



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

March 4, 2013

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

**SUBJECT: ANNUAL ASSESSMENT LETTER FOR JAMES A. FITZPATRICK NUCLEAR
POWER PLANT (REPORT 05000333/2012001)**

Dear Mr. Colomb:

On February 13, 2013, the U.S. Nuclear Regulatory Commission (NRC) completed its end-of-cycle performance review of James A. FitzPatrick Nuclear Power Plant (FitzPatrick). The NRC reviewed the most recent quarterly performance indicators in addition to inspection results and enforcement actions from January 1, 2012 through December 31, 2012. This letter informs you of the NRC's assessment of your facility during this period and its plans for future inspections at your facility.

The NRC determined that overall, FitzPatrick operated in a manner that preserved public health and safety and met all cornerstone objectives. The NRC determined the performance at FitzPatrick during the most recent quarter was within the Regulatory Response Column of the NRC's Reactor Oversight Process (ROP) Action Matrix, because all inspection findings had very low safety significance (Green) and one performance indicator was of low to moderate safety significance (White) in the Initiating Events cornerstone. Specifically, the "Unplanned Power Changes per 7,000 Critical Hours" performance indicator exceeded the Green/White threshold value in the fourth quarter of the assessment period.

Consistent with the graded approach in the NRC's ROP, this change in performance from the Licensee Response Column to the Regulatory Response Column results in a corresponding increase in the NRC's inspection and assessment oversight. Therefore, in addition to ROP baseline inspections, the NRC plans to schedule and conduct a supplemental inspection in accordance with Inspection Procedure 95001, "Supplemental Inspection for One or Two White Inputs in a Strategic Performance Area," after your staff has notified us of your readiness for this inspection. This inspection procedure is conducted to provide assurance that the root causes and contributing causes of risk significant performance issues are understood, the extent of condition and cause were identified, and the corrective actions are sufficient to prevent recurrence.

The enclosed inspection plan lists the inspections scheduled through June 30, 2014. Routine inspections performed by resident inspectors are not included in the inspection plan. The inspections listed during the last nine months of the inspection plan are tentative and may be revised at the mid-cycle performance review. In addition to the baseline inspections, the NRC

will perform Inspection Procedure (IP) 60855.1, "Operation of an Independent Spent Fuel Storage Installation at Operating Plants," and TI-182, "Review of the Implementation of the Industry Initiative to Control Degradation of Underground Piping and Tanks." The NRC provides the inspection plan to allow for the resolution of any scheduling conflicts and personnel availability issues. The NRC will contact you as soon as possible to discuss changes to the inspection plan, should circumstances warrant any changes. This inspection plan does not include security related inspections, which will be sent via separate, non-publicly available correspondence.

On January 25, 2012, the NRC issued a Confirmatory Order which included a severity level III traditional enforcement violation associated with willfulness. Therefore, the NRC also plans to conduct IP 92702, "Follow-up on Traditional Enforcement Actions including Violations, Deviations, Confirmatory Action Letters, Confirmatory Orders and Alternate Dispute Resolution Confirmatory Orders" to follow-up on actions as documented in the Confirmatory Order.

In accordance with Title 10 of the *Code of Federal Regulations*, Part 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Please contact Art Burritt at 610-337-5069 with any questions you have regarding this letter.

Sincerely,

/RA/

Darrell J. Roberts, Director
Division of Reactor Projects

Docket Nos. 50-333
License Nos. DPR-59

Enclosure: James A. FitzPatrick Inspection/Activity Plan

cc w/encl: Distribution via ListServ

will perform Inspection Procedure (IP) 60855.1, "Operation of an Independent Spent Fuel Storage Installation at Operating Plants," and TI-182, "Review of the Implementation of the Industry Initiative to Control Degradation of Underground Piping and Tanks." The NRC provides the inspection plan to allow for the resolution of any scheduling conflicts and personnel availability issues. The NRC will contact you as soon as possible to discuss changes to the inspection plan, should circumstances warrant any changes. This inspection plan does not include security related inspections, which will be sent via separate, non-publicly available correspondence.

On January 25, 2012, the NRC issued a Confirmatory Order which included a severity level III traditional enforcement violation associated with willfulness. Therefore, the NRC also plans to conduct IP 92702, "Follow-up on Traditional Enforcement Actions including Violations, Deviations, Confirmatory Action Letters, Confirmatory Orders and Alternate Dispute Resolution Confirmatory Orders" to follow-up on actions as documented in the Confirmatory Order.

In accordance with Title 10 of the *Code of Federal Regulations*, Part 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Please contact Art Burritt at 610-337-5069 with any questions you have regarding this letter.

Sincerely,
/RA/
 Darrell J. Roberts, Director
 Division of Reactor Projects

Docket Nos. 50-333
 License Nos. DPR-59

Enclosure: James A. FitzPatrick Inspection/Activity Plan

cc w/encl: Distribution via ListServ

Distribution: (see next page)

DOCUMENT NAME: \\nrc.gov\nrc\R1\Shared\ROP-13 EOC Review\Branch 2\Fitz 2012 AAL.docx
 ADAMS ACCESSION NUMBER: **ML13060A336**

<input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	RI/DRP	RI/DRP	RI/DRP	RI/DRP	
NAME	BBickett	EKnutson via email	ABurritt	DRoberts	
DATE	02/25/13	02/25/13	02/26/13	03/04/13	

OFFICIAL RECORD COPY

Distribution w/encl: (via email)

W. Dean, RA
D. Lew, DRA
D. Roberts, DRP
M. Layton, DRP
C. Miller, DRS
J. Clifford, DRS
A. Burritt, DRP
B. Bickett, DRP
S. McCarver, DRP
E. Knutson, DRP, SRI
B. Sienel, DRP, RI
M. Rose, DRP, AA
J. Cassidy, RI OEDO
DRS Branch Chiefs (6)
D. Screnci, PAO,
N. Sheehan, PAO
N. McNamara, SLO
D. Tifft, SLO
D RidsNrrPMFitzPatrick Resource
RidsNrrDorLpl1-1 Resource
ROPAssessment Resource
RidsNrrDirslpabResource

Unit Number	Planned Dates Start	Planned Dates End	Inspection Activity	Title	No. of Staff on Site
1	01/01/2013	03/31/2013	92702	- CONF. ORDER FOLLOWUP FITZ ADR ACTION E-F	1
			IP 92702	Followup On Corrective Actions For Violations And Deviations	
1	04/08/2013	04/12/2013	71124	- RADIATION SAFETY INSPECTION	1
			IP 71124.01	Radiological Hazard Assessment and Exposure Controls	
1	04/08/2013	04/12/2013	IP 71124.02	Occupational ALARA Planning and Controls	
1	04/08/2013	04/12/2013	IP 71124.03	In-Plant Airborne Radioactivity Control and Mitigation	
1	04/08/2013	04/12/2013	IP 71124.04	Occupational Dose Assessment	
1	06/10/2013	06/14/2013	7111121	- CDBI	6
			IP 7111121	Component Design Bases Inspection	
1	06/24/2013	06/28/2013	IP 7111121	Component Design Bases Inspection	
1	07/08/2013	07/12/2013	IP 7111121	Component Design Bases Inspection	
1	06/03/2013	06/07/2013	71124	- RADIATION SAFETY INSPECTION	1
			IP 71124.07	Radiological Environmental Monitoring Program	
1	06/03/2013	06/07/2013	IP 71151	Performance Indicator Verification	
1	06/01/2013	08/31/2013	60855	- ISFSI LOADING INSPECTION	2
			IP 60855	Operation Of An ISFSI	
1	06/01/2013	08/31/2013	IP 60855.1	Operation of an Independent Spent Fuel Storage Installation at Operating Plants	
1	08/12/2013	08/16/2013	EX INSP	- EP EXERCISE INSPECTION	2
			IP 7111401	Exercise Evaluation	
1	08/12/2013	08/16/2013	71124	- RADIATION SAFETY INSPECTION	1
			IP 71124.03	In-Plant Airborne Radioactivity Control and Mitigation	
1	08/12/2013	08/16/2013	IP 71124.04	Occupational Dose Assessment	
1	09/09/2013	09/13/2013	TI 182	- DEGRAD UNDERGROUND PIPING - PHASE 2	1
			IP 2515/182	Review of the Implementation of the Industry Initiative to Control Degradation of Underground Piping	
1	10/21/2013	10/25/2013	71124	- RADIATION SAFETY INSPECTION	1
			IP 71124.01	Radiological Hazard Assessment and Exposure Controls	
1	10/21/2013	10/25/2013	IP 71124.02	Occupational ALARA Planning and Controls	
1	10/21/2013	10/25/2013	IP 71124.03	In-Plant Airborne Radioactivity Control and Mitigation	
1	10/21/2013	10/25/2013	IP 71124.04	Occupational Dose Assessment	
1	10/21/2013	10/25/2013	IP 71151	Performance Indicator Verification	
1	03/10/2014	03/14/2014	4/14EXAM	- FITZPATRICK INITIAL EXAM	3
			U01887	FY14-FITZPATRICK INITIAL OPERATOR LICENSING EXAM	
1	04/07/2014	04/11/2014	U01887	FY14-FITZPATRICK INITIAL OPERATOR LICENSING EXAM	

Unit Number	Planned Dates Start	Planned Dates End	Inspection Activity	Title	No. of Staff on Site
			71152B	- PI&R BIENNIAL	
1	04/14/2014	04/19/2014	IP 71152B	Problem Identification and Resolution	
1	04/28/2014	05/03/2014	IP 71152B	Problem Identification and Resolution	
			71124	- RADIATION SAFETY INSPECTION	1
1	04/07/2014	04/11/2014	IP 71124.01	Radiological Hazard Assessment and Exposure Controls	
1	04/07/2014	04/11/2014	IP 71124.02	Occupational ALARA Planning and Controls	
1	04/07/2014	04/11/2014	IP 71124.03	In-Plant Airborne Radioactivity Control and Mitigation	
1	04/07/2014	04/11/2014	IP 71124.04	Occupational Dose Assessment	
			71124.08	- RADWASTE	1
1	05/05/2014	05/09/2014	IP 71124.08	Radioactive Solid Waste Processing and Radioactive Material Handling, Storage, and Transportation	
			71124	- RADIATION SAFETY INSPECTION	1
1	05/19/2014	05/23/2014	IP 71124.06	Radioactive Gaseous and Liquid Effluent Treatment	
1	05/19/2014	05/23/2014	IP 71151	Performance Indicator Verification	