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Arkansas Nuclear One

OCAN011003

January 14, 2010

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

SUBJECT: Request for Exemption from Physical Security Requirements (Redacted)
Arkansas Nuclear One – Units 1 and 2
Docket Nos. 50-313 and 50-368
License Nos. DPR-51 and NPF-6

Dear Sir or Madam:

In accordance with the requirements of 10CFR73.5, Entergy Operations, Inc. (Entergy) requests the NRC approve an exemption from specific requirements of 10CFR Part 73, "Physical Protection of Plants and Materials," for Arkansas Nuclear One (ANO). The requested exemption extends the compliance date for the implementation of certain new security requirements issued by NRC in a final rule dated March 27, 2009 (74FR13926).

Pursuant to the final rule, the new security requirements must be implemented by March 31, 2010. Entergy has evaluated these new requirements and determined that the majority can be implemented by the March 31, 2010, compliance date. However, specific parts of the new requirements require more time to implement since they involve significant upgrades to the security system. These changes involve physical modifications that include []. The attachment to this letter provides additional details regarding the specific provisions of the rule for which an exemption is requested, as well as an environmental assessment.

Entergy requests an extension from the March 31, 2010, implementation date to October 31, 2010, for all but one of the requirements and to August 31, 2011, for full compliance, based on the delayed delivery of [] caused by limited vendor resources and subsequent installation and testing time requirements. Entergy's current security program and the new security requirements being implemented by March 31, 2010, provide continued assurance of public health and safety and common defense and security.

Entergy requests approval of this exemption request by March 15, 2010, in order to avoid being in non-compliance with 10CFR73.55. The proposed exemption is requested to be effective upon issuance.

A security-related version of this letter requesting withholding from public disclosure (OCAN011001) was signed and mailed to the NRC on January 14, 2010.

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There are no new commitments contained in this submittal. If you have any questions or require additional information, please contact David Bice at 479.858.5338.

Sincerely,



KTW/nbm

Attachment: Request for Exemption from Physical Security Requirements

cc: Mr. Elmo Collins
Regional Administrator
U. S. Nuclear Regulatory Commission
Region IV
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125

NRC Senior Resident Inspector
Arkansas Nuclear One
P.O. Box 310
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U. S. Nuclear Regulatory Commission
Attn: Mr. Kaly Kalyanam
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One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Attachment to

OCAN011003

Request for Exemption from Physical Security Requirements

Request for Exemption from Physical Security Requirements

A. Background

The NRC issued a final rule for new security requirements in the Federal Register dated March 27, 2009. Pursuant to 10CFR73.55(a)(1) of the final rule, the new security requirements are required to be implemented by March 31, 2010. Entergy has evaluated these new requirements and determined that most can be implemented by the required date; however, Entergy has determined that implementation of specific requirements requires additional time beyond March 31, 2010.

[] Entergy has approved a plan to []. The study phase has been completed and the design phase for the [] has begun. [] Installation and testing requires several months; therefore, partial implementation [] is expected by October 31, 2010, with full implementation [] expected by August 31, 2011.

B. ANO Security Computer System Upgrade

[] Due to the amount of procurement and installation activities, several of the new requirements contained in 10CFR73.55 require additional time beyond March 31, 2010. These items, as described in Section C below, are expected to be implemented by October 31, 2010, for all but one item, with full implementation by August 31, 2011.

C. Proposed Exemption

Entergy requests an exemption for ANO, from the compliance date only, for the items listed in this section. ANO's current security program and the new requirements being implemented by March 31, 2010, provide continued assurance of public health and safety and common defense and security. Accordingly, the requested exemption is authorized by law and does not endanger life or property or the common defense and security in accordance with 10CFR73.5.

Item 1

Regulation

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Issue

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Item 2

Regulation

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Issue

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Item 3

Regulation

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Issue

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Item 4

Regulation

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Issue

[]

Conclusion

In lieu of full compliance with these provisions of 10CFR73.55, Entergy is maintaining the ANO site protective strategy in accordance with the ANO Security Plan. The ANO site protective strategy has been approved by the NRC staff as providing a high assurance for the protection of the facility and public from the effects of radiological sabotage. Therefore, Entergy's current security program and the other new security requirements being implemented by March 31, 2010, provide continued assurance of public health and safety and common defense and security.

D. Basis for Proposed Exemption

Entergy is requesting a schedule exemption from []. The basis for requesting an exemption of the March 31, 2010, date to October 31, 2010, for all but one of the provisions, and August 31, 2011, for final compliance, is based on installation of [] to address the new Part 73 rule requirements.

[] Entergy is continuing efforts to implement the remaining new Part 73 requirements identified in the March 27, 2009, Federal Register Notice (final rule) and associated Regulatory Guides issued in July 2009, by March 31, 2010.

The following is a more detailed description of the modification activities associated with the [].

[]

The following table provides the project milestone schedule for the [] associated with the exemption requested. These milestones represent a schedule that is driven to comply with the new Part 73 requirements. The milestone schedule has been developed based on currently available information.

Milestone Schedule

[]

E. Environmental Assessment

Entergy is requesting an exemption for ANO in accordance with 10CFR73.5, "Specific Exemptions." The requested exemption is schedule-driven in nature and would defer the compliance date for these specific provisions of 10CFR73.55 from March 31, 2010, to October 31, 2010, for all but one of the provisions, and August 31, 2011, for final compliance. The proposed exemption is needed to allow additional time for the design and installation of security modifications.

ANO's current security program and the new requirements being implemented by March 31, 2010, provide continued assurance of public health and safety and common defense and security.

Deferral of the compliance date for these specific provisions of 10CFR73.55 is a schedule change only and, therefore does not result in any physical changes to structures, systems, components, or land use at ANO. The deferral of the compliance date does not involve:

- any change to the types, characteristics, or quantities of non-radiological effluents discharged to the environment,
- any change to liquid or gaseous radioactive effluents discharged to the environment,
- any change in the type or quantity of solid radioactive waste generated,
- any change in occupational dose under normal or design basis accident conditions,
- any change in the public dose under normal or design basis accident conditions,
- or any land disturbance.

Conclusion

There is no significant radiological environmental impact associated with the proposed schedule exemption. The proposed exemption does not affect non-radiological plant effluents or any historical sites.