

JAFP-17-0084  
August 29, 2017

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555

James A FitzPatrick Nuclear Power Plant  
Renewed Facility Operating License No. DPR-059  
NRC Docket No. 50-333

Subject: Report of Full Compliance With March 12, 2012, Commission Order to Modify Licenses With Regard To Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051)

- References:
1. NRC Order Number EA-12-051, Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation, ML12056A044, dated March 12, 2012
  2. Entergy letter, James A. FitzPatrick Overall Integrated Plan In Response To March 12, 2012 Commission Order Modifying License With Regard To Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), JAFP-13-0023, dated February 28, 2013

Dear Sir or Madam:

On March 12, 2012, the Nuclear Regulatory Commission (“NRC” or “Commission”) issued an order [Reference 1] to James A. FitzPatrick Nuclear Power Plant (JAF). Reference 1 was immediately effective and directs JAF to install reliable spent fuel pool level instrumentation. Specific requirements are outlined in Attachment 2 of Reference 1. Initial compliance was submitted pursuant to Section IV, Condition C.1, in an Overall Integrated Plan (OIP) [Reference 2]. Status updates at six-month intervals, following submittal of the OIP, were submitted pursuant to Condition C.2.

The purpose of this letter is to report full compliance with NRC Order Number EA-12-051 [Reference 1] pursuant to Section IV, Condition C.3 of the Order. Attachments 1 provides a summary of EA-12-051 compliance. Attachments 2 and 3 summarize the responses to NRC requests for information and Audit items.

This letter contains no new regulatory commitments. Should you have any questions regarding this submittal, please contact Mr. William C. Drews, Regulatory Assurance Manager at (315) 349-6562.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 29<sup>th</sup> day of August, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read 'JEP' followed by '(for Pacher Acting)'. The signature is written in a cursive, fluid style.

Joseph E. Pacher  
Site Vice President  
Exelon Generation Company, LLC

JEP/WCD/mh

Attachment 1: Compliance with Order EA-12-051  
Attachment 2: NRC Requests for Information  
Attachment 3: Audit Items Currently Under NRC Staff Review

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

**JAFP-17-0084**

**Attachment 1**

**Compliance with Order EA-12-051**

**(2 Pages)**

## Compliance with Order EA-12-051

### 1. Background

On March 12, 2012, NRC Order Modifying Licenses with Regard to Reliable Spent Fuel Pool (SFP) Instrumentation, EA-12-051 (Reference 1), to all power reactor licensees was effective immediately and directed the installation of reliable SFP instrumentation.

Entergy submitted the James A. FitzPatrick Nuclear Power Plant (JAF) Overall Integrated Plan (OIP) by letter dated February 28, 2013 (Reference 2). The NRC provided the interim staff evaluation and requested additional information necessary for completion of the review by letter dated December 12, 2013 (Reference 3).

### 2. Compliance

JAF has installed two independent full-scale level monitors on the Spent Fuel Pool (SFP) in response to Reference 1. Compliance with EA-12-051 was achieved using the guidance in Nuclear Energy Institute (NEI) document NEI 12-02 (Reference 4) which has been endorsed by the NRC (Reference 5).

The information requested by the NRC is captured in Attachment 2.

### 3. References

1. NRC Order Number EA-12-051, Order to Modify Licenses with Regard to Reliable Spent Fuel Pool (SFP) Instrumentation, dated March 12, 2012 (ADAMS Accession No. ML12054A682)
2. Entergy Letter JAFP-13-0023, James A. FitzPatrick, Overall Integrated Plan in Response to March 12, 2012, Commission Order Modifying License with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated February 28, 2013 (ADAMS Accession No. ML13063A267)
3. NRC Letter to Entergy, James A. FitzPatrick – Interim Staff Evaluation and Request for Additional Information Regarding Overall Integrated Plan for Implementation of Order EA-12-051, Reliable Spent Fuel Pool Instrumentation, dated December 12, 2013 (ADAMS Accession No. ML13338A645)
4. NEI 12-02, Rev. 1, Industry Guidance for compliance with NRC Order EA-12-051, “To Modify Licenses with Regard to Reliable Spent Fuel Pool Instrumentation” August, 2012 (ADAMS Accession No. ML12240A307)
5. NRC Interim Staff Guidance, JLD-ISG-2012-03, Compliance with Order EA-12-051, Reliable Spent Fuel Pool Instrumentation, August 29, 2012 (ADAMS Accession No. ML12221A339)
6. NRC Letter to Entergy, James A. FitzPatrick – Report for the Audit Regarding Implementation of Mitigating Strategies and Reliable Spent Fuel Pool Instrumentation Related to Orders EA-12-049 and EA-12-051, dated December 14, 2016 (ADAMS Accession No. ML16343A011)
7. Entergy Letter JAFP-13-0113, First Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated August 28, 2013 (ADAMS Accession No. ML13241A206)
8. Entergy Letter JAFP-14-0024, Second Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated February 28, 2014 (ADAMS Accession No. ML14059A359)

**Compliance with Order EA-12-051**

9. Entergy Letter JAFP-14-0106, Third Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated August 28, 2014 (ADAMS Accession No. ML14241A263)
10. Entergy Letter JAFP-15-0027, Fourth Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated February 27, 2015 (ADAMS Accession No. ML15058A607)
11. Entergy Letter JAFP-15-0105, Fifth Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated August 28, 2015 (ADAMS Accession No. ML15240A377)
12. Entergy Letter JAFP-16-0028, Sixth Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated February 26, 2016 (ADAMS Accession No. ML16057A632)
13. Entergy Letter JAFP-16-0140, Seventh Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated August 25, 2016 (ADAMS Accession No. ML16238A522)
14. Entergy Letter JAFP-17-0018, Eighth Six-Month Status Report in Response to March 12, 2012 Commission Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation (Order Number EA-12-051), dated February 28, 2017 (ADAMS Accession No. ML17059D576)

**JAFP-17-0084**

**Attachment 2**

**NRC Requests for Information**

**(1 Page)**

### **NRC Requests for Information**

By Reference 3 of Attachment 1, the NRC provided its interim staff evaluation (ISE). The ISE included eighteen (18) requests for additional information (RAIs) necessary for completion of the review. Entergy provided responses to the eighteen (18) ISE RAIs by References 10 and 11 of Attachment 1. Reference 11 included the design bridging document.

During the onsite audit (Reference 6), which was conducted in October of 2016, revisions and additional information were made to these 18 ISE RAI responses. In addition, one technical review gap resolved during the onsite audit was also added (SE.3). The updated responses to all 18 RAIs from the ISE and item SE.3 were provided during the submittal of the 8<sup>th</sup> six-month status report update (Reference 14).

**JAFP-17-0084**

**Attachment 3**

**Audit Items Currently Under NRC Staff Review**

**(1 Page)**



### **Audit Items Currently Under NRC Staff Review**

In the James A. FitzPatrick NRC audit report, Reference 6 from Attachment 1, there were no open items in reference to the implementation of the reliable spent fuel pool instrumentation.