

July 12, 1996

MEMORANDUM FOR: Docket File

FROM: Jack Donohew, Senior Project Manager Orig. signed by  
Project Directorate IV-1  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

SUBJECT: REQUEST BY LICENSEE FOR RIVER BEND STATION FOR ENFORCEMENT  
DISCRETION CONCERNING MISSED SURVEILLANCE FOR DIVISION I  
BATTERIES (TAC NO. M96066)

Attachment 1 is 15 pages which were telecopied by Entergy Operations, Inc. (the licensee) to the Nuclear Regulatory Commission (NRC) on July 11, 1996. The pages were to be an attachment to a letter requesting enforcement discretion. The attachment addressed the 12 questions in Section E, "Request for Enforcement Discretion," of NRC Administrative Letter 95-05, "Revisions to Staff Guidance for Implementing NRC Policy on Notices of Enforcement Discretion," dated November 7, 1995. The attachment includes the following: description of condition which warranted the enforcement discretion, the circumstances surrounding the situation, and the safety basis for the request.

The NRC staff held a phone conference with the licensee on the afternoon of July 11, 1996. The information in the attachment was discussed and the staff decided, and stated in the conference call, that there was not a basis for considering enforcement discretion on the licensee's condition. The condition could have been avoided and the technical justification, or safety basis, for the licensee's request was not acceptable. The staff concluded that the licensee's had not justified where in fact the Division I batteries were in their degradation at this time in their life and Surveillance Requirement 3.8.4.8 needed to be conducted to determine this degradation.

Because the licensee did not submit a letter following the phone conference call, this memo documents that the attached information had been submitted to and reviewed by NRC. This information and the phone conference call is the basis for the TAC number taken out by the staff.

Attachment 2 is the list of individuals on the phone conference call.

Docket No. 50-458

Attachments: As stated

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

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