



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

September 2, 2008

Mr. Peter T. Dietrich
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. Dietrich:

On August 11, 2008, the NRC staff completed its performance review of the James A. FitzPatrick Nuclear Power Plant for the first half of calendar year 2008 assessment cycle. Our technical staff reviewed 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.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only – Security Information" will include the security cornerstone review and resultant inspection plan.

Plant performance for the most recent quarter of 2008 at the James A. FitzPatrick Nuclear Power Plant 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 reactor oversight process (ROP) baseline inspections at your facility.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through December 31, 2009. The plan includes an inspection of your independent spent fuel storage installation. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the end-of-cycle review.

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).

P. Dietrich

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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 me at 610-337-5209 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA Original Signed By:/

Mel Gray, Chief
Reactor Projects Branch 2
Division of Reactor Projects

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

Enclosure: FitzPatrick Inspection/ Activity Plan

cc w/encl:

Senior Vice President and COO, Entergy Nuclear Operations
Vice President, Oversight, Entergy Nuclear Operations
Senior Manager, Nuclear Safety and Licensing, Entergy Nuclear Operations
Assistant General Counsel, Entergy Nuclear Operations
Manager, Licensing, Entergy Nuclear Operations
P. Tonko, President and CEO, New York State Energy Research and Development Authority
P. Eddy, New York State Department of Public Service
P. Church, Oswego County Administrator
Supervisor, Town of Scriba
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
S. Lousteau, Treasury Department, Entergy Services
J. Spath, Program Director, New York State Energy Research and Development Authority

FitzPatrick
Inspection / Activity Plan
07/01/2008 - 12/31/2009

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	71152B - PI&R		8			
1	IP 71152B	Identification and Resolution of Problems		07/14/2008	07/18/2008	Baseline Inspections
1	IP 71152B	Identification and Resolution of Problems		07/28/2008	08/01/2008	Baseline Inspections
	EP - EP PROGRAM INSPECTION		2			
1	IP 7111402	Alert and Notification System Testing		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111403	Emergency Response Organization Augmentation Testing		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 71151-EP01	Drill/Exercise Performance		07/13/2008	07/18/2008	Baseline Inspections
1	IP 71151-EP02	ERO Drill Participation		07/13/2008	07/18/2008	Baseline Inspections
1	IP 71151-EP03	Alert & Notification System		07/13/2008	07/18/2008	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		08/25/2008	08/29/2008	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		08/25/2008	08/29/2008	Baseline Inspections
	7111108G - INSERVICE INSPECTION		1			
1	IP 7111108G	Inservice Inspection Activities - BWR		09/22/2008	09/26/2008	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		09/22/2008	09/26/2008	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		09/22/2008	09/26/2008	Baseline Inspections
1	IP 71151-OR01	Occupational Exposure Control Effectiveness		09/22/2008	09/26/2008	Baseline Inspections
1	IP 71151-PR01	RETS/ODCM Radiological Effluent		09/22/2008	09/26/2008	Baseline Inspections
	TI 171 - TI 171		3			
1	IP 2515/171	Verification of Site Specific Implementation Of B.5.b Phase 2 & 3 Mitigating Strategies		11/17/2008	11/21/2008	Generic Safety Inspectio
	TI 176 - TI 176		1			
1	IP 2515/176	Emergency Diesel Generator Tech Spec Surveillance Requirements Re: Endurance & Margin		12/01/2008	12/05/2008	Generic Safety Inspectio
	71121 - OCC RAD SAFETY		1			
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		01/26/2009	01/30/2009	Baseline Inspections
	7111107T - HEAT SINK INSP		1			
1	IP 7111107T	Heat Sink Performance		04/06/2009	04/10/2009	Baseline Inspections
	71122.01 - PUB RAD SAFETY - RETS		1			
1	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		04/06/2009	04/10/2009	Baseline Inspections
	71122.03 - PUB RAD SAFETY - REMP		1			
1	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program		05/04/2009	05/08/2009	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		06/08/2009	06/12/2009	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
07/01/2008 - 12/31/2009

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	71121	- OCC RAD SAFETY	1			
1	IP 7112102	ALARA Planning and Controls		06/08/2009	06/12/2009	Baseline Inspections
	MODS	- PERMANENT PLANT MODIFICATIONS	5			
1	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications		07/13/2009	07/17/2009	Baseline Inspections
1	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications		07/27/2009	07/31/2009	Baseline Inspections
	ISFSI	- ISFSI LOADING CAMPAIGN INSPECTION	1			
1	IP 60855	Operation Of An ISFSI		07/01/2009	09/30/2009	Other Routine