



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

March 2, 2022

Mr. David P. Rhoades  
Senior Vice President  
Constellation Energy Generation, LLC  
President and Chief Nuclear Officer (CNO)  
Constellation Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

**SUBJECT: ANNUAL ASSESSMENT LETTER FOR JAMES A. FITZPATRICK NUCLEAR  
POWER PLANT (REPORT 05000333/2021006)**

Dear Mr. Rhoades:

The U.S. Nuclear Regulatory Commission (NRC) has completed its end-of-cycle performance assessment of James A. FitzPatrick Nuclear Power Plant (FitzPatrick), reviewing performance indicators (PIs), inspection results, and enforcement actions from January 1, 2021 through December 31, 2021. This letter informs you of the NRC's assessment of your facility during this period and its plans for future inspections at your facility. The NRC concluded that overall performance at your facility preserved public health and safety. The baseline inspection program was completed at your facility as defined in Inspection Manual Chapter 2515, "Light-Water Reactor Inspection Program - Operations Phase." All NRC inspections that occurred at your facility in 2021 were performed while the operating license was held by Exelon Generation Company, LLC. On February 1, 2022, the operating license was transferred to Constellation Energy Generation, LLC (Constellation), as documented in a license amendment (ADAMS Accession No. ML22021B660). As such, this letter and future communications regarding your facility will be addressed to and refer to the licensee as Constellation.

The NRC determined the performance at FitzPatrick during the most recent quarter was within the Licensee Response Column (Column 1) of the NRC's Reactor Oversight Process (ROP) Action Matrix in Inspection Manual Chapter 0305, "Operating Reactor Assessment Program," because all inspection findings had very low safety significance (i.e., Green), and all PIs were within the expected range (i.e., Green). Therefore, the NRC plans to conduct ROP baseline inspections at FitzPatrick. Note that FitzPatrick started the assessment period in Column 2 and returned to the Licensee Response Column on October 1, 2021 following a supplemental inspection documented in NRC Inspection Report 05000333/2021040 (ADAMS Accession No. ML21308A407). In addition to baseline inspections, the NRC will implement Inspection Procedure 71003, "Post-Approval Site Inspection for License Renewal."

The enclosed inspection plan lists the inspections scheduled through December 31, 2023. The NRC provides the inspection plan to allow for the resolution of any scheduling conflicts and personnel availability issues. Routine inspections performed by resident inspectors are not included in the inspection plan. The inspections listed during the last twelve months of the

inspection plan are tentative and may be revised. The NRC will contact you as soon as possible to discuss changes to the inspection plan should circumstances warrant any changes.

In response to the COVID-19 public health emergency (PHE), the NRC adjusted inspection plans and schedules in order to safeguard the health and safety of both NRC and licensee staff while still effectively implementing the ROP. While the PHE continues, overall conditions throughout the country support performance of our inspection and oversight activities to return to normal onsite presence by our resident and region-based inspectors and completion of nominal baseline inspection samples. We continue to monitor site-specific conditions and as discussed in our November 2, 2021 memo, "Implementation of Inspection Programs Following Re-Entry from the Public Health Emergency for the Reactor Safety Program" (ADAMS Accession No. ML21295A302), it may be necessary to alter how and when we perform our inspection and oversight activities as we balance the importance of protecting the health and safety of our staff with the need to conduct effective oversight that supports the NRC's critical safety mission.

For inspections requiring extensive coordination with offsite organizations, such as evaluated emergency preparedness exercises, NRC guidance and frequently asked questions for security and emergency preparedness can be found here: <https://www.nrc.gov/about-nrc/covid-19/security-ep/>. Similarly, the NRC has developed guidance if force-on-force inspections cannot be completed as scheduled due to an emergency, such as the COVID-19 PHE. These changes help ensure the health and safety of both NRC and licensee staff while maintaining the NRC's important safety and security mission during the COVID-19 PHE. The attached inspection plan is accurate on the date of issuance but remains subject to change based on approval of potential exemption requests or other changes needed due to changing conditions in the COVID-19 PHE. NRC staff will contact your appropriate regulatory affairs staff in order to coordinate inspection planning and scheduling.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC's Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC's Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Please contact Erin Carfang at (610) 337-5120 with any questions you have regarding this letter.

Sincerely,

Daniel S. Collins, Director  
Division of Operating Reactor Safety

Docket No. 050000333  
License No. DPR-59

Enclosure:  
As stated

cc w/ encl: Distribution via LISTSERV®

SUBJECT: ANNUAL ASSESSMENT LETTER FOR JAMES A. FITZPATRICK NUCLEAR POWER PLANT (REPORT 05000333/2021006) DATED MARCH 2, 2022

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DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/ROPassessmentMeetings/Shared Documents/ROP-22 EOC Review/Branch 1/FitzPatrick/FitzPatrick 2021 Annual Assessment Letter.docx>

**ADAMS ACCESSION NUMBER: ML22059A776**

<input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
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NAME	JHawkins	ECarfang	DCollins		
DATE	2/28/22	2/28/22	3/2/22		

OFFICIAL RECORD COPY

# Site Inspection Activity Plan

## FitzPatrick

01/01/2022 - 12/31/2023

Unit	Start	End	Activity	CAC	Title	Staff Count
<b>Rad Safety - Airborne Radioactivity</b>						1
1	2/14/2022	2/18/2022	IP 71124.03	000727	In-Plant Airborne Radioactivity Control and Mitigation	
<b>Annual PIR Sample - MSIV Actuator Part 21 Applicability</b>						1
1	2/28/2022	3/4/2022	IP 71152A	001790	Annual Follow-up Problem Identification and Resolution	
<b>ISFSI Operational Inspection (60855) - Fitz</b>						1
1	3/7/2022	3/11/2022	IP 60855	001001	Operation Of An ISFSI	
<b>Rad Safety - Instrumentation</b>						1
1	4/4/2022	4/8/2022	IP 71124.05	000729	Radiation Monitoring Instrumentation	
<b>Access Auth, Access Control, FFD, SPR, PI- FP</b>						3
1	4/18/2022	4/22/2022	IP 71130.01	000733	Access Authorization	
1	4/18/2022	4/22/2022	IP 71130.02	000734	Access Control	
1	4/18/2022	4/22/2022	IP 71130.08	000740	Fitness For Duty Program	
1	4/18/2022	4/22/2022	IP 71130.09	001656	Security Plan Changes	
1	4/18/2022	4/22/2022	IP 71151	001338	Performance Indicator Verification	
<b>Design Bases Assurance Inspection - Teams - Fitzpatrick</b>						6
1	5/2/2022	5/6/2022	IP 71111.21M	000713	Design Bases Assurance Inspection (Teams)	
1	5/16/2022	5/20/2022	IP 71111.21M	000713	Design Bases Assurance Inspection (Teams)	
<b>Fitz Requal Inspection with P/F Results</b>						2
1	5/9/2022	5/13/2022	IP 71111.11A	000703	Licensed Operator Requalification Program and Licensed Operator Performance	
1	5/9/2022	5/13/2022	IP 71111.11B	000704	Licensed Operator Requalification Program and Licensed Operator Performance	
<b>Rad Safety - REMP</b>						1
1	7/18/2022	7/22/2022	IP 71124.07	000731	Radiological Environmental Monitoring Program	
<b>EP PROGRAM INSPECTION - FITZPATRICK</b>						1
1	8/8/2022	8/12/2022	IP 71114.02	000717	Alert and Notification System Testing	
1	8/8/2022	8/12/2022	IP 71114.03	000718	Emergency Response Organization Staffing and Augmentation System	
1	8/8/2022	8/12/2022	IP 71114.04	000719	Emergency Action Level and Emergency Plan Changes	
1	8/8/2022	8/12/2022	IP 71114.05	000720	Maintenance of Emergency Preparedness	
1	8/8/2022	8/12/2022	IP 71151	001397	Performance Indicator Verification	
<b>Inservice Inspection - Fitzpatrick</b>						1
1	9/26/2022	9/30/2022	IP 71111.08G	000701	Inservice Inspection Activities (BWR)	
<b>Rad Safety - Rad Haz &amp; PIV</b>						1
1	9/26/2022	9/30/2022	IP 71124.01	000725	Radiological Hazard Assessment and Exposure Controls	

# Site Inspection Activity Plan

<b>Fire Protection - Fitzpatrick</b>						3
1	3/6/2023	3/10/2023	IP 71111.21N.05	001646	Fire Protection Team Inspection (FPTI)	
1	3/20/2023	3/24/2023	IP 71111.21N.05	001646	Fire Protection Team Inspection (FPTI)	
<b>Rad Safety - Radiological Hazards</b>						1
1	3/6/2023	3/10/2023	IP 71124.01	000725	Radiological Hazard Assessment and Exposure Controls	
<b>FORCE-ON-FORCE PLANNING AND EXERCISE - FP</b>						4
1	4/24/2023	4/28/2023	IP 71130.03	000735	Contingency Response - Force-On-Force Testing	
1	5/15/2023	5/19/2023	IP 71130.03	000735	Contingency Response - Force-On-Force Testing	
<b>License Renewal Phase 4 - Fitzpatrick</b>						4
1	6/5/2023	6/9/2023	IP 71003	000687	Post-Approval Site Inspection for License Renewal	
<b>EP EXERCISE INSPECTION - FITZPATRICK</b>						5
1	6/19/2023	6/23/2023	IP 71114.01	000716	Exercise Evaluation	
1	6/19/2023	6/23/2023	IP 71151	001397	Performance Indicator Verification	
<b>Access Control, Equipment, Sec Trng, Sec Plan Review, PI- Fitz</b>						3
1	7/10/2023	7/14/2023	IP 71130.02	000734	Access Control	
1	7/10/2023	7/14/2023	IP 71130.04	000736	Equipment Performance, Testing, and Maintenance	
1	7/10/2023	7/14/2023	IP 71130.07	000739	Security Training	
1	7/10/2023	7/14/2023	IP 71130.09	001656	Security Plan Changes	
1	7/10/2023	7/14/2023	IP 71151	001338	Performance Indicator Verification	
<b>FY23 - Fitz Initial Licensing Examination</b>						4
1	7/9/2023	7/14/2023	OV	000956	FB-OR-ONSITE VALIDATION OF INITIAL LICENSE EXAMINATION (OV)	
1	8/6/2023	8/18/2023	EXAD	000500	FB-OR-INITIAL LICENSE EXAM ADMINISTRATION (EXAD)	
<b>Rad Safety - Dosimetry</b>						1
1	8/14/2023	8/18/2023	IP 71124.04	000728	Occupational Dose Assessment	
<b>PI&amp;R Team Inspection - FP</b>						4
1	9/18/2023	9/22/2023	IP 71152B	000747	Problem Identification and Resolution	
1	10/2/2023	10/6/2023	IP 71152B	000747	Problem Identification and Resolution	
<b>ISFSI Loading Campaign (60855) - Fitz</b>						2
1	9/25/2023	9/29/2023	IP 60855	001001	Operation Of An ISFSI	
<b>Rad Safety - Radwaste Shipping PIV</b>						1
1	10/9/2023	10/13/2023	IP 71124.08	000732	Radioactive Solid Waste Processing & Radioactive Material Handling, Storage, & Transportation	
<b>Cyber Security - Fitzpatrick</b>						4
1	10/23/2023	10/27/2023	IP 71130.10	000741	Cybersecurity	