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G3NO-2008-00004  
Corrected Copy

October 30, 2008

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

DOCKET: No. 52-024

SUBJECT: Responses to NRC Requests for Additional Information, Letter No. 5 (GG3 COLA)

REFERENCE: NRC Letter to Entergy Nuclear, *Request for Additional Information Letter No. 5 Related to the SRP Section 17.5 for the Grand Gulf Combined License Application*, dated September 18, 2008 (ADAMS Accession No. ML082600717)

Dear Sir or Madam:

In the referenced letter, the NRC requested additional information on eight items to support the review of certain portions of the Grand Gulf Unit 3 Combined License Application (COLA). The responses to the following Requests for Additional Information (RAIs) are provided as Attachments 1 through 8 to this letter:

- RAI Question 17.5-1, Scope of Work Between QA Manual and QAPD
- RAI Question 17.5-2, QAPD Organizational Charts
- RAI Question 17.5-3, Correct CFR Citation to 10 CFR 52.79(a)(27)
- RAI Question 17.5-4, Commitment to RG 1.37
- RAI Question 17.5-5, Delegation of Establishment and Execution of QA Program
- RAI Question 17.5-6, Incorporation of Revisions to NEI 06-14A
- RAI Question 17.5-7, QAPD – Siting and Subsurface Investigations
- RAI Question 17.5-8, Applicability of QAPD and NuStart's Oversight Involvement

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HW

Should you have any questions, please contact me or Mr. Tom Williamson of my staff. Mr. Williamson may be reached as follows:

Telephone: (601) 368-5786

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This letter contains commitments as identified in Attachment 9.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 20, 2008.

Sincerely,



WKH/ghd

- Attachments:
1. Response to RAI Question No. 17.5-1
  2. Response to RAI Question No. 17.5-2
  3. Response to RAI Question No. 17.5-3
  4. Response to RAI Question No. 17.5-4
  5. Response to RAI Question No. 17.5-5
  6. Response to RAI Question No. 17.5-6
  7. Response to RAI Question No. 17.5-7
  8. Response to RAI Question No. 17.5-8
  9. Regulatory Commitments

cc (email, unless otherwise specified):

Mr. T. A. Burke (ECH)  
Mr. S. P. Frantz (Morgan, Lewis & Bockius)  
Mr. B. R. Johnson (GE-Hitachi)  
Ms. M. Kray (NuStart)  
Mr. P. D. Hinnenkamp (ECH)

NRC Project Manager – GGNS COLA  
NRC Director – Division of Construction Projects (Region II)  
NRC Regional Administrator - Region IV  
NRC Resident Inspectors' Office: GGNS

**ATTACHMENT 1**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-1**

**RAI QUESTION NO. 17.5-1**

**NRC RAI 17.5-1**

Section 17.1 of the Grand Gulf Nuclear Station, Unit 3 FSAR states, in part, the quality assurance program description (QAPD) discussed in Section 17.5 will be phased in based on the stage of the project and will be fully implemented in accordance with Table 13.4-201. Table 13.4-201 indicates that the Quality Assurance Program - Operation will be implemented 30 days prior to scheduled date for initial loading of fuel. Section 17.1 goes on to state that "During the implementation period, Entergy Corporate QA Manual will be applicable unless the QAPD requirements have been implemented. The phased implementation/conversion commenced with submittal of this COL application." The staff requests that the applicant clarify the expected scope of work for each program related to design, construction (and procurement), and operation activities from the time of docketing until the time the COL is expected to be issued. In particular, please identify when and where these design, construction (and procurement), and operation activities would take place, and specifically under which program the activities will be conducted. Additionally, please clarify the phased implementation of the new program.

**Entergy Response**

FSAR Table 13.4-201 in general identifies regulatory milestones as to when various regulations require programs be implemented; it is not intended to identify the earlier dates/milestones the licensee will target for implementation. As identified in Table 13.4-201, 10 CFR 50.54(a) requires a licensee to implement the quality assurance program described or referenced in the safety analysis report applicable to operation 30 days prior to the scheduled date for the initial loading of fuel.

FSAR Section 17.1 provides a more practical description of the implementation of the New Nuclear QAPD.

The New Nuclear QAPD contains both construction and operation quality assurance requirements and only distinguishes between them when there are differences. Therefore in practical terms, most of the operations quality assurance requirements are implemented coincident with the construction requirements since they are the same. Some QAPD requirements (e.g., organization) cover transition from construction to operation. Entergy has not yet made a commercial decision to build a plant. Therefore, subsequent decisions regarding some QAPD implementation details have, likewise, not been finalized. Implementing details for transition from construction to operation have not yet been developed.

Regarding clarification of "phased implementation," Entergy COLA preparation activities (e.g., procurement of services, corrective action, audits) are currently being performed under the Entergy fleet Quality Assurance Program Manual (QAPM). The QAPM commits to the ANSI 45.2 standards. The Entergy New Nuclear QAPD submitted with the COLA commits to NQA-1-1994. Although the differences between the programs are minimal, reviews are required in order to declare that the QAPD is implemented. "Phased implementation" involves the transition of new plant activities from the QAPM implementing procedures to the QAPD

implementing procedures. In some cases, the same implementing procedures meet both the QAPM and QAPD requirements; e.g., fleet procedures. In some cases, new procedures are being developed to separate new plant activities from fleet activities. Transition tasks are currently progressing. Once the transition is complete, the QAPD will become effective for future new plant tasks. The QAPD will not be retroactive to any new plant activities. On the effective date, all QAPD implementing procedures will not have been written; e.g., procedures for operational activities would not be written until closer to the time of actual need and use. The following table provides an estimated timeline for further clarification.

<b>QUALITY ASSURANCE PROGRAM ESTIMATED IMPLEMENTATION TIMELINE</b>			
<b>MILESTONE / DATE</b>	<b>ACTIVITY</b>	<b>LOCATION OF ACTIVITY</b>	<b>APPLICABLE QA PROGRAM</b>
07/27/2007	Specification, design, and procurement of the reactor pressure vessel (contract with GEH)	Wilmington, NC; Japan Steel Works	Entergy fleet QAPM (delegation to GEH)
COLA Docketing (04/17/2008)	COLA Preparation (contracts with GEH and Enercon)	Wilmington, NC; Various Enercon office locations	Entergy fleet QAPM; NuStart QA Plan, as described in COLA (delegation to GEH and Enercon)
Post-COLA Docketing	Design as necessary to support COLA review; i.e., RAI responses and revisions to the application		NuStart QA Plan, as described in COLA (delegation to Enercon); Entergy fleet QAPM (delegation to GEH)
May occur prior to COL Issuance	EPC Contract (procurement) – purchase of plant		Entergy fleet QAPM or Entergy New Nuclear QAPD *
May occur prior to COL Issuance	Pre-construction Activities		Entergy fleet QAPM or Entergy New Nuclear QAPD *
COL Issuance (~ 2012)			
Post- COL Issuance	Construction		Entergy New Nuclear QAPD (potential for delegation in accordance with QAPD)
Post- COL Issuance	Operation	GGNS3 site	Entergy New Nuclear QAPD **

\* Entergy's goal is for the Entergy New Nuclear QAPD to be effective prior to initiation of the EPC Contract; if the contract is initiated prior to COL issuance, the contract may be initiated under the Entergy fleet QAPM procurement process with provisions in the contract requiring compliance with the Entergy New Nuclear QAPD. Pre-construction activities necessary for COLA review and approval may be performed under the Entergy QAPM and/or the NuStart QA Plan. Pre-construction activities not supporting COLA review and approval would be performed under the Entergy New Nuclear QAPD.

\*\* The Operations Phase will be under the Entergy New Nuclear QAPD. A system turnover process may be used such that the transition from construction to operation could be on a system basis.

**Proposed COLA Revision**

None

**ATTACHMENT 2**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-2**

**RAI QUESTION NO. 17.5-2**

**NRC RAI 17.5-2**

Section A, "Organization," of SRP Section 17.5, indicates that the applicant's QAPD should contain an organizational description that addresses the organizational structure, functional responsibilities, levels of authority, and interfaces. The organizational description is to include the onsite and offsite organizational elements that function under the cognizance of the QA program. The NRC endorsed the Nuclear Energy Institute (NEI) QAPD template (NEI 06-14, "Template for an Industry Quality Program Description") as a method for providing a QAPD that meets the requirements of 10 CFR Part 50, Appendix B. The NEI template provides flowcharts (Figures II.1-1 and II.1-2) to delineate the organizational interfaces. Currently, for Grand Gulf, the Entergy New Nuclear QAPD does not provide equivalent flow charts. The staff requests that the application provide a clear illustration in the Entergy New Nuclear QAPD of the interrelationships between Grand Gulf/Entergy Corporate and QA organization. If using the flow charts in Chapter 13, then add them to the QAPD and also provide consistent titles between Chapter 13 and 17.5. Additionally, please include descriptions of organizational positions of the nuclear station and owner/applicant corporations and associated functions and responsibilities.

**Entergy Response**

Organization flow charts will be added to the QAPD. Additionally, descriptions of positions and associated functions and responsibilities will be added and/or revised as appropriate. Consistent titles between FSAR Chapter 13 and 17.5 will be used.

**Proposed COLA Revision**

The Entergy New Nuclear Quality Assurance Program Description, COLA Part 11, QAPD Section 1 will be revised to include the requested organization charts and position descriptions, as shown on the attached draft markups. Corresponding changes will be made to FSAR Chapter 13 as shown on the attached draft markups.

### **Markup of Grand Gulf COLA**

The following markup represents Entergy's good faith effort to show how the COLA will be revised in a future COLA submittal in response to the subject RAI. However, the same COLA content may be impacted by revisions to the ESBWR DCD, responses to other COLA RAIs, other COLA changes, plant design changes, editorial or typographical corrections, etc. As a result, the final COLA content that appears in a future submittal may be somewhat different than as presented herein.

**ATTACHMENT 3**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-3**

**RAI QUESTION NO. 17.5-3**

**NRC RAI 17.5-3**

Subpart C of 10 CFR Part 52 identifies the general provisions for COLs. More specifically, 10 CFR 52.79 identifies the technical information required to be included in the FSAR. Section 2.5 of the Entergy New Nuclear QAPD states that "10 CFR 50.34(b)(6)(ii)" requires that the FSAR include, among other things, the managerial and administrative controls to be used to assure safe operation, including a discussion of how the applicable requirements of Appendix B [to 10 CFR Part 50] will be satisfied. The NRC staff notes that 10 CFR Part 52 was revised in August 2007. Therefore, the appropriate citation for 10 CFR Part 52 applicants is 10 CFR 52.79(a)(27) and not 10 CFR 50.34(b)(6)(ii). The staff requests that the applicant update Section 2.5 of the Entergy New Nuclear QAPD accordingly.

**Entergy Response**

The citation will be corrected to identify 10 CFR 52.79(a)(27).

**Proposed COLA Revision**

The Entergy New Nuclear Quality Assurance Program Description, Part II, Section 2.5 will be revised to correctly cite 10 CFR 52.79(a)(27) rather than 10 CFR 50.34(b)(6)(ii). This change is shown on the attached draft markup.

### **Markup of Grand Gulf COLA**

The following markup represents Entergy's good faith effort to show how the COLA will be revised in a future COLA submittal in response to the subject RAI. However, the same COLA content may be impacted by revisions to the ESBWR DCD, responses to other COLA RAIs, other COLA changes, plant design changes, editorial or typographical corrections, etc. As a result, the final COLA content that appears in a future submittal may be somewhat different than as presented herein.

**ATTACHMENT 4**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-4**

**RAI QUESTION NO. 17.5-4**

**NRC RAI 17.5-4**

Section U, "Regulatory Commitments," of SRP Section 17.5 indicates that the applicant should commit to the most recent revision of certain Regulatory Guides (RGs) and Generic Letters (GLs). RG 1.37, "Quality Assurance Requirements for Cleaning of Fluid Systems and Associated Components of Water-Cooled Nuclear Power Plants," is included in this list. The staff has noted that the applicant did not include this reference in Section 13.2 of the New Entergy QAPD nor is it listed in Part IV, "Regulatory Commitments," of the New Entergy QAPD as a commitment. The staff requests that the applicant justify this exception.

**Entergy Response**

As stated in FSAR Table 1.9-202, *Conformance With Regulatory Guides*, Grand Gulf Unit 3 commits to comply with the guidance of RG 1.37.

This commitment was not included in the QAPD since it was not included in NEI 06-14A, Revision 4, as approved by the NRC. A revision has been proposed to NEI 06-14A (Reference ADAMS Accession Nos. ML081350555, ML081350562, and ML081350560) that will include RG 1.37. The changes proposed in this RAI response reflect the proposed revision to NEI 06-14A with clarifying information in Section 13.2 that is not included in the currently proposed NEI 06-14A Revision 5, but is appropriate since RG 1.37 clarifies the commitment to NQA-1-1994.

Because RG.1.37 is applicable only to the construction phase (per the guidance of SRP 17.5 Section II.M.8 and II.U.1.c), this clarification will be included in Part IV of the QAPD and FSAR Table 1.9-202 will be updated to reflect the exception.

**Proposed COLA Revision**

The Entergy New Nuclear Quality Assurance Program Description, Section 13.2 and Part IV, will be revised to include the commitment to RG 1.37. Additionally, FSAR Table 1.9-202 will be revised to reflect that RG 1.37 applies only during the construction phase. This change is shown on the attached draft markup. Final conforming changes to the QAPD text will be evaluated following NRC review and approval of NEI 06-14A Revision 5.

#### **Markup of Grand Gulf COLA**

The following markup represents Entergy's good faith effort to show how the COLA will be revised in a future COLA submittal in response to the subject RAI. However, the same COLA content may be impacted by revisions to the ESBWR DCD, responses to other COLA RAIs, other COLA changes, plant design changes, editorial or typographical corrections, etc. As a result, the final COLA content that appears in a future submittal may be somewhat different than as presented herein.

**ATTACHMENT 5**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-5**

**RAI QUESTION NO. 17.5-5**

**NRC RAI 17.5-5**

GGNS COL 17.2-2-A discusses Entergy's responsibilities for the establishment and execution of the quality assurance program during the design, construction and operation phases of Unit 3. It states that Entergy may delegate and has delegated to others the work of establishing and executing the quality assurance program, or any parts thereof, but retains responsibility for the quality assurance program. For example, NuStart Energy Development, LLC, Enercon Services, Inc., and GEH. The staff requests that the applicant clarify how Entergy will meet the requirements in order to retain responsibility when delegating the establishment and execution of the quality assurance program.

**Entergy Response**

Entergy will retain responsibility when delegating the establishment and/or execution of the quality assurance program in the manner specified in the Entergy New Nuclear Quality Assurance Program Description (QAPD). Part II, Section 2, of the QAPD states, "Delegated responsibilities may be performed under a supplier's or principal contractor's QAPD, provided that the supplier or principle contractor has been approved as a supplier in accordance with the Entergy New Nuclear QAPD. Periodic audits and assessments of supplier QA programs are performed to assure compliance with the supplier's or principle contractor's QAPD and implementing procedures. In addition, routine interfaces with project personnel assure that quality expectations are met." Entergy New Nuclear QAPD Part II, Sections 2.2 and 16 also provide details regarding how responsibility is retained when delegating.

Design activities for the Early Site Permit and initial COLA preparation involved delegation: General Electric Hitachi (GEH) and Enercon Services, Inc. (Enercon) performed activities under their respective Quality Assurance Programs. Both vendors were maintained on Entergy's Qualified Supplier's List (QSL); periodic audits and assessments were performed and routine interfaces with project personnel assured that quality expectations were met.

Design activities for further COLA preparation necessary to obtain a combined license continue to be delegated to GEH through an Entergy contract, and to Enercon through NuStart contracts/agreements. Entergy is a member of the NuStart Energy Development consortium whose mission includes development of the Grand Gulf Unit 3 (GGNS3) COLA; therefore, NuStart resources are used for activities supporting the review and approval of the GGNS3 COLA. Entergy retains responsibility for the activities. Entergy will continue to maintain GEH and Enercon on the Entergy QSL; periodic audits and assessments of GEH and Enercon, and routine interfaces will continue. NuStart's activities are limited to those supporting GGNS3 COLA preparation and review.

Design activities by GEH for the ESBWR design certification and ESBWR design completion are the responsibility of GEH. Entergy has not entered into a contract with GEH for those design activities. Therefore, Entergy has no responsibilities to delegate in this area.

Entergy has executed a contract order with GEH for the specification, design, and procurement of the reactor pressure vessel and certain steam turbine generator rotors associated with the deployment of advanced new nuclear power plant technology. The contract delegated quality assurance responsibilities; Entergy has retained overall responsibility in the manner outlined in the Entergy New Nuclear QAPD. The contract is implemented under the Entergy fleet Quality Assurance Program Manual.

Entergy will retain responsibility when delegating the establishment and execution of the quality assurance program in any future design-related contracts in the manner outlined in the Entergy New Nuclear QAPD.

**Proposed COLA Revision**

None

**ATTACHMENT 6**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-6**

**RAI QUESTION NO. 17.5-6**

**NRC RAI 17.5-6**

As discussed at a July 1, 2008, public meeting with NEI and NRC staff, the staff requests that the applicant provide a description of GGNP's plan for incorporating revisions to NEI 06-14A, including:

1. The approval of additional calibration laboratories, including ACLASS Accreditation Services (ACLASS), International Accreditation Service (IAS), and Laboratory Accreditation Bureau (L-A-B).
2. The deletion of NRC Regulatory Information Summary 2002-22, which applies to digital upgrades, from the commercial graded dedication discussion.
3. The clarification of requirements for the Organization Section of the QAPD, including the use of specific organization titles throughout the QAPD.
4. The clarification of what revision of NEI 06-14A was used to develop the Entergy New QAPD and include in the Reference Section 17.5.1 of the FSAR.

**Entergy Response**

NEI Technical Report 06-14A, "Quality Assurance Program Description," provides a template for a quality assurance program description (QAPD) to be applied to activities affecting the quality and performance of safety-related structures, systems, and components. By letter dated April 25, 2007, the NRC provided their Safety Evaluation Report for NEI 06-14. NEI incorporated the Safety Evaluation into the document and reissued it as NEI 06-14A on July 23, 2007. The Entergy New Nuclear QAPD was based on NEI 06-14A, Revision 4. By letter dated May 7, 2008, NEI submitted changes to NEI 06-14A, Revision 5. NRC is currently reviewing the changes.

Entergy will consider revisions to NEI 06-14A for incorporation into the Entergy New Nuclear QAPD when approved by the NRC. FSAR Table 1.6-201 will be updated to reflect the revision of NEI 06-14A after the changes are incorporated in the Entergy New Nuclear QAPD. Revisions to the Entergy New Nuclear QAPD will be processed as described in Part II, Section 2.5, of the Entergy New Nuclear QAPD.

Regarding the specific questions of the RAI:

1. This subject corresponds to RAI #3 in "Request for Additional Information Regarding Nuclear Energy Institute Technical Report 06-14A, 'Quality Assurance Program Description', Revision 5", dated September 17, 2008. Entergy will incorporate NEI 06-14A changes once approved by the NRC.

2. This subject corresponds to RAI #4 in "Request for Additional Information Regarding Nuclear Energy Institute Technical Report 06-14A, 'Quality Assurance Program Description', Revision 5", dated September 17, 2008. Entergy will incorporate NEI 06-14A changes once approved by the NRC.
3. This subject corresponds to RAI #1 and #2 in "Request for Additional Information Regarding Nuclear Energy Institute Technical Report 06-14A, 'Quality Assurance Program Description', Revision 5", dated September 17, 2008. Entergy will incorporate NEI 06-14A changes once approved by the NRC.
4. As stated in FSAR Table 1.6-201, Entergy used NEI 06-14A Rev 4, July 2007, to develop the Entergy New Nuclear QAPD. The FSAR is formatted to identify topical report revision numbers in one consolidated location in the FSAR (see FSAR Table 1.6-201), rather than in individual FSAR sections. Therefore, FSAR 17.5.1 will not be revised.

**Proposed COLA Revision**

Entergy will revise the COLA FSAR (COLA Part 2) and the Entergy New Nuclear QAPD (COLA Part 11) following NRC approval of NEI 06-14A Revision 5.

**ATTACHMENT 7**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-7**

**RAI QUESTION NO. 17.5-7**

**NRC RAI 17.5-7**

Part I, Section 1.1 of the Entergy New Nuclear Quality Assurance Program Description (QAPD) lists the activities affecting quality to which the QAPD applies. Although this list is not all-inclusive, siting is listed as an activity affecting quality to which the QAPD applies. Additionally, the NRC has already issued an Early Site Permit for Grand Gulf, Unit 3 on April 5, 2007. The staff requests that the applicant provide the following:

1. A clarification on how siting activities would be subject to the Entergy New Nuclear QAPD.
2. An update to Part I, Section 1.1 and Part II, Section 2, "Quality Assurance Program," including Section 2.3, of the Entergy New Nuclear QAPD if siting activities are not subject to this QAPD.
3. An explanation of the commitment to NQA-1-1994, Subpart 2.20, "Quality Assurance Requirements for Subsurface Investigation for Nuclear Power Plants," in Section 3.5 of the Entergy New Nuclear QAPD.

**Entergy Response**

The Entergy New Nuclear QAPD will not be retroactive to any activities. Therefore, the term "siting" does not include any activities already performed in support of either the Early Site Permit for either the Grand Gulf site or the Combined License Application for Grand Gulf Unit 3 (GGNS3). The implementation timing for the Entergy New Nuclear QAPD is discussed in the response to RAI 17.5-1 (see Attachment 1).

1. The term "siting" in the QAPD is not exclusively referring to plant site selection, but is generally referring to activities associated with establishing acceptability of the location of structures important to safety. Although the GGNS3 COLA establishes locations of structures (based on data already gathered and analyzed), this does not preclude the possibility of needing more information or needing to find alternate locations. 10 CFR 50.10(a)(2)(ii) identifies pre-construction activities which would be encompassed by "siting." Regulatory Guide (RG) 1.165 Position 1.3 identifies that conditions could be found during pre-construction excavation that could trigger the need for further investigation. Therefore, the inclusion of "siting" in the listing of activities is appropriate for completeness of the QAPD.
2. Future "siting" activities, as discussed above, would be subject to the QAPD. Therefore, no change to the QAPD is proposed.
3. The commitment to NQA-1-1994, Subpart 2.20, is contained in NEI 06-14A, Rev. 4, as approved by the NRC. The commitment is not bracketed; therefore, the presumption is that the commitment must be included or its deletion justified. Sub-surface investigation activities may be necessary during pre-construction and construction phases. As discussed above, RG 1.165 notes that conditions could be found during excavation that could trigger the need for further investigation. Additionally, the NRC has been discussing the need for a backfill ITAAC with COLA applicants. Depending on the final resolution of

this issue, Subpart 2.20 could be applicable to the ITAAC activity. For completeness, the commitment to NQA-1-1994, Subpart 2.20 appears appropriate.

**Proposed COLA Revision**

None

**ATTACHMENT 8**

**G3NO-2008-00004**

**RESPONSE TO NRC RAI LETTER NO. 5**

**RAI QUESTION NO. 17.5-8**

**RAI QUESTION NO. 17.5-8**

**NRC RAI 17.5-8**

The staff requests that the applicant provide clarifications for the following statements:

1. In Part I, Section 1 of the Entergy New Nuclear Quality Assurance Program Description (QAPD), the applicant states that the QAPD is the top-level policy document for ESP/COL/construction/pre-operation and/or operation activities conducted by or for Entergy. Please clarify how, where, and for whom the Entergy New Nuclear QAPD is applicable.
2. In Chapter 17.1 of the GGNS, Unit 3 (GGNS3) FSAR, the applicant states that "NuStart maintains oversight for activities performed under the COLA contract. Entergy exercises oversight through their NuStart participation..." Please clarify NuStart's oversight involvement.

**Entergy Response**

1. Entergy submitted the Entergy New Nuclear QAPD in accordance with 10 CFR 52.79(a)(24) and is requesting NRC approval for the GGNS3 COLA Docket 52-024. Additionally, the QAPD has also been submitted by Entergy for the River Bend Station Unit 3 (RBS3) COL Application (COLA submitted 9/25/2008; Docket # pending NRC Acceptance Review). Therefore, Entergy is requesting NRC approval of the QAPD for two COLAs. The implementation timing for the Entergy New Nuclear QAPD is discussed in the response to RAI 17.5-1 (see Attachment 1).

Separate from the requested NRC actions, Entergy desires to have a QAPD that could be used for other potential new plant activities on other sites. Therefore, the reference to "ESP" is retained even though it is not applicable to GGNS3 or RBS3. If used for activities other than GGNS3 or RBS3 activities, 10 CFR 52.17(a)(1)(xi) and 10 CFR 52.79(a)(24) require the QAPD be submitted for NRC approval as part of those potential applications. However, in accordance with those regulations, NRC approval of the QAPD would be obtained after quality-related activities are completed. Therefore, in order to manage all future new plant activities under one QAPD, Entergy has submitted a complete QAPD, recognizing that future NRC review for other projects is not precluded.

2. NuStart conducts audits and surveillances of General Electric Hitachi (GEH) and Enercon Services, Inc. (Enercon); the NuStart Quality Assurance Lead is responsible for the audits/surveillances. Entergy, as a member of NuStart, participates in those audits and surveillances. NuStart Quality Assurance activities are governed by the NuStart Energy Project Instruction – Quality Assurance Plan, PI-009.

Additionally, Entergy maintains GEH and Enercon on Entergy's Qualified Suppliers List in accordance with the Entergy Quality Assurance Program Manual (QAPM); this oversight is in accordance with the Entergy QAPM. Entergy directly participates in the NuStart COLA development activities by reviewing and approving the application sections, and reviewing supporting documentation (e.g. analyses). The NuStart management positions

directly responsible for the GGNS3 COLA development (Project Manager and Licensing Lead) are filled by Entergy personnel.

NuStart's activities are limited to those supporting approval of the GGNS3 COLA; therefore, NuStart's oversight function is likewise limited and ends prior to construction/operation activities.

**Proposed COLA Revision**

None

**ATTACHMENT 9**

**G3NO-2008-00004**

**REGULATORY COMMITMENTS**

**REGULATORY COMMITMENTS**

The following table identifies those actions committed to by Entergy in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

COMMITMENT	TYPE (Check one)		SCHEDULED COMPLETION DATE (If Required)
	ONE-TIME ACTION	CONTINUING COMPLIANCE	
Entergy will revise FSAR Sections 13.1 and 13.2 and Appendix 13AA and revise Part 11A, QAPD, as indicated in draft markups included in Attachments 2, 3 and 4 of this letter, in Revision 1 of Parts 2 and 11 of the COL application.	✓		Future COLA Submittal