



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 APPROVING TRANSFER OF RENEWED FACILITY OPERATING LICENSE AND PROPOSED CONFORMING LICENSE AMENDMENT (CAC NO. MF8293)

Dear Mr. Sullivan:

By application dated August 18, 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16235A081), Entergy Nuclear Operations, Inc. (ENO) and Exelon Generation Company, LLC. (Exelon) submitted an application for an order approving the transfer of Renewed Facility Operating License No. DPR-59 and the general license authorizing the operation of an independent spent fuel storage installation for James A. FitzPatrick Nuclear Power Plant. In addition, the applicants request conforming license amendments to reflect the transfer of the licenses from ENO to Exelon. The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this request. 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.

Consistent with Section 50.80 of Title 10 of the *Code of Federal Regulations* (10 CFR), an application for transfer of a license shall include as much of the information described in sections 50.33 and 50.34 of 10 CFR 50, with respect to identity and technical and financial qualifications of the proposed transferee. Also, consistent with 10 CFR 50.90, an amendment to the license must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal addresses the design and operating characteristics, unusual or novel design features, and principal safety considerations.

B. Sullivan

- 2 -

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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Diane Bender", with a large loop at the beginning and a long, sweeping tail.

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

Docket Nos. 50-333 and 72-012

cc: Distribution via Listserv

B. Sullivan

- 2 -

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.

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

Docket Nos. 50-333 and 72-012

cc: Distribution via Listserv

DISTRIBUTION:

PUBLIC

Branch Reading File

RidsACRS_MailCTR Resource

RidsNrrDorl Resource

RidsNrrDorlDpr Resource

RidsNrrDorlLplI-1 Resource

RidsNrrLAKGoldstein Resource

RidsNrrPMFtizPatrick Resource

RidsRgn1MailCenter Resource

ADAMS Accession No. ML16266A483

OFFICE	LPLI-1/PM	LPLI-1/LA	LPLI-1/BC	LPLI-1/PM
NAME	DRender	KGoldstein	TTate	DRender
DATE	09/22/2016	09/23/16	09/29/16	10/03/16

OFFICIAL RECORD COPY