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*64FR 40394
July 26, 1999*

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RULES & DIR. BRANCH
US NRC

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Director
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December 20, 1999

Mr. David L. Meyer
Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
Mail Stop: T-6 D59
U. S. Nuclear Regulatory Commission
Washington, DC-20555-0001

SUBJECT: Public Comments on the Pilot Program for the Revised Reactor Oversight Program

References: Federal Register Volume 64, Page 60224, dated November 4, 1999

CNRO-99/00028

Dear Sirs:

Entergy Operations, Inc. (Entergy or EOI) is pleased to provide its comments on the above captioned matter. Entergy has worked with the Nuclear Energy Institute (NEI) to develop industry comments. Entergy supports NEI's comments on this same subject. Additionally, all EOI sites participated in the independent Region IV Shadow Plant Program, an ad hoc effort to provide the opportunity to prepare for the upcoming changes in NRC Reactor Oversight Program. The members participating in the SPP simulated (i.e., "shadowed") participation in the NRC Pilot Plant Program to: (1) keep current on the important lessons learned from the ongoing NRC pilot plant program; (2) develop the required infrastructure for supporting the program prior to the April 1, 2000 implementation date; and (3) gain experience to enable individual licensees to provide constructive comments on the new regulatory approach. On November 19, 1999, several Entergy and other SPP members met to develop detailed comments relating to the RROP. These detailed comments are provided under the SPP auspices. We endorse but have not duplicated those detailed comments herein.

Entergy would like to emphasize a few key points from our involvement as the revised reactor oversight process has developed:

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FOR I+E MISC

- The PI information is considered too important to hasten data collection to meet an apparently arbitrary and aggressive fourteen (14) day reporting requirement. Rather, consistent with other NRC practices, Entergy supports the SPP suggestion that a longer period would be a more prudent requirement and would reduce "time pressure induced" human errors in reporting the PI data. At recent NRC public meetings, all stakeholders (NEI, NRC, public) have concurred on the importance of the PI data accuracy. NEI discussions with the NRC are ongoing at the public meetings.
- As of the date on this letter, some SDPs are changing (i.e., a "final" SDP in the area of Security has not been available for review). Because several SDPs have been in an evolving state, it is difficult to provide a quantitative review and substantive public comment. However, the Security SDP (as of November 15) is noteworthy because (as NEI noted in public NRC meetings) it contains undefined terms and is vague and too generalized. The alternative Security SDP being provided by NEI (at a public NRC meeting) is clearer, more precise, and will result in less individual interpretation. Entergy supports its adoption.
- The thresholds for performance indicators and SDP results need to be reviewed and made consistent across the cornerstones. For the Action Matrix to work as envisioned, a White, Yellow or Red input needs to have the same meaning in terms of safety significance for all cornerstones. Currently, some of the possible outcomes in the Emergency Preparedness and Security cornerstones are not consistent with the outcomes in the Reactor Safety and Radiation Protection cornerstones.
- The NRC/NEI's Frequently Asked Questions (FAQs) are the most significant and important aspect (from an implementation perspective) of the Oversight process elements. The FAQs provide a mechanism to advise licensees of NRC clarifications and enhancements to the PI definitions and program implementation. The continued use of FAQs (for at least three years, if not permanently) should be institutionalized. Enforcement is not the appropriate regulatory tool for resolving differing professional opinions on PIs between the NRC and licensees. Resolution through the FAQ process provides consistency, and ensures open public communications.

Comments on 64FR60224
December 20, 1999
CNRO-99/00028
Page 3 of 4

If you have any questions regarding these comments, please contact Les England at (601)-368-5766.

Very truly yours,



MAK/LAE/baa

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