

OFFICIAL USE ONLY - SECURITY RELATED INFORMATION

October 12, 2006

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE IN CONJUNCTION WITH THE COMMISSION ORDER EA-06-037 REGARDING REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MD2227)

Dear Mr. Kansler:

By letters to the Nuclear Regulatory Commission (NRC) dated May 17, 2006, Entergy Nuclear Operations, Inc., (Entergy), submitted its revised plans and confirmed the full implementation at James A. FitzPatrick Nuclear Power Plant (JAFNPP) of Order EA-06-037 regarding an updated adversary characteristic. In addition to the changes required under the Order, Entergy reported other security plan changes made in accordance with the provisions of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.54(p)(2) in its letter.

The NRC staff has completed its review of the changes related to implementation of Order EA-06-037 along with the changes reported under 10 CFR 50.54(p)(2). As discussed in the enclosed safeguards evaluation (Enclosure 2), the NRC staff has determined that Entergy's changes to the security plans meet the requirements of the NRC Order and 10 CFR Part 73 requirements and are, therefore, acceptable. In addition, the NRC staff determined that Entergy properly concluded that the other changes to its security plans, as described in its letter, did not result in a decrease in safeguards effectiveness. The effectiveness of these security provisions will continue to be the subject of NRC review and inspection.

Consistent with the Order, a conforming administrative change to the Facility Operating License is required to ensure implementation of the Updated DBT Order EA-06-037 requirements.

NOTICE: Enclosure 2 contains Security-Related Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.

OFFICIAL USE ONLY - SECURITY RELATED INFORMATION

OFFICIAL USE ONLY - SECURITY RELATED INFORMATION

M. Kansler

- 2 -

Therefore, an administrative license change to Facility Operating License No. DPR-59 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I. Please replace Page 4 of the JAFNPP Facility Operating License with the enclosed page (Enclosure 1). Enclosure 2 to this letter is designated exempt from public disclosure under 10 CFR 2.390(d)(1).

Please contact me at (301) 415-2901 if you have any questions on this issue.

Sincerely,

/RA/

John P. Boska, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosures:

1. Revised Page 4 of License
2. Safeguards Evaluation

cc w/encl 1 only: See next page

OFFICIAL USE ONLY - SECURITY RELATED INFORMATION

OFFICIAL USE ONLY - SECURITY RELATED INFORMATION

M. Kansler

- 2 -

Therefore, an administrative license change to Facility Operating License No. DPR-59 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I. Please replace Page 4 of the JAFNPP Facility Operating License with the enclosed page (Enclosure 1). Enclosure 2 to this letter is designated exempt from public disclosure under 10 CFR 2.390(d)(1).

Please contact me at (301) 415-2901 if you have any questions on this issue.

Sincerely,

/RA/

John P. Boska, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosures:

- 1. Revised Page 4 of License
- 2. Safeguards Evaluation

cc w/encl 1 only: See next page

DISTRIBUTION:

PUBLIC	RidsNrrDorlLp1-1	RidsNrrPMJBoska	RidsOGCMailCenter
LPL1-1 Reading File	RidsNrrLASLittle	RidsAcrsAcnwMailCenter	
RidsNrrDorlLp1-1	ECobey, RI	RidsNrrPMPMilano	PSLee, NSIR
GHill, OIS	SMorris, NSIR	RBarnes, NSIR	

ADAMS Accession No. - Letter and Enclosure 1: ML062620139

ADAMS Accession No. - Enclosure 2: ML062620164

OFFICE	LPL1-1/PM	LPL1-1/LA	NSIR/RSB	NSIR/RSB/BC	OGC	LPL1-1/BC
NAME	JBoska	SLittle	PLee	SMorris	JLongo	RLaufer
DATE	9/19/06	9/21/06	9/25/06	9/28/06	10/10/06	10/12/06

OFFICIAL RECORD COPY

FitzPatrick Nuclear Power Plant

cc:

Mr. Gary J. Taylor
Chief Executive Officer
Entergy Operations, Inc.
1340 Echelon Parkway
Jackson, MS 39213

Mr. John T. Herron
Sr. VP and Chief Operating Officer
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Peter T. Dietrich
Site Vice President
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. Kevin J. Mulligan
General Manager, Plant Operations
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. Oscar Limpias
Vice President Engineering
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Christopher Schwarz
Vice President, Operations Support
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. John F. McCann
Director, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Ms. Charlene D. Faison
Manager, Licensing
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael J. Colomb
Director of Oversight
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Mr. David Wallace
Director, Nuclear Safety Assurance
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Mr. James Costedio
Manager, Regulatory Compliance
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
P.O. Box 110
Lycoming, NY 13093

Assistant General Counsel
Entergy Nuclear Operations, Inc.
440 Hamilton Avenue
White Plains, NY 10601

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Resident Inspector's Office
James A. FitzPatrick Nuclear Power Plant
U. S. Nuclear Regulatory Commission
P.O. Box 136
Lycoming, NY 13093

FitzPatrick Nuclear Power Plant

cc:

Mr. Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Mr. Garrett D. Edwards
814 Waverly Road
Kennett Square, PA 19348

Mr. Peter R. Smith, President
New York State Energy, Research,
and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

Mr. Paul Eddy
New York State Dept. of Public Service
3 Empire State Plaza
Albany, NY 12223-1350

Oswego County Administrator
Mr. Steven Lyman
46 East Bridge Street
Oswego, NY 13126

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, NY 13126

Mr. James H. Sniezek
BWR SRC Consultant
5486 Nithsdale Drive
Salisbury, MD 21801-2490

Mr. Michael D. Lyster
BWR SRC Consultant
5931 Barclay Lane
Naples, FL 34110-7306

(4) Systems Integrity
Deleted by Amendment No. 274

(5) Iodine Monitoring
Deleted by Amendment No. 274

(6) New or Revised ITS Surveillance Requirements Applicability:

The schedule for performing Surveillance Requirements (SRs) that are new or revised in Amendment No. 274 shall be as follows:

- (a) For SRs that are new in this amendment, the first performance is due at the end of the first surveillance interval that begins on the date of implementation of this amendment.
- (b) For SRs that existed prior to this amendment whose intervals of performance are being reduced, the first reduced surveillance interval begins upon completion of the first surveillance performed after implementation of this amendment.
- (c) For SRs that existed prior to this amendment whose intervals of performance are being extended, the first extended surveillance interval begins upon completion of the last surveillance performed prior to implementation of this amendment.
- (d) For SRs that existed prior to this amendment that have modified acceptance criteria, the first performance is due at the end of the first surveillance interval that began on the date the surveillance was last performed prior to the implementation of this amendment.

D. Physical Protection

ENO shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans¹, which contain Safeguards Information protected under 10 CFR 73.21, is entitled: "James A. FitzPatrick Nuclear Power Plant Physical Security, Training & Qualification and Safeguards Contingency Plan, Revision 0," submitted by letter dated October 26, 2004, as supplemented by letter dated May 17, 2006.

¹ The Training and Qualification Plan and Safeguards Contingency Plan are Appendices to the Security Plan.

Revised by letter dated October 12, 2006

Enclosure 1