August 30, 2004

Mr. Theodore Sullivan
Site Vice President
Entergy Nuclear Northeast
James A. FitzPatrick Nuclear Power Plant
Post Office Box 110
Lycoming, NY 13093

SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN -
JAMES A. FITZPATRICK NUCLEAR POWER PLANT

Dear Mr. Sullivan:

On August 3, 2004, the NRC staff completed its mid-cycle plant performance assessment of the James A. FitzPatrick Nuclear Power Plant. The mid-cycle review for FitzPatrick involved the participation of all technical divisions in evaluating performance for the first half of the calendar year 2004 assessment cycle. The process included a review of performance indicators (PIs) for the most recent quarter and inspection results over the previous twelve months. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility so that you will have an opportunity to prepare for these inspections and to inform us of any planned inspections that may conflict with your plant activities. This performance review and enclosed inspection plan do not include physical protection information. A separate letter designated and marked as "Proprietary Information in accordance with 10 CFR 2.390(d)(1)" will include the physical protection review and resultant inspection plan.

Plant performance for the most recent quarter was within the Licensee Response Column of the NRC’s Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct only reactor oversight process (ROP) baseline inspections at your facility through March 31, 2006.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through March 31, 2006. The inspection plan is provided to minimize the resource impact on your staff and to allow for scheduling conflicts and personnel availability to be resolved in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last twelve months of the inspection plan are tentative and may be revised at the end-of-cycle review meeting.

In accordance with 10 CFR 2.390 of the NRC’s “Rules of Practice,” a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room).
Mr. Theodore Sullivan

If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at (610) 337-5171 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Eugene Cobey, Chief
Reactor Projects Branch 3
Division of Reactor Projects, Region 1

Docket No. 50-333
License No. DPR-59

Enclosure: FitzPatrick Nuclear Power Plant Inspection/Activity Plan
Mr. Theodore Sullivan

cc w/encl: 
G. Taylor, CEO, Entergy Operations 
M. Kansler, President, Entergy 
K. Mulligan, General Manager, Plant Operations 
D. Pace, VP Engineering 
B. O’Grady, VP Operations Support 
M. Colomb, Director of Oversight 
W. Maguire, Director, Nuclear Safety Assurance 
A. Halliday, Manager, Regulatory Compliance 
J. Fulton, Assistant General Counsel 
Supervisor, Town of Scriba 
S. Lyman, Oswego County Administrator 
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law 
P. Eddy, Electric Division, Department of Public Service, State of New York 
P. Smith, President, New York State Energy Research and Development Authority 
J. Spath, SLO Designee, New York State Energy Research and Development Authority 
S. Lousteau, Treasury Department 
T. Judson, Central New York Citizens Awareness Network
Mr. Theodore Sullivan

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