFR 50.36(c)(3) for inclusion in the TSs. In addition, the removal of this SR is consistent with NUREG-1432, Revision 3.0.

The licensee has committed to maintain the vendor recommended inspection requirements in its plant procedures and will relocate this SR to the Technical Requirements Manual. These regulatory commitments are discussed in more detail in the following section.

Based on the considerations discussed above, the NRC staff finds the proposed removal of SR 4.8.1.1.2.f to be in compliance with the applicable regulatory requirements and, therefore, to be acceptable.

4.0 REGULATORY COMMITMENTS

The licensee's November 7, 2006, letter provided a list of regulatory commitments, which are:

The manufacturer's recommended inspections of the EDG required by this surveillance are included in plant procedures and will continue to be included in plant procedures upon approval of this amendment.

Surveillance Requirement 4.8.1.1.2.f will be relocated to the Waterford 3 Technical Requirements Manual.

The NRC staff has reviewed the licensee's Commitment Management System and concluded that it complies with Nuclear Energy Institute (NEI) Document 99-04, Revision 0, "Guidelines for Managing NRC Commitment Changes," July 1999. In SECY-00-045, dated February 22, 2000, the NRC staff informed the Commission that it had found that NEI 99-04 contains acceptable guidance for controlling regulatory commitments made by power reactor licensees to the NRC. Therefore, the NRC staff considers the regulatory commitments associated with the removal of SR 4.8.1.1.2.f from the TSs to be sufficient for the purposes of approving the licensee's amendment request.

5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Louisiana State official was notified of the proposed issuance of the amendment. The State official had no comments.

6.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes a surveillance requirement. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding published August 15, 2006 (71 FR 46931). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: L. Ramadan

Date: February 6, 2007

Waterford Steam Electric Station, Unit 3

cc:

Vice President, Operations Support
Entergy Operations, Inc.
P.O. Box 31995
Jackson, MS 39286-1995

Director, Nuclear Safety & Licensing
Entergy Operations, Inc.
1340 Echelon Parkway
Jackson, MS 39213-8298

Director
Nuclear Safety Assurance
Entergy Operations, Inc.
17265 River Road
Killona, LA 70057-3093

Louisiana Department of Environmental
Quality Radiological Emergency Planning
and Response Division
P.O. Box 4312
Baton Rouge, LA 70821-4312

General Manager Plant Operations
Waterford 3 SES
Entergy Operations, Inc.
17265 River Road
Killona, LA 70057-3093

Louisiana Department of Environmental
Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, LA 70821-4312

Manager, Licensing
Entergy Operations, Inc.
17265 River Road
Killona, LA 70057-3093

Chairman
Louisiana Public Services Commission
P.O. Box 91154
Baton Rouge, LA 70825-1697

Resident Inspector/Waterford NPS
P.O. Box 822
Killona, LA 70066-0751

Richard Penrod, Senior Environmental
Scientist/State Liaison Officer
Office of Environmental Services
Northwestern State University
Russell Hall, Room 201
Natchitoches, LA 71497

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
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

November 2006