



Entergy Operations, Inc.
17265 River Road
Killona, LA 70057
Tel 504 739 6660
Fax 504 739 6678
jkowale@entergy.com

W3F1-2010-0004

Joseph A. Kowalewski
Vice President, Operations
Waterford 3

January 19, 2010

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

SUBJECT: Request for Exemption from Physical Security Requirement (Redacted)
Waterford Steam Electric Station, Unit 3 (Waterford 3)
Docket No. 50-382
License No. NPF-38

Dear Sir or Madam:

Entergy Operations, Inc. (Entergy) herein requests NRC approval for an exemption from one specific requirement of 10CFR Part 73.5 "Physical Protection of Plants and Materials," for Waterford Steam Electric Station, Unit 3 (Waterford 3). Entergy is requesting an extension for Waterford 3 until November 15, 2010 for meeting one specific requirement of the regulation. Waterford 3 will be in conformance with the other requirements of the regulation on March 31, 2010.

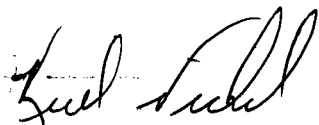
Entergy has evaluated this new requirement and determined that this one requirement can be implemented by November 15, 2010. Conformance with this requirement will involve [].
[]

Entergy's current security program and the new security requirements being implemented, provide continued assurance of public health and safety and common defense and security.

A security-related version of this letter requesting withholding from public disclosure (W3F1-2010-0001) was signed and mailed to the NRC on January 19, 2010.

There are no new commitments contained in this submittal. Please contact Robert J. Murillo at (504) 739-6715 if you have any questions or require additional information. 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.

Sincerely,

 for Joe Kowalewski

JAK/RJM/MEM/tbd

8001A



Attachments: 1. Request for Exemption from a Physical Security Requirement
2. Environmental Assessment

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

Attachment 1

W3F1-2010-0004

Request for Exemption from a Physical Security Requirement

Request for Exemption from a Physical Security Requirement

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 all but one requirement can be implemented by the required date. Entergy has determined that implementation of this specific requirement requires additional time beyond March 31, 2010.

Entergy is requesting an extension from the March 31, 2010 implementation date to November 15, 2010 for establishing conformance with []. This requirement states [].

[]

B. Proposed Exemption

Entergy requests an exemption for Waterford 3, from the compliance date only, for meeting []. Waterford 3's current security program and the new requirements and enhancements being implemented, 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

Regulation

[]

Issue

[]

C. Basis for Proposed Exemption

Entergy is requesting a schedule exemption from March 31, 2010, date to November 15, 2010 for meeting []. The basis for requesting the exemption includes various factors. First, Waterford 3 is currently and actively utilizing its resources []. The Waterford 3 initiative to []. Second, the current Entergy Fleet Security Strategy has added greater defense in depth to the Waterford 3 Security Plan []. Third, []. Finally, Waterford 3 will be in compliance with all of the other requirements of 10CFR73.55 by March 31, 2010, and the Waterford 3 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.

[].

[].

Entergy is maintaining the Waterford 3 site protective strategy in accordance with the Waterford 3 Security Plan. The Waterford 3 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. Conclusion

Entergy is maintaining the Waterford 3 site protective strategy in accordance with the Waterford 3 Security Plan. Waterford 3 has []. [] 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.

Waterford 3 will have [].

Attachment 2

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Environmental Assessment

Environmental Assessment

Entergy is requesting an exemption for Waterford 3 from 10CFR73.55. Entergy requests a schedule exemption for achieving compliance from March 31, 2010, to November 15, 2010. The proposed exemption is required for [].

Waterford 3's current security program and recently implemented security modifications provide continued assurance of public health and safety and common defense and security.

The request for exemption from 10CFR73.55 does not result in any physical changes to structures, systems, components, or land use at Waterford 3. The exemption request 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 to previously undisturbed land.

Conclusion

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