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Waterford 3

W3F1-2015-0073

August 31, 2015

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

SUBJECT: Request for Relaxation from NRC Order EA-12-049, "Order Modifying Licenses With Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events"

Waterford Steam Electric Station, Unit 3 (Waterford 3)
Docket No. 50-382
License No. NPF-38

- References:
1. NRC Order Number EA-12-049, "Order to Modify Licenses With Regard To Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012 (ADAMS Accession No. ML12054A736)
 2. Waterford Steam Electric Station, Unit 3 letter to NRC, "Overall Integrated Plan in Response to March 12, 2012, Commission Order to Modify Licenses With Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated February 28, 2013 (ADAMS Accession No. ML13063A266)
 3. Waterford Steam Electric Station, Unit 3 letter to NRC, "Response to the March 12, 2012, Information Request Pursuant To 10 CFR 50.54(f) Regarding Recommendation 9.3 For Completing Emergency Communication Assessments," dated October 31, 2012 (ADAMS Accession No. ML12306A194)

Dear Sir or Madam:

This letter transmits a request for schedule relaxation of the requirements contained in Nuclear Regulatory Commission ("NRC" or "Commission") Order EA-12-049. On March 12, 2012, the NRC issued an Order to Entergy Corporation (Reference 1) which was immediately effective and directs Waterford 3 to develop, implement, and maintain guidance and strategies to maintain or restore core cooling, containment, and spent fuel pool cooling

capabilities in the event of a beyond-design-basis external event. Reference 2 provides the Mitigating Strategies Overall Integrated Plan for Waterford 3.

The purpose of this letter is to request schedule relaxation from NRC Order EA-12-049 for Waterford 3 until May 31, 2016 which is past the restart from Refuel Outage 20 (Fall 2015). The extension is primarily necessary to allow completion of the construction and installation of equipment within one of the FLEX-dedicated structures. Additional time is required to complete these activities for the FLEX Diesel Generator Enclosure which has been delayed due to unforeseen issues such as weather, design changes and difficulties with physical interface between the current Category 1 building and the new structure. The inability to complete the structure impacts the installation and testing of the required components for the primary FLEX diesel generator and supporting equipment. Attachment 1 provides more detail concerning the reasons and justification for this extension request.

The additional risk to the plant and public of this extension is minimized considering the time period requested falls outside the hurricane season which is when environmental conditions are most favorable for Beyond-Design-Basis External Events.

Section IV of NRC Order EA-12-049 (Reference 1) states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax those requirements.

In accordance with Section IV of NRC Order EA-12-049, Waterford 3 is requesting that the Director, Office of Nuclear Reactor Regulation, relax the requirement for completion of full implementation as prescribed in Section IV.A.2 of NRC Order EA-12-049 as described in the attachment to this letter.

Waterford 3 considers that, upon approval by the NRC, the alternative implementation dates regarding NRC Order EA-12-049 proposed in the attachment will constitute a condition of the NRC Order EA-12-049 for Waterford 3. Therefore, there are no new regulatory commitments contained in this letter. However, to be consistent with the overall Fukushima project implementation, upon NRC approval of this extension request, the due date for the commitment related to Emergency Plan Communication enhancements provided in Reference 3 will be revised to May 31, 2016. Attachment 2 contains the proposed revision to the existing commitment date.

Should you have any questions concerning the content of this letter, please contact John Jarrell, Regulatory Assurance Manager, at (504) 739-6685.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 31, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "MRC/AJH". The signature is fluid and cursive, with a small dot at the end.

MRC/AJH

- Attachments: 1. Request for Relaxation of NRC Order EA-12-049 Requirement IV.A.2 for Waterford 3 Steam Electric Station
2. List of Regulatory Commitments

cc: Attn: Director, Office of Nuclear Reactor Regulation
U. S. NRC
RidsNrrMailCenter@nrc.gov

Mr. Mark L. Dapas, Regional Administrator
U. S. NRC, Region IV
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NRC Project Manager for Waterford 3
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Attachment 1

W3F1-2015-0073

**Request for Relaxation of NRC Order EA-12-049 Requirement IV.A.2 for
Waterford 3 Steam Electric Station**

Request for Relaxation of NRC Order EA-12-049 Requirement IV.A.2 for Waterford 3 Steam Electric Station

Relaxation Request

Pursuant to the procedure specified in Section IV of Nuclear Regulatory Commission (NRC) Order EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events" (Reference 1), Waterford 3 hereby submits a request for schedule relaxation from the Order requirements for completion of implementation until May 31, 2016. Also, to be consistent with the overall Fukushima project implementation, upon NRC approval of this extension request, the due date for the commitment related to Emergency Plan Communication enhancements provided in Reference 3 will be revised to May 31, 2016.

Order Requirement from Which Relaxation is Requested

NRC Order EA-12-049, Section IV.A.2 requires completion of full implementation of the Order requirements to be no later than two (2) refueling cycles after submittal of the overall integrated plan, as required by Condition C.1.a or December 31, 2016, whichever comes first. In accordance with the requirements of the Order, Waterford 3 submitted the Mitigation Strategies Overall Integrated Plan (OIP) on February 28, 2013 (Reference 2).

Waterford 3 Mitigation Strategies Overall Integrated Plan milestone schedule identified the completion date for full implementation of NRC Order EA-12-049 as Fall of 2015 in order to satisfy the requirements of NRC Order EA-12-049.

[AJH1]

Justification for Relaxation Request

Waterford 3's work in developing, implementing, and maintaining guidance and strategies to maintain or restore core cooling, containment cooling, and spent fuel pool cooling considered the NRC-endorsed guidance in Nuclear Energy Institute (NEI) 12-06. Waterford 3 is considered one of the few "flooded sites" with respect to vulnerabilities to Beyond-Design-Basis External Events (BDBEE). Due to the site configuration and to improve the site's response strategy, the strategy calls for a fully protected, pre-staged FLEX diesel generator. To implement this strategy a new structure was required to be designed and constructed inside the protected area and located on top of the RAB. This structure has been designed for seismic, wind, tornado and tornado missiles, and flooding conditions. The building will store a FLEX diesel generator and other equipment needed to support the FLEX mitigation strategies. The equipment will be stored in a manner to prevent seismic interaction.

The design and installation of the new structure was scheduled to be completed in time to allow placement of the equipment and functionality verification prior to start up from RF20 Fall 2015. Due to Waterford 3's unique response strategy requiring a robust structure located on top of an existing Category 1 building design and installation challenges are causing significant delays.

Besides inclement weather, there were unforeseen construction delays due to rebar interferences with the existing RAB structure, concrete placement logistical factors, plant conditions and safety-related System, Structure and Components (SSC) concerns. Additionally, evolving state of knowledge to develop a successful mitigation strategy has led to emerged engineering and construction scope.

Based on the negative impact on the construction progress of the FLEX Diesel Generator Enclosure and the possibility of further delays, Waterford 3 is requesting that the Director, Office of Nuclear Reactor Regulation, relax the requirement for the schedule of compliance implementation for Waterford 3 as prescribed in Section IV.A.2 of the Order. Presently, the FLEX Order compliance date is prior to restart from RF20 (Fall 2015) refueling outage. Waterford 3 requests a relaxation of the FLEX compliance date to no later than May 31, 2016.

The requested relaxation to May 31, 2016 has been determined to be adequate to recover from the delays. This will allow the station to safely finish construction activities in support of implementation of the FLEX mitigation strategies for Waterford 3. Waterford 3 is confident that the FLEX Diesel Generator Enclosure and additional emerged field work will be completed and become operational within the extension period.

Waterford 3 is focusing on completing the FLEX scope of work during RF 20 (Fall 2015) that due to risk and nuclear safety concerns requires a plant outage. This is necessary to preserve the requested extension date of May 31, 2016 without requiring an additional plant outage.

The mitigation strategy requirements imposed by NRC Order EA-12-049 provide additional defense-in-depth measures for mitigating consequences of a beyond-design basis external event. A sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States based on current regulatory requirements and existing plant capabilities. The most probable time for Waterford 3 to experience a BDBEE is associated with the flooding and tornado activity due to a large hurricane, which is not likely to occur in the December to May extension timeframe. Therefore, allowing additional time to implement NRC Order EA-12-049 is not a significant increase in plant risk when compared to the original due date. Therefore, the requested relaxation does not reduce nuclear safety or safe plant operations.

Additionally, the requested extension date falls within the existing bounding date of December 31, 2016 contained in NRC Order EA-12-049.

Conclusion

As described above, compliance with the NRG Order EA-12-049 schedule required for completion of implementation of mitigation strategies and equipment would result in significant hardship and unusual difficulty without a compensating increase in the level of safety. An addition to the time limit until May 31, 2016 is required in order to allow completion of construction of the FLEX Robust Structure. Therefore, in accordance with the provisions of Section IV of the Order, we request relaxation of the requirement described in Section IV.A.2.

References

1. NRC Order Number EA-12-049, "Order to Modify Licenses With Regard To Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012 (ADAMS Accession No. ML12054A736).
2. Waterford Steam Electric Station, Unit 3 letter to NRC, "Overall Integrated Plan in Response to March 12, 2012, Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051)," dated February 28, 2013 (ADAMS Accession No. ML13063A263).
3. Waterford Steam Electric Station, Unit 3 letter to NRC, "Response to the March 12, 2012, Information Request Pursuant To 10 CFR 50.54(f) Regarding Recommendation 9.3 For Completing Emergency Communication Assessments," dated October 31, 2012 (ADAMS Accession No. Accession No. ML12306A194).

Attachment 2

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List of Regulatory Commitments

List of 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	
Enhancements identified within the assessment (Attachment 1 of W3F1-2012-0090) will be further developed as implementation progresses. Alternate approaches will be utilized if prudent (e.g., alternate/new technology, improved capability, cost savings, etc.). These enhancement commitments are subject to change as a result of Diverse and Flexible Coping Strategies (FLEX) developments, advances in technology, and progress in the manner of addressing the need for these enhancements.	x		Proposed Revision upon approval of Extension Request W3F1-2015-0073 May 31, 2016