



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

October 3, 2016

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

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – ACCEPTANCE OF REQUESTED LICENSING ACTION RE: APPLICATION FOR ORDER TO TRANSFER MASTER DECOMMISSIONING TRUST FROM PASNY TO ENO, CONSENTING TO AMENDMENTS TO TRUST AGREEMENT, AND APPROVING PROPOSED LICENSE AMENDMENTS TO MODIFY AND DELETE DECOMMISSIONING TRUST LICENSE CONDITIONS UPON THE TRANSFER OF TRUST FUNDS (CAC NOS. MF8288 AND MF8289)

Dear Mr. Sullivan:

By application dated August 16, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16230A308), Entergy Nuclear Operations, Inc. (ENO) submitted a request to transfer the beneficial interest in the Power Authority of the State of New York (PASNY) Master Decommissioning Trust, including all rights and obligations thereunder, held by PASNY for Indian Point Nuclear Generating Unit No. 3 (IP3) and James A. FitzPatrick Nuclear Power Plant (FitzPatrick) to ENO. In addition, ENO requests amendments to the Master Decommissioning Trust Agreement (MTA) dated July 25, 1990, as amended, governing the MTA to facilitate this transfer and approval of license amendments to modify the existing trust-related license conditions to reflect the proposed transfer to ENO and the deletion of other conditions, as to apply the requirements of Section 50.75(h)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR). The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of these requests. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

B. Sullivan

- 2 -

If you have any questions, please contact me at (301) 415-3629.

Sincerely,

A handwritten signature in black ink, appearing to read 'DR', with a long horizontal flourish extending to the right.

Diane Render, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-333 and 50-286

cc: Distribution via Listserv

B. Sullivan

- 2 -

If you have any questions, please contact me at (301) 415-3629.

Sincerely,

/RA/

Diane Render, Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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ADAMS Accession No.: ML16266A417

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DATE	9/22/2016	9/23/2016	9/29/2016	10/03/2016

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