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SUNSI Review Complete  
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September 6, 2018

Ms. May Ma  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Mail Stop: TWFN-7-A60M

COMMENT (2)  
PUBLICATION DATE: 8/07/2018  
CITATION 83 FR 38731

**Subject: Entergy Comments on Draft Interim Staff Guidance (ISG) Digital Instrumentation and Controls (DI&C)-ISG-06, "Licensing Process" (Docket ID NRC-2018-0056)**

Dear Ms. Ma:

On August 7, 2018, the U.S. Nuclear Regulatory Commission (NRC) published and solicited comments on draft Interim Staff Guidance (ISG) Digital Instrumentation and Controls (DI&C)-ISG-06, "Licensing Process" (i.e., 83 FR 38731). Entergy Nuclear Operations, Inc. and Entergy Operations, Inc. (Entergy) appreciate the opportunity to comment on this draft ISG.

Entergy also appreciates the NRC's collaboration with the industry to develop this document. The draft ISG represents a commendable first step in clarifying a licensing process (i.e., the development and NRC review of DI&C license amendment requests) that has historically been cumbersome for licensees to use, as well as for the NRC to implement. Correspondingly, this has resulted in unnecessary submittal development activities, NRC review time and associated fees, relative to the safety benefits derived.

With respect to the content of draft DI&C ISG-06, the NRC has included additional guidance concerning the use of license conditions in place of a licensee's regulatory commitments. Specifically, in Section C.2, "Alternate Review Process Overview" of the draft ISG, the NRC includes the following text:

*"The staff should evaluate key licensee regulatory commitments (see Section C.2.2) related to the design, implementation, and testing activities as potential license conditions. Such potential license conditions should: (1) address issues of high safety or regulatory significance, (2) be worded such that the meaning is clear and not open to different interpretations, and (3) explicitly define the conditions for satisfaction of the condition. Such license conditions should (1) not be open ended, (2) not address voluntary requests, or (3) require NRC action to complete. If the NRC staff determines that a regulatory commitment should be a license condition, the staff should request the appropriate license changes as part of the docketed submittal."*

The use of license conditions in place of regulatory commitments is also addressed in Sections C.3.2.1.2, "Continued Review (Phase 2)," and D.5.2, "Evaluation."

Entergy believes that the inclusion of this discussion in the draft ISG is overly prescriptive, relative to existing NRC processes. The most current versions of NRR Office Instruction LIC-101, "License Amendment Review Procedures" and LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC" establish the appropriate process and protocol for determining whether a licensee's planned action should be a regulatory commitment or a license condition. The inclusion of additional and more specific guidance in the draft ISG, as opposed to referencing existing NRC processes, adds additional complexity to the overall process defined in the draft ISG, without any additional safety benefit. Therefore, Entergy recommends deleting the existing ISG text concerning identification of potential license conditions.

If you have any questions or require additional information, please contact me at (601) 368-5516.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Ford". The signature is fluid and cursive, with a large initial "B" and a distinct "Ford" at the end.

BSF/jls