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JAFP-16-0130
August 10, 2016

10 CFR 50.90
10 CFR 50.54(q)(4)

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

Subject: License Amendment Request to Revise the James A. FitzPatrick Emergency Plan to Address the Permanently Defueled Condition – Supplement 2 (CAC No. MF7347)

James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
License No. DPR-59

- References:**
1. ENOI letter, License Amendment Request to Revise the James A. FitzPatrick Emergency Plan to Address the Permanently Defueled Condition, JAFP-16-0012, dated February 4, 2016
 2. ENOI letter, License Amendment Request to Revise the James A. FitzPatrick Emergency Plan to Address the Permanently Defueled Condition – Supplement 1 (CAC No. MF7347), JAFP-16-0113, dated July 6, 2016
 3. NRC memo, Supplemental Request for Additional Information Regarding Proposed Emergency Plan Change Amendment for the Permanently Defueled Condition, dated August 3, 2016

Dear Sir or Madam:

By letter dated February 4, 2016 [Reference 1], Entergy Nuclear Operations, Inc. (ENOI) proposed an amendment to Renewed Facility Operating License DPR-59 for the James A. FitzPatrick Nuclear Power Plant (JAF). The proposed amendment would revise the JAF Emergency Plan for the permanently defueled condition. Specifically, the proposed changes would revise the on-shift staffing and Emergency Response Organization (ERO) staffing levels.

By letter dated July 6, 2016 [Reference 2], ENOI provided responses to Requests for Additional Information (RAI). On August 3, 2016, [Reference 3] the NRC requested additional RAI. Attachment 1 of this letter provides the responses to the supplemental RAI.

The conclusions of the no significant hazards consideration and the environmental considerations contained in Reference 1 are not affected by, and remain applicable to, this supplement.

Attachment 2 contains a list of new regulatory commitments. If you should have any questions regarding this transmittal, please contact Mr. James D. Jones, Emergency Planning Manager, at 315-349-6030.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 10, 2016.

Sincerely,

A handwritten signature in black ink, appearing to read 'BRS', with a horizontal line extending to the right.

Brian R. Sullivan
Site Vice President

BRS/JDJ/pc

Attachments: 1. Response to Request for Additional Information
2. List of Regulatory Commitments

cc: Director, Office of Nuclear Reactor Regulation
NRC Region I Administrator
NRC Resident Inspector
NRC Project Manager
NYSPSC
NYSERDA

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Attachment 1

Response to Request for Additional Information

(3 Pages)

Response to Supplemental Request for Additional Information

**RESPONSE TO SUPPLEMENTAL REQUEST FOR ADDITIONAL INFORMATION
REGARDING PROPOSED EMERGENCY PLAN CHANGE AMENDMENT
FOR THE PERMANENTLY DEFUELED CONDITION
ENTERGY NUCLEAR OPERATIONS. INC.
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
DOCKET NO. 50-333
RENEWED FACILITY OPERATING LICENSE NO. DPR-59**

By letter dated February 4, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16043A427), as supplemented by letter dated July 6, 2016 (ADAMS Accession No. ML16188A388), Entergy Nuclear Operations, Inc. (ENOI or the licensee) submitted a request for U. S. Nuclear Regulatory Commission (NRC) approval of a license amendment request for the James A. FitzPatrick (JAF) Nuclear Power Plant concerning proposed changes to the Emergency Plan for the permanently defueled condition. On March 16, 2016, pursuant to 10 CFR 50.82(a)(1)(i), ENOI provided a formal notification to the NRC of its intention to permanently cease power operations of JAF on January 27, 2017 (ADAMS Accession No. ML16076A391). The proposed changes would revise the on-shift staffing and Emergency Response Organization staffing levels.

On August 3, 2016, the NRC staff conducted a clarification call with ENOI to clarify the licensee's July 6, 2016, RAI responses.

As discussed in the clarification call, supplemental information is needed by the NRC staff to complete its evaluation.

1. Attachment 1 (Description and Evaluation of Proposed Changes) of ENO's February 4, 2016, submittal letter (page 11 of 36) under Section 3.2.1, Analysis of Proposed Changes / ERO Staffing, states:

To validate the results of the analysis, drills will be developed and conducted prior to implementation of the changes described within. The drills will be conducted to confirm the ability of the post-shutdown ERO to perform the necessary functions of each emergency response facility and will utilize the post-shutdown procedures that will be developed depicting the revised assignment of duties. The drills will be used to train and qualify post-shutdown ERO members, evaluate and validate the ability to accomplish the stated mission of each emergency response facility, and ensure that the planning standard functions are preserved with no degradation in time sensitive activities or in the ability to communicate with offsite response organizations. The drills will also validate that the post-shutdown ERO continues to address the risks to public health and safety and comply with the JAF Emergency Plan, site commitments, and applicable regulations.

To support NRC and FEMA's evaluation that proposed ERO staffing changes on the ability of the licensee to effectively implement the emergency plan, as revised, and to verify that changes pose no impact to offsite REP plans as currently approved by FEMA:

- a. Discuss whether a drill will be conducted involving a spent fuel pool event that tests the major elements of the licensee's emergency plan and communications/coordination with offsite response organizations, including at the Joint Information Center, prior to implementation, and**

Response

JAF will conduct one or more drills to demonstrate the ability to implement the major elements of the Post Shutdown Emergency Plan (PSEP), and communications/coordination with offsite response organizations, including at the Joint Information Center (JIC). Implementing procedures are currently being updated to address the permanently shut down and defueled condition and will be used to support training of ERO staff and conduct of drills.

In the permanently shut down and defueled condition, the primary events of concern in the immediate post-shutdown and defueled condition will involve loss of spent fuel pool (SFP) cooling and/or water inventory. Therefore, the drill scenario(s) will necessarily involve the SFP. This action is included as a new regulatory commitment in Attachment 2.

- b. Discuss whether State and local response organizations will be offered the opportunity to participate, and the NRC and FEMA be provided advance notice and the opportunity to observe drill activities.**

Response

New York State and Oswego County emergency response organizations will be offered the opportunity to participate in the drill(s) described in response to Part a of this RAI. JAF has not yet finalized a schedule of drills that will be conducted. As described in Reference 1, when the dates are finalized, the NRC and FEMA will be notified through the Office of Nuclear Reactor Regulation Project Manager and provided with a schedule. These actions are included as new regulatory commitment in Attachment 2.

- 2. Attachment 1 of ENO's February 4, 2016, submittal letter (page 16 of 36) under Section 3.2.1.2, Analysis of Proposed Changes / ERO Staffing / Operations Support Center, states in part:**

The primary events of concern in the immediate post-shut-down and defueled condition will be a fuel handling accident and a loss of SFP cooling and/or water inventory. During fuel handling activities there will be extra personnel on site that will, were a fuel handling accident to occur, be able to respond to the event. Events involving a loss of SFP cooling and/or water inventory can be addressed by implementation of SFP inventory makeup strategies required under 10 CFR 50.54(hh)(2). These strategies also continue to be required as a license condition.

The JAF analysis of proposed post-shutdown on-shift staffing only appears to address a fuel handling accident, which the licensee appears to define as mechanical

Response to Supplemental Request for Additional Information

damage to the spent fuel during handling or by impact with a heavy object as the only credible scenario for a gaseous release. Has an analysis been performed to verify that sufficient on-shift staffing would be available to promptly implement SFP inventory makeup strategies required under 10 CFR 50.54(hh)(2) if required without impacting the performance of designated EP functions?

Response

A specific analysis was not performed to determine if sufficient on-shift staffing would be available to promptly implement SFP inventory makeup strategies. The JAF 5-person Fire Brigade is currently responsible for implementing the SFP inventory makeup strategies required under 10 CFR 50.54(hh)(2). In the permanently shut down and defueled condition, JAF will continue to maintain a trained and qualified 5-person Fire Brigade responsible for implementation of the SFP inventory makeup strategies. The Fire Brigade personnel identified in the PSEP are separate and distinct from those responsible for implementing the major elements of the emergency plan including emergency classification (Shift Manager), offsite notifications (Control Room Supervisor), and dose assessment/protective action recommendation development (Radiological Specialist). Therefore, sufficient staffing is available to promptly implement SFP inventory makeup strategies required under 10 CFR 50.54(hh)(2) without impacting the performance of designated emergency plan functions.

As described in Section 3.2.1.2 of Reference 2, events involving a loss of SFP cooling and/or water inventory can be addressed by implementation of SFP inventory makeup strategies required under 10 CFR 50.54(hh)(2). These strategies will continue to be maintained to satisfy Condition 2.R of the JAF Renewed Facility Operating License.

References

1. Letter, License Amendment Request to Revise the James A. FitzPatrick Emergency Plan to Address the Permanently Defueled Condition – Supplement 1 (CAC No. MF7347),” JAFP 16-0113, dated July 6, 2016 (ML16188A388)
2. Letter, Entergy Nuclear Operations, Inc. to USNRC, “License Amendment Request to Revise the James A. FitzPatrick Emergency Plan to Address the Permanently Defueled Condition,” JAFP-16-0012, dated February 4, 2016 (ML16035A309)

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Attachment 2

List of Regulatory Commitments

(1 Page)

List of Regulatory Commitments

This table identifies actions discussed in this letter for which Entergy commits to perform. Any other actions discussed in this submittal are described for the NRC's information and are **not** commitments.

COMMITMENT	TYPE (Check one)		SCHEDULED COMPLETION DATE (If Required)
	ONE-TIME ACTION	CONTINUING COMPLIANCE	
JAF will conduct one or more drills involving the loss of spent fuel pool (SFP) cooling and/or inventory to demonstrate the ability to implement the major elements of the Post Shutdown Emergency Plan (PSEP), and communications/coordination with offsite response organizations, including at the Joint Information Center (JIC).	X		Prior to implementation of the PSEP.
JAF will provide the NRC and FEMA with advanced notice and an opportunity to observe PSEP implementation drill activities by providing a schedule of drill(s) to be conducted to the NRC through the Office of Nuclear Reactor Regulation Project Manager. JAF will offer New York State and Oswego County emergency response organizations the opportunity to participate in the drill(s).	X		Within 21 days of development of a schedule with which PSEP implementation drills will be conducted.