

September 16, 2010

MEMORANDUM TO: Docket File

FROM: Nageswaran Kalyanam, Project Manager /RA/
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: ARKANSAS NUCLEAR ONE, UNITS 1 AND 2 – FINAL NO
SIGNIFICANT HAZARDS CONSIDERATION ANALYSIS AND
ENVIRONMENTAL FINDINGS RELATED TO PROPOSED
EXEMPTION FROM CERTAIN REQUIREMENTS OF 10 CFR
50.36a(a)(2) (TAC NOS. ME3548 AND ME3549)

By letter dated March 18, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100780094), Entergy Operations Inc. (Entergy, the licensee), requested an exemption from paragraph 50.36a(a)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR). Specifically, the requested exemption requests a change to the submittal date of the Radioactive Effluent Release Report to that of the Technical Specification (TS) date of “prior to May 1” of each year.

The U.S. Nuclear Regulatory Commission (NRC) staff has completed its review of the requested exemption and is processing it for issuance. Meanwhile, the NRC staff has evaluated the proposed exemption against the standard set forth in 10 CFR 51.22, and has determined that the requested exemption meets the provisions of categorical exclusion 10 CFR 51.22(c)(25); the NRC staff’s evaluation is set forth below.

No Significant Hazards Consideration (NSHC) Analysis

Since there is no regulatory standard specifically promulgated for NSHC associated with exemptions, the NRC staff used the standard provided by 10 CFR 50.92 for amendments to evaluate the subject exemption. The NRC staff’s review is presented below:

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed exemption is administrative in nature and requests a change to the submittal date of the Radioactive Effluent Release Report to that of the TS date of “prior to May 1” of each year. The change does not affect plant equipment or operating practices and therefore does not significantly increase the probability or consequences of an accident previously evaluated.

The proposed change does not affect any plant structures, systems, and components, and will have no effect on plant operations. The proposed change is administrative and does not affect any existing limits. Accident initial conditions, probability, and assumptions remain as previously analyzed. The proposed change will have no effect on accident initiation frequency and does not invalidate the assumptions used in evaluating the radiological consequences of any accident.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change requests a change to the submittal date of the Radioactive Effluent Release Report. The change does not add new plant equipment, change existing plant equipment, or affect the operating practices of the facility. All systems, structures, and components previously required for the mitigation of a transient remain capable of fulfilling their intended design functions. The proposed change has no adverse effect on any safety-related system or component and does not challenge the performance or integrity of any safety related system.

The proposed change does not involve any change in the design, configuration, or operation of the plant. The current plant design and design bases will remain the same. The current plant safety analyses remain complete and accurate in addressing the design basis events and in analyzing plant response and consequences. The limiting conditions for operations, limiting safety system settings, and safety limits specified in the TSs are not affected by the change. The change does not introduce a new mode of plant operation or new accident precursors, does not involve any physical alterations to plant configurations, or make changes to system setpoints that could initiate a new or different kind of accident.

Therefore, the change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No.

The proposed change requests a change to the submittal date of the Radioactive Effluent Release Report. The change does not introduce any new or different accident initiators. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated. The

proposed changes does not affect plant equipment or operating practices and therefore does not involve a significant reduction in a margin of safety.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, the NRC staff makes a final determination that the requested exemption involves no significant hazards consideration.

Environmental Considerations

This action is categorically excluded under 10 CFR 51.22(c)(25)(vi)(B), and there are no extraordinary circumstances present that would preclude reliance on this exclusion. The NRC staff has made this finding because this action applies to granting of an exemption from the requirements of a regulation of Chapter I of Title 10 of the *Code of Federal Regulations* (i.e., 10 CFR 50.36(a)(2)) and under (vi)(B), the requirements from which this exemption is sought involve reporting requirements. In addition, there would be no significant hazards consideration, no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, no significant increase in individual or cumulative public or occupational radiation exposure, no significant construction impact, no significant increase in the potential for or consequences from radiological accidents, and no significant impacts to biota, water resources, cultural resources, or socioeconomic conditions in the region. Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the exemption.

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This action is categorically excluded under 10 CFR 51.22(c)(25)(vi)(B), and there are no extraordinary circumstances present that would preclude reliance on this exclusion. The NRC staff has made this finding because this action applies to granting of an exemption from the requirements of a regulation of Chapter I of Title 10 of the *Code of Federal Regulations* (i.e., 10 CFR 50.36(a)(2)) and under (vi)(B), the requirements from which this exemption is sought involve reporting requirements. In addition, there would be no significant hazards consideration, no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, no significant increase in individual or cumulative public or occupational radiation exposure, no significant construction impact, no significant increase in the potential for or consequences from radiological accidents, and no significant impacts to biota, water resources, cultural resources, or socioeconomic conditions in the region. Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the exemption.

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