

Entergy

Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.
James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093
Tel 315-342-3840

Joseph Pechacek
Licensing Manager

May 11, 2009
JAFP-09-0060

United States Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
License No. DPR-59
Summary of Commitment Changes for 2007 and 2008


Dear Sir or Madam:

This letter transmits the summary of revised regulatory commitments as required by Nuclear Energy Institute Guideline NEI 99-04, "Guidelines For Managing NRC Commitment Changes," endorsed by the Commission in NRC Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff."

Attachment 1 provides the summary of each regulatory commitment change requiring NRC notification, and a brief statement of the basis for the change. Also included is the JAF tracking number of the change (e.g., CCR-07-001), and reference to the basis document from which the commitment was made.

There are no new commitments made in this letter.
Should you have any questions concerning this report, please direct them to Mr. Joseph Pechacek, Licensing Manager, at (315) 349-6766.

Very truly yours,


Joseph Pechacek
Licensing Manager

JP:mh

Attachment: 1. Summary of Regulatory Commitment Changes for 2007 and 2008

cc: next page

A001
NRB

cc: Mr. Samuel Collins
Regional Administrator
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Office of the Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 136
Lycoming, NY 13093

Mr. Bhalchandra Vaidya, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O-8-C2
Washington, DC 20555

ATTACHMENT 1
JAFP-09-0060

**Summary of Regulatory Commitment Changes
for 2007 and 2008**

James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Entergy Nuclear Operations, Inc

ATTACHMENT 1
JAFP-09-0060
2007 Summary

CCR-07-001

Commitment Source Document(s):

Letter JPN-98-008, Technical Specification Amendment (TSA) 285, ACT-98-31104

Commitment:

JPN-98-008, dated 3/9/98 Revised RPV material surveillance program summary report and implementation schedule.

JPN-98-008-01. Withdraw the third capsule at approximately 30 EFPY. (ACTS 98-31104)

Revised Commitment:

TS Amendment 285 established JAF Changes to the RPV Material Surveillance Program to the Boiling Water Reactor Vessel and Internals Project (BWRVIP) Integrated Surveillance Program (ISP). As stated in the subject SER pg 4. "The balance of the JAF specimen Capsules will remain in place to serve as backing for the BWRVIP program"

Justification For Change:

TS # 285 SER dated 7/26/06: An Integrated Surveillance Program (ISP) has been established by the BWRVIP to replace individual plant vessel surveillance programs as documented in BWRVIP-86-A, "BWR Vessels and Internals Project, Updated BWR Integrated Surveillance Program (ISP) Implementation Plan, " Final Report, October 2002. The ISP matches the vessel chemistry of an individual plant to a representative plant and the capsule results, (i.e., changes in fracture toughness with neutron exposure, from the representative plant will be applied at the individual plant).

The NRC approved the BWRVIP program in an SER, dated February 1, 2002, and determined the approved ISP adequately addresses the requirements of 10 CFR 50, Appendix H. A condition of the NRC SER requires that individual plant vessel fluence calculations be performed using methods in accordance with the recommendations of Regulatory Guide 1.190. JAF will perform fluence calculations and P-T curve revisions based upon the NRC approved methodology, following the guidance in Regulatory Guide 1.190. The capsule withdrawal schedule at the representative plant is controlled by the BWRVIP. JAF is a member of the BWRVIP and will replace its individual plant surveillance program with the ISP. The balance of the JAF specimen capsules will remain in place to serve as backup for the BWRVIP program, or otherwise needed.

ATTACHMENT 1
JAFP-09-0060

CCR-07-002

Commitment Source Document(s):

Letter JPN-91-0020

Commitment:

Complete engineering drafting and repair of pipe supports over the next six (6) refuel outages starting in 1991 (i.e., up to and including RO15).

Revised Commitment:

Close Commitment

Justification For Change:

The intent of this commitment was to satisfy the requirements of NRC Bulletins 70-02, 79-07 and 79-14. These requirements have been met as evidenced in the following NRC Inspection Report statements and NYPA correspondence:

- a) NRC Inspection Report No. 50-333/84-19, dated 1/4/1985, page 5, states, "No Violations were identified in the above physical inspection. Bulletins 79-02, 79-07, and 79-14 are considered closed."
- b) NYPA Letter JAFP-80-773, dated October 7, 1980, page 3 in summary section, states, "With the exception of two baseplate modifications resulting from I&E Bulletin 79-02 flexibility analysis; initial work, as originally defined, required for I&E Bulletins 79-02, 79-07, and 79-14 is complete. These two outstanding modifications will be completed by October 15, 1980." (This rework has been completed)
- c) NYPA Letter JPN-91-020, dated May 3, 1991, states, "The FitzPatrick Pipe Support Inspection Program (PSIP) is now complete ... No Pipe supports within the scope of NRC Bulletins 79-02, 79-07 and 79-14 were degraded to an extent that they threatened system operability ... The Authority will coordinate the pipe support rework task with the FitzPatrick Inservice Inspection (ISI) program. The pipe support rework task will include engineering evaluations, revisions to design drawings or the repair of less significant deficiencies that do not impact operability." Note that a statement of commitments is omitted from this letter.

ATTACHMENT 1
JAFP-09-0060

CCR-07-003

Commitment Source Document(s):

TSA 241, JLIC-98-005

Commitment:

Operation continue to vent LPCI and Core Spray discharge piping on a monthly Frequency until TS Section 4.5.G.1 is revised.

Revised Commitment:

Close Commitment.

Justification For Change:

In February 1998, JAF received Technical Specification Amendment 241. This amendment revised the testing frequency of the Residual Heat Removal and Core Spray Pumps from monthly to quarterly. The change did not address the wording of the Surveillance Requirement in section 4.5.G.1 which stated: "Every month prior to testing of the LPCI subsystem and core spray subsystem the discharge piping of these systems shall be vented from the high point and water flow observed." To address the misalignment caused when the monthly pump testing was moved to a quarterly test ACT-98-30490 was implemented to ensure the monthly keep full test was conducted. In August 2002 JAF implemented the Improved Standard Technical Specifications (Technical Specification Amendment 274). This amendment made the keep-full testing independent of other testing (SR 3.5.1.1) which satisfied the intent of the commitment. Subsequent experience in the industry has shown that the keep-full alarms also provide a reliable means on ensuring that the system piping is full and is an acceptable method of meeting SR 3.5.1.1 Therefore, this commitment can be closed.

ATTACHMENT 1
JAFP-09-0060

CCR-07-004

Commitment Source Document(s):

NRCI-94-03, JAFP-94-0175

Commitment:

Interim guidance regarding LCO entry and verification of redundant system checks will be incorporated into the applicable test procedures. These changes will be completed by December 31, 1994.

Revised Commitment:

Close Commitment

Justification For Change:

This commitment is no longer required to ensure entry into appropriate LCO(s) during surveillance testing.

ACT-93-10943 (Incorporate interim guidance regarding LCO entry and verification of redundant system checks into the applicable ST procedures) was created as part of a response to NRCI-94-03. This NRCI identified issues contrary to the guidance in GL 91-18 (NRC inspect pertaining to equipment operability during surveillance testing), JAF had not routinely declared SSCs inoperable during testing.

Ops procedures were reviewed and found to need additional guidance and was documented on JOPS-94-088 (ACT-94-10748). JOPS-94-088 was written with short and long term actions:

Short term- A matrix of STs to applicable LCOs was written, with instructions to enter the applicable LCO during testing and exit upon completion of lineup verification.
Long term- Interim guidance regarding LCO entry and verification of redundant system checks will be incorporated into the applicable test procedures. (ACT-93-10943)

Currently revision 7 of AP-12.08 (LCO Tracking and Safety Function Determination Program) contains guidance in Section 7.6 when dealing with Required Action entry/exit for Surveillance Testing, specifically:

- 7.6.1 Determine applicable LCOs for inoperable SSCs from the procedure
- 7.6.2 Identify existing Action Tracking and Potential Action Tracking LCOs for the redundant support and supported systems.

There is an expectation flag linking Section 7.6 to ACT-95-16606. This ACT was the result of a QA audit that recommended the addition of the JOPS-94-088 matrix to ODSO-34 (predecessor to AP-12.08). The matrix has subsequently been deleted with the revision of each procedure to include steps for LCO entry. (Operability/inoperability). This is

ATTACHMENT 1

JAFP-09-0060

supported by AP-02.01 (Procedure Writing Manual) that includes the following in Section 8.19, Surveillance Test Procedures:

Step 8.19.2.E

Avoid rendering equipment inoperable to minimize the impact on plant operation. If equipment must be rendered inoperable, then include the following:

1. Provisions to minimize the time equipment is inoperable.
2. Provisions for prompt restoration in the event of an aborted test.
3. A clear statement to notify the SM as to which equipment is disabled or what functions are degraded.

This commitment is outdated and no longer necessary. The processes in place described above insure LCO(s) entries are built into ST procedures as demonstrated by only 33 procedures contain the commitment when 185 procedures declare equipment inoperable.

ATTACHMENT 1
JAFP-09-0060

CCR-07-005

Commitment Source Document(s):

NRC IR 85-20

Commitment:

JAF commitment to establish a program to functionally test, under air flow conditions, all the dampers of the facility every 18 months.

Revised Commitment:

Delete the commitment.

Justification For Change:

Functionally testing the fire dampers under air flow conditions presents an industrial safety hazard and is causing damage to the dampers as a result of the force at which the dampers close. Because the dampers are open and do not operate unless challenged by fire, they are not subjected to age related wear failures. For this reason a visual inspection is adequate to determine the ability of the damper to function as designed and a functional test is unnecessary.

ATTACHMENT 1
JAFP-09-0060

CCR-07-006

Commitment Source Document(s):

Licensee Event Report Letter LER-85-004; Licensee Event Report Letter LER-92-011

Commitment:

LER 85-004, Torus Vacuum Breaker Inoperative Due to Scaffolding (corrective actions, summarized) Responsibilities of contractor and supervisory personnel were explained in detail. Contract supervisory personnel were to be trained during orientation on this event and other supervisors would discuss the event with their employees. Additionally, a memo was to be issued to employees describing the event.

LER 92-011, Fire Door and Spray Curtain Obstructed By Scaffold (corrective actions, summarized) Supervisor and craft foreman involved with the erection of scaffolding were retrained on the plant requirements and were counseled on the need to provide detailed instructions to workers. Emphasis was placed on thorough inspection of the work site for potential interferences.

These actions were translated into AP-05.10 (Control of Scaffolding) by incorporating requirements to ensure scaffolding does not interfere with the proper functioning of any plant system of component including emergency showers and eyewash stations, and does not interfere with the proper functioning of fire protection equipment or systems such as fire hose stations, fire extinguishers, ladders, sprinklers and waterspray systems, and fire doors. In addition, the procedure required a supervisor to perform a review prior to installation of the scaffolding to consider the proximity of the proposed scaffolding to plant equipment to ensure it did not hinder or restrict equipment operation, access to equipment, or obstruct or interfere with any equipment or emergency lighting capability.

Revised Commitment:

These commitments are being deleted.

Justification For Change:

The actions included in the procedure do not meet the definition of a commitment as defined by the commitment management program. These items were flagged and tracked in the procedure as commitment, however, review of the LERs show that they are strictly a translation of corrective actions described in the LERs. As stated in NEI 99-04 (Guidelines for Managing NRC Commitment Changes), corrective actions taken in LERs are not usually considered to be a commitment. AP-05.10 is being replaced by a fleet procedure for control of scaffolding (EN-MA-133). Many of the same requirements and controls are contained in the EN-MA-133 procedure.

The supervisory elements described in the LER corrective actions do not need to be specifically proceduralized. Supervisory oversight is an expected and routine part of daily supervisory activity. In addition, the fleet procedure only allows trained individuals to install scaffold and requires verification of the scaffold installation by another qualified

ATTACHMENT 1
JAFP-09-0060

individual. Additionally, a scaffold inspector (a separately defined individual in the procedure) is required to verify scaffold installations do not interfere with plant equipment in safety-related and seismic areas. These procedural requirements do not need to be controlled as commitments nor do they meet the definition of a commitment in NEI 99-04 or EN-LI-110. Therefore, these two LERs and the associated requirements (corrective actions) do not need to be tracked as commitments.

ATTACHMENT 1
JAFP-09-0060
2008 Summary

CCR-08-001

Commitment Source Document:

“Details for the Phase 2 and 3 Mitigation Strategies”, Letter No. JAFP-07-0004, dated January 11, 2007

Commitment:

Develop and proceduralize a strategy to provide makeup water to the Hotwell via the waterbox access doors using firewater supplied from either an internal fire header standpipe or using the portable pump.

Revised Commitment:

Develop and proceduralize a strategy to provide makeup water to the Hotwell via the 18 inch manway using firewater supplied from either an internal fire header standpipe or using the portable pump.

Justification For Change:

The doors described in the original description are not hinged doors and weigh in excess of 900 pounds; their use in the make-up to the Hotwell strategy was determined to be impractical. They are 18 inch manways located on each condenser that would provide access to the Hotwell. The strategy was modified during development as the logistics were reviewed. This change form is to document the change during development. The need to support the change was identified during the B.5.b Self assessment.

ATTACHMENT 1
JAFP-09-0060

CCR-08-002

Commitment Source Document:

“Details for the Phase 2 and 3 Mitigation Strategies”, Letter No. JAFP-07-0004, dated January 11, 2007

Commitment:

Develop and proceduralize a strategy for supplying power to energize the Safety Relief valves from the outside containment junction box to depressurize the RPV. (As described in the strategy the intent was to modify 25-ASP and initiate the strategy from the ASP.)

Revised Commitment:

Develop and proceduralize a strategy for supplying power to energize the Safety Relief valves from the outside containment junction box to depressurize the RPV. (As developed and implemented through TSG-12 the strategy is implemented from a junction box located near the containment wall.

Justification For Change:

The strategy as described in table A.5-2 would have attempted to energize the solenoids from Alternate Shutdown Panel 25-ASP located on the reactor building 300 foot elevation. During development it was identified that the length of the cable run was such that the vulnerability, that the strategy was intended to overcome, would remain. The strategy was then reworked to utilize a junction box in the vicinity to the SRV cable penetration. The change was implemented during the development of the final strategy as documented in TSG-12. This review is to document the reason for the revision. This was identified during the B.5.b readiness assessment.

ATTACHMENT 1
JAFP-09-0060

CCR-08-003

Commitment Source Document:

“Details for the Phase 2 and 3 Mitigation Strategies”, Letter No. JAFP-07-0004, dated January 11, 2007

Commitment:

Develop and proceduralize a strategy for injecting to the RPV and flooding containment using the fire pumper truck.

Revised Commitment:

Develop and proceduralize a strategy for injecting to the RPV and flooding containment using the fire pumper truck.

Justification For Change:

The strategy as described in table A.5-2 and A.5-9 described using the HPCI steam line as a flow path. During review of the strategy submittal, an NRC reviewer identified a potential to bypass the core / containment if an SRV was open. Subsequent correspondence (JAFP-07-0071) stated that an alternate injection point would be established. A 4-inch RHR system check valve was identified that could be used as an injection point. The change was implemented during the development of the final strategy as documented in TSG-12. This review is to document the reason for the revision. This was identified during the B.5.b readiness assessment.