



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

March 3, 2008

Mr. Peter T. Dietrich
Site Vice President
Entergy Nuclear Northeast
James A. FitzPatrick Nuclear Power Plant
Post Office Box 110
Lycoming, NY 13093

**SUBJECT: ANNUAL ASSESSMENT LETTER - JAMES A. FITZPATRICK NUCLEAR
POWER PLANT (REPORT 05000333/2008001)**

Dear Mr. Dietrich,

On February 13, 2008, the NRC staff completed its performance review of the James A. FitzPatrick Nuclear Power Plant. Our technical staff reviewed performance indicators for the most recent quarter and inspection results for the period from January 1 through December 31, 2007. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only – Security Information" will include the security cornerstone review and resultant inspection plan.

Overall, FitzPatrick operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance for the most recent quarter, as well as for the first three quarters of the assessment cycle, was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all performance indicators indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct Reactor Oversight Process baseline inspections at your facility. We also plan to conduct an inspection of your independent spent fuel storage installation.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through June 30, 2009. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the mid-cycle review.

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

P. Dietrich

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If circumstances arise which cause us to change this inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at 610-337-5171 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Eugene W. Cobey, Chief
Projects Branch 2
Division of Reactor Projects

Docket No. 50-333
License No. DPR-59

Enclosure: FitzPatrick Inspection/ Activity Plan

cc w/encl:

G. Taylor, Chief Executive Officer, Entergy Operations
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Supervisor, Town of Scriba
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law

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cc w/encl:

S. Lousteau, Treasury Department, Entergy Services

J. Spath, Program Director, New York State Energy Research and Development Authority
Institute of Nuclear Power

FitzPatrick
Inspection / Activity Plan
01/01/2008 - 06/30/2009

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	3/31 EXM - INITIAL OPERATOR LICENSING EXAM		6			
1	U01684	FY08 - FITZPATRICK INITIAL OPERATOR LICENSING EXAM		03/03/2008	03/07/2008	Not Applicable
1	U01684	FY08 - FITZPATRICK INITIAL OPERATOR LICENSING EXAM		03/31/2008	04/11/2008	Not Applicable
	ISFSI - ISFSI INSPECTION - ANNUAL SAMPLE		1			
1	IP 60855	Operation Of An ISFSI		01/01/2008	03/31/2008	Other Routine
	711111B - REQUAL INSPECTION +P/F REVIEW		3			
1	IP 711111B	Licensed Operator Requalification Program		04/28/2008	05/02/2008	Baseline Inspections
	TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION		3			
1	IP 7111105T	Fire Protection [Triennial]		04/21/2008	04/25/2008	Baseline Inspections
1	IP 7111105T	Fire Protection [Triennial]		05/12/2008	05/16/2008	Baseline Inspections
	71122.02 - PUB RAD SAFETY - RADWASTE		1			
1	IP 7112202	Radioactive Material Processing and Transportation		04/28/2008	05/02/2008	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		06/23/2008	06/27/2008	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		06/23/2008	06/27/2008	Baseline Inspections
	EP - EP PROGRAM INSPECTION		2			
1	IP 7111402	Alert and Notification System Testing		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111403	Emergency Response Organization Augmentation Testing		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/13/2008	07/18/2008	EP Baseline Inspection
1	IP 71151-EP01	Drill/Exercise Performance		07/13/2008	07/18/2008	Baseline Inspections
1	IP 71151-EP02	ERO Drill Participation		07/13/2008	07/18/2008	Baseline Inspections
1	IP 71151-EP03	Alert & Notification System		07/13/2008	07/18/2008	Baseline Inspections
	71152B - PI&R		4			
1	IP 71152B	Identification and Resolution of Problems		07/14/2008	07/18/2008	Baseline Inspections
1	IP 71152B	Identification and Resolution of Problems		07/28/2008	08/01/2008	Baseline Inspections
	7111108G - INSERVICE INSPECTION		1			
1	IP 7111108G	Inservice Inspection Activities - BWR		09/22/2008	09/26/2008	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		09/22/2008	09/26/2008	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		09/22/2008	09/26/2008	Baseline Inspections
1	IP 71151-OR01	Occupational Exposure Control Effectiveness		09/22/2008	09/26/2008	Baseline Inspections
1	IP 71151-PR01	RETS/ODCM Radiological Effluent		09/22/2008	09/26/2008	Baseline Inspections
	TI 171 - TI 171		3			
1	IP 2515/171	VERIFICATION OF SITE SPECIFIC IMPLEMENTATION OF B.5.B PHASE 2 & 3 MITIGATING STRATEGIES		11/17/2008	11/21/2008	Generic Safety Inspectio

This report does not include INPO and OUTAGE activities.
This report shows only on-site and announced inspection procedures.

FitzPatrick
Inspection / Activity Plan
01/01/2008 - 06/30/2009

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates		Inspection Type
				Start	End	
	71121 - OCC RAD SAFETY		1			
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		01/26/2009	01/30/2009	Baseline Inspections
	7111107B - HEAT SINK INSP		1			
1	IP 7111107B	Heat Sink Performance		04/06/2009	04/10/2009	Baseline Inspections
	71122.01 - PUB RAD SAFETY - RETS		1			
1	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		04/06/2009	04/10/2009	Baseline Inspections
	71122.03 - PUB RAD SAFETY - REMP		1			
1	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program		05/04/2009	05/08/2009	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1	IP 7112101	Access Control to Radiologically Significant Areas		06/08/2009	06/12/2009	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		06/08/2009	06/12/2009	Baseline Inspections

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cc w/encl:

S. Lousteau, Treasury Department, Entergy Services

J. Spath, Program Director, New York State Energy Research and Development Authority
Institute of Nuclear Power

SUNSI Review Complete: BDW (Reviewer's Initials)

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DATE	02/22/08	02/22/08	02/29/08

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