



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 8, 2015

EA-14-137

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

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – FINAL
ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT
IMPACT RELATED TO PREEMPTION AUTHORITY REQUESTS (TAC NOS.
MF2701 AND MF2702)

Dear Sir/Madam:


Enclosed is a copy of the Final Environmental Assessment and Finding of No Significant Impact related to the Entergy Nuclear Operations, Inc., application for the James A. FitzPatrick Nuclear Power Plant, including the general licensed Independent Spent Fuel Storage Installation dated August 30, 2013, as supplemented by letters dated November 12, 2013, May 14 and July 11, 2014, and January 15, 2015 Agencywide Documents Access and Management System Accession Nos. ML13248A517, ML13317A928, ML14135A327, ML14195A040, and ML15015A637, respectively).

The NRC published a draft Environmental Assessment and finding of no significant impact on the proposed action for public comment in the *Federal Register* on October 29, 2015 (80 FR 66584). No comments were received.

The proposed amendment would permit licensee security personnel of the requesting facilities to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding certain local, State, or Federal firearms laws, or regulations that otherwise prohibit such actions.

The assessment is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis L. Tate". The signature is written in a cursive style with a large, stylized initial 'T'.

Travis L. Tate, Chief
Plant Licensing Branch 1-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-333 and 72-12

Enclosure: Final Environmental Assessment

cc w/encl: Distribution via Listserv

NUCLEAR REGULATORY COMMISSION

Docket Nos. 50-333 and 72-12; NRC-2015-0247

Entergy Nuclear Operations, Inc.

James A. FitzPatrick Nuclear Power Plant

AGENCY: Nuclear Regulatory Commission.

ACTION: Finding of no significant impact with associated environmental assessment; final issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment and finding of no significant impact related to a request to amend Renewed Facility Operating License No. DPR-59, including the general licensed Independent Spent Fuel Storage Installation, issued to Entergy Nuclear Operations, Inc. (ENO, "the licensee"), for operation of the James A. FitzPatrick Nuclear Power Plant (hereinafter "JAFNPP" or "the facility"), located in Oswego County, New York. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

ADDRESSES: Please refer to Docket ID **NRC-2015-0247** when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2015-0247**. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; e-mail: Carol.Gallagher@nrc.gov. For technical questions, contact the individual(s) listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The application for amendment for JAFNPP dated August 30, 2013, was supplemented by letters dated November 12, 2013, May 14 and July 11, 2014, and January 15, 2015 (ADAMS Accession Nos. ML13248A517, ML13317A928, ML14135A327, ML14195A040, and ML15015A637, respectively). Those letters containing SUNSI are being withheld from public disclosure.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Mr. Douglas V. Pickett, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, telephone: 301-415-1364, e-mail: douglas.pickett@nrc.gov,

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering a request to amend Renewed Facility Operating License No. DPR 59, including the general licensed Independent Spent Fuel Storage Installation, issued to ENO for operation of the JAFNPP located in Oswego County, New York, in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 50.90. Consistent with 10 CFR 51.21, the NRC has reviewed the requirements in 10 CFR 51.20(b) and 10 CFR 51.22(c) and determined that an environmental assessment is the appropriate form of environmental review. Based on the results of the environmental assessment, the NRC is issuing this final finding of no significant impact. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

The NRC published a draft Environmental Assessment and finding of no significant impact on the proposed action for public comment in the *Federal Register* on October 29, 2015 (80 FR 66584). No comments were received.

II. Environmental Assessment

Identification of the Proposed Action:

The proposed action would permit security personnel at the JAFNPP, in the performance of official duties, to transfer, receive, possess, transport, import, and use certain firearms and

large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations, that otherwise prohibit such actions.

The proposed action is in accordance with ENO's application dated August 30, 2013, as supplemented by letters dated November 12, 2013, May 14 and July 11, 2014, and January 15, 2015.

The Need for the Proposed Action:

The proposed action would allow the transfer, receipt, possession, transportation, importation and use of those firearms and devices needed in the performance of official duties required for the protection of the JAFNPP and associated special nuclear materials, consistent with the JAFNPP NRC approved security plan.

Environmental Impacts of the Proposed Action:

The NRC has completed its evaluation of the proposed action and concludes that the proposed action would only allow the use of those firearms and devices necessary to protect JAFNPP and associated special nuclear material, consistent with the JAFNPP NRC-approved security plan. Therefore, the proposed action would not significantly increase the probability or consequences of accidents. In addition, the proposed action would not change the types and the amounts of any effluents that may be released offsite. There would also be no significant increase in occupational or public radiation exposure. Therefore, there would be no significant radiological environmental impacts associated with the proposed action.

The proposed action would not impact land, air, or water resources, including biota. In addition, the proposed action would not result in any socioeconomic or environmental justice

impacts or impacts to historic and cultural resources. Therefore, there would also be no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that the issuance of the requested amendment would not result in significant environmental impacts.

Details of the NRC's evaluation will be included in a letter to the licensee.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the NRC staff considered denying the proposed action (i.e., the "no-action" alternative). Denial of the license amendment request would result in no change in current environmental conditions at the JAFNPP.

Alternative Use of Resources:

The proposed action would not involve the use of any resources.

Agencies and Persons Consulted:

The staff did not consult with any Federal Agency or New York state agencies regarding the environmental impact of the proposed action.

III. Finding of No Significant Impact

The licensee has requested a license amendment to permit licensee security personnel, in the performance of official duties, to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be

owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations that would otherwise prohibit such actions.

On the basis of the information presented in this environmental assessment, the NRC concludes that the proposed action would not cause any significant environmental impact and would not have a significant effect on the quality of the human environment. In addition, the NRC has determined that an environmental impact statement is not necessary for the evaluation of this proposed action.

Other than the licensee's letter dated August 30, 2013, there are no other environmental documents associated with this review. This document is available for public inspection as indicated above.

Dated at Rockville, Maryland, this 8th day of December 2015.

For the Nuclear Regulatory Commission.

A handwritten signature in black ink, appearing to read "Travis L. Tate". The signature is fluid and cursive, with a large initial "T" and a long, sweeping underline.

Travis L. Tate, Chief,
Plant Licensing Branch I-1,
Division of Operating Reactor Licensing,
Office of Nuclear Reactor Regulation.

The assessment is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

/RA/

Travis L. Tate, Chief
Plant Licensing Branch 1-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-333 and 72-12

Enclosure: Final Environmental Assessment

cc w/encl: Distribution via Listserv

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ADAMS Accession Nos.: Package: ML15337A092

Letter: ML15320A021 EA FRN: ML15320A031 *concurrence via e-mail

OFFICE	NRR/DORL/LPLIII-2/PM	NRR/DORL/LPLI-1/PM	NRR/DORL/LPLI-1/LA
NAME	EBrown	DPickett	KGoldstein
DATE	11/24/2015	12/03/2015	11/16/2015
OFFICE	NRR/DLR/RERB/BC*	OGC NLO*	NRR/DORL/LPLI-1/BC
NAME	DWrona	JBielecki	TTate
DATE	11/24/2015	12/04/2015	12/08/2015

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