

March 1, 2002

Mr. Theodore Sullivan
Vice President - Operations
Entergy Nuclear Northeast
James A. FitzPatrick Nuclear Power Plant
Post Office Box 41
Lycoming, NY 13093

SUBJECT: ANNUAL ASSESSMENT LETTER - FITZPATRICK NUCLEAR PLANT (REPORT NO. 50-333/02-001)

Dear Mr. Sullivan:

On January 30, 2002, the NRC staff completed its end-of-cycle plant performance assessment of the FitzPatrick Nuclear Plant. The end-of-cycle review for FitzPatrick involved the participation of the responsible technical divisions in Region I in evaluating the performance indicators (PIs) and inspection results for the period of April 1 through December 31, 2001. 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 which may conflict with your plant activities.

As discussed in our previous annual assessment letter dated May 31, 2001, this inspection and assessment cycle consisted of three quarters (i.e., the second, third and fourth calendar quarters of calendar year 2001) instead of the usual four quarters. This change was implemented in order to align the inspection and assessment cycle with the calendar year beginning on January 1, 2002.

Overall, FitzPatrick operated in a manner that preserved public health and safety and fully met all cornerstone objectives. 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 baseline inspections at your facility through March 31, 2003. However, due to the ongoing construction and future operation of your independent spent fuel storage installation (ISFSI), we will also conduct inspections of the completion and start-up of this facility.

While plant performance for the most recent quarter is within the Licensee Response Column of the Action Matrix, in the second calendar quarter of 2001 performance was in the Regulatory Response Column. Specifically, the PI on unplanned power changes was White during that period. A reduction in unplanned power changes since the third quarter of 2000 resulted in this PI returning to Green in the third quarter 2001. Also, a 95001 supplemental inspection of the unplanned power changes (Inspection Report 50-333/01-002 dated February 23, 2001) identified that the Entergy staff had adequately identified the broad causes and appropriate corrective actions for the equipment conditions that prompted these power changes.

In our assessment letter dated May 31, 2001, NRC had noted a substantive cross-cutting issue in the area of corrective action. However, based upon routine resident inspections and the findings of the problem identification and resolution (PI&R) and safety system design inspections (SSDI) in the latter half of this assessment period, we noted improved performance in these areas and therefore have discontinued this designation.

The enclosed inspection plan details the inspections scheduled through March 31, 2003. 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 schedule for the last six months of the inspection plan is tentative and may be revised at the Mid-Cycle Review meeting.

Immediately following the terrorist attacks on the World Trade Center and the Pentagon, the NRC issued safeguards advisories recommending that nuclear power plant licensees go to the highest level of security, and all promptly did so. With continued uncertainty about the possibility of additional terrorist activities, the Nation's nuclear power plants, including FitzPatrick, remain at a high level of security. On February 25, 2002, the NRC issued an Order to all nuclear power plant licensees, requiring them to take certain additional interim compensatory measures to address the generalized high-level threat environment. These additional compensatory requirements will provide the NRC with reasonable assurance that public health and safety and the common defense and security continue to be adequately protected in the current generalized high-level threat environment. These requirements will remain in effect pending notification from the Commission that a significant change in the threat environment occurs, or until the Commission determines that other changes are needed following a more comprehensive re-evaluation of current safeguards and security programs. To date, we have monitored your staff's actions in response to the terrorist attacks through a series of audits. With the issuance of the Order, we will evaluate FitzPatrick's compliance with these interim requirements.

In accordance with 10 CFR 2.790 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/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

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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 Glenn W. Meyer, Chief, Projects Branch 3, at (610) 337-5211 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

A. Randolph Blough, Director
Division of Reactor Projects

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

Enclosure: James A. FitzPatrick Nuclear Power Plant Inspection/Activity Plan

cc w/encl: J. Yelverton, CEO, Entergy Operations
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FitzPatrick
Inspection / Activity Plan
12/30/2001 - 03/31/2003

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates		Inspection Type
				Start	End	
	7111105T	- FIRE PROTECTION	3			
1	IP 7111105T	Fire Protection		04/08/2002	04/12/2002	Baseline Inspections
1	IP 7111105T	Fire Protection		04/22/2002	04/26/2002	Baseline Inspections
	71130	- SECURITY	1			
1	IP 7113001	Access Authorization Program (Behavior Observation Only)		01/28/2002	02/01/2002	Baseline Inspections
1	IP 7113002	Access Control (Search of Personnel, Packages, and Vehicles: Identification and Authorizator		01/28/2002	02/01/2002	Baseline Inspections
	7111111B	- L.O.REQUAL INSPECTION	2			
1	IP 7111111B	Licensed Operator Requalification		01/28/2002	02/01/2002	Baseline Inspections
	60855	- ISFSI	2			
1	IP 60855	Operation Of An ISFSI		04/15/2002	04/19/2002	Other Routine
	7112103	- OCC RAD SAFETY - INSTRUMENTATION	1			
1	IP 7112103	Radiation Monitoring Instrumentation		06/24/2002	06/28/2002	Baseline Inspections
	71114	- EP PROGRAM REVIEW & EP PI VERIFICATION	1			
1	IP 7111402	Alert and Notification System Testing		07/29/2002	08/02/2002	Baseline Inspections
1	IP 7111403	Emergency Response Organization Augmentation Testing		07/29/2002	08/02/2002	Baseline Inspections
1	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/29/2002	08/02/2002	Baseline Inspections
1	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/29/2002	08/02/2002	Baseline Inspections
1	IP 711151	Performance Indicator Verification		07/29/2002	08/02/2002	Baseline Inspections
	71152B	- PROBLEM IDENTIFICATION AND RESOLUTION	4			
1	IP 71152B	Identification and Resolution of Problems		08/12/2002	08/16/2002	Baseline Inspections
1	IP 71152B	Identification and Resolution of Problems		08/26/2002	08/30/2002	Baseline Inspections
	7112101	- OCC RAD SAFETY - ACCESS	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		08/26/2002	08/30/2002	Baseline Inspections
	7112102	- OCC RAD SAFETY - ALARA	1			
1	IP 7112102	ALARA Planning and Controls		10/21/2002	10/25/2002	Baseline Inspections
1	IP 71151	Performance Indicator Verification		10/21/2002	10/25/2002	Baseline Inspections
	7111108	- INSERVICE INSPECTION	1			
1	IP 7111108	Inservice Inspection Activities		10/21/2002	10/25/2002	Baseline Inspections
	7111117B	- MODS	3			
1	IP 7111102	Evaluation of Changes, Tests, or Experiments		11/18/2002	11/22/2002	Baseline Inspections
1	IP 7111117B	Permanent Plant Modifications		11/18/2002	11/22/2002	Baseline Inspections
	71130	- SECURITY	1			
1	IP 7113001	Access Authorization Program (Behavior Observation Only)		01/06/2003	01/10/2003	Baseline Inspections
1	IP 7113002	Access Control (Search of Personnel, Packages, and Vehicles: Identification and Authorizator		01/06/2003	01/10/2003	Baseline Inspections

This report does not include INPO and OUTAGE activities.
This report shows only on-site and announced inspection procedures.

FitzPatrick
Inspection / Activity Plan
12/30/2001 - 03/31/2003

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates		Inspection Type
				Start	End	
	7112201	- PUB RAD SAFETY - RETS	1			
1	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		03/17/2003	03/21/2003	Baseline Inspections
	7112102	- OCC RAD SAFETY - ALARA	1			
1	IP 7112102	ALARA Planning and Controls		03/24/2003	03/28/2003	Baseline Inspections

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