



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 31, 2007

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

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN -  
JAMES A. FITZPATRICK NUCLEAR POWER PLANT**

Dear Mr. Dietrich:

On August 15, 2007, the NRC staff completed its performance review of the James A. FitzPatrick Nuclear Power Plant for the first half of the calendar year 2007 assessment cycle. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results over the previous twelve months. 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.

Plant performance for the most recent quarter of 2007 at the James A. FitzPatrick Nuclear Power Plant 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 PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct reactor oversight process (ROP) baseline inspections at your facility.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through December 31, 2008. 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 end-of-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).

The NRC is currently evaluating the scope and frequency of all baseline inspection procedures. If the results of the evaluation, or any other circumstances, cause us to change the 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 Nuclear Power Plant Inspection/Activity Plan

cc w/encl:

G. J. Taylor, Chief Executive Officer, Entergy Operations  
J. Wayne Leonard, Chairman & CEO, Entergy Operations  
M. R. Kansler, President & CEO / CNO, Entergy Nuclear Operations, Inc.  
J. T. Herron, Senior Vice President, Entergy Operations  
M. Balduzzi, Senior Vice President, Northeastern Regional Operations  
Senior Vice President of Engineering and Technical Services  
J. DeRoy, Vice President, Operations Support  
K. Mulligan, General Manager, Plant Operations  
O. Limpas, Vice President, Engineering (ENO)  
J. Ventosa, General Manager, Engineering (ENO)  
J. McCann, Director, Nuclear Safety and Licensing (ENO)  
Manager, Licensing (ENO)  
E. Harkness, Director of Oversight (ENO)  
Director, Nuclear Safety Assurance  
J. Costedio, Manager, Licensing  
W. Dennis, Assistant General Counsel (ENO)  
M. Balboni, Deputy Secretary for Public Safety, New York State  
P. Eddy, New York State Department of Public Service  
P. Smith, President, New York State, Energy, Research, and Development Authority  
S. Lyman, Oswego County Administrator  
Supervisor, Town of Scriba  
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
J. Sniezek, PWR SRC Consultant  
M. Lyster, PWR SRC Consultant

cc w/encl:

P. Dietrich

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J. Doering, PWR SRC Consultant

S. Lousteau, Treasury Department, Entergy Services

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

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- Supervisor, Town of Scriba
- C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
- J. Sniezek, PWR SRC Consultant
- M. Lyster, PWR SRC Consultant

SUNSI Review Complete: BEW (Reviewer's Initials)

DOCUMENT NAME: S:\ROP 8 Mid Cycle Review\Letters for Mid Cycle\Branch 2 Mid-cycle letters\Fitz 2007 Mid-Cycle Letter.wpd

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OFFICE	RI/DRP	RI/DRP
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DATE	08/30/07	08/31/07

Letter to Peter T. Dietrich from David C. Lew dated August 31, 2007

Distribution w/encl: **(via E-mail)**

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**FitzPatrick**  
**Inspection / Activity Plan**  
**07/01/2007 - 12/31/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>7111121 - CDBI</b>		<b>6</b>			
1	IP 7111121	Component Design Bases Inspection		07/09/2007	07/13/2007	Baseline Inspections
1	IP 7111121	Component Design Bases Inspection		07/16/2007	07/20/2007	Baseline Inspections
	<b>71121 - OCC RADIATION SAFETY</b>		<b>1</b>			
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/05/2007	11/09/2007	Baseline Inspections
	<b>3/31 EXM - INITIAL OPERATOR LICENSING EXAM</b>		<b>6</b>			
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	04/04/2008	Not Applicable
1	U01684	FY08 - FITZPATRICK INITIAL OPERATOR LICENSING EXAM		04/07/2008	04/11/2008	Not Applicable
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1	IP 7112101	Access Control to Radiologically Significant Areas		12/03/2007	12/21/2007	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		12/03/2007	12/21/2007	Baseline Inspections
	<b>EP - EP PROGRAM INSPECTION</b>		<b>2</b>			
1	IP 7111402	Alert and Notification System Testing		02/04/2008	02/08/2008	Baseline Inspections
1	IP 7111403	Emergency Response Organization Augmentation Testing		02/04/2008	02/08/2008	Baseline Inspections
1	IP 7111404	Emergency Action Level and Emergency Plan Changes		02/04/2008	02/08/2008	Baseline Inspections
1	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		02/04/2008	02/08/2008	Baseline Inspections
1	IP 71151-EP01	Drill/Exercise Performance		02/04/2008	02/08/2008	Baseline Inspections
1	IP 71151-EP02	ERO Drill Participation		02/04/2008	02/08/2008	Baseline Inspections
1	IP 71151-EP03	Alert & Notification System		02/04/2008	02/08/2008	Baseline Inspections
	<b>7111111B - REQUAL INSPECTION +P/F REVIEW</b>		<b>5</b>			
1	IP 7111111B	Licensed Operator Requalification Program		05/05/2008	05/09/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1	IP 7112101	Access Control to Radiologically Significant Areas		03/17/2008	03/21/2008	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		03/17/2008	03/21/2008	Baseline Inspections
	<b>TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION</b>		<b>3</b>			
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
	<b>71152B - PI&amp;R</b>		<b>4</b>			
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
	<b>7111108G - INSERVICE INSPECTION</b>		<b>1</b>			
1	IP 7111108G	Inservice Inspection Activities - BWR		09/22/2008	09/26/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1	IP 7112101	Access Control to Radiologically Significant Areas		09/22/2008	09/26/2008	Baseline Inspections

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

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**Inspection / Activity Plan**  
**07/01/2007 - 12/31/2008**

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	<b>71121</b>	<b>- OCC RAD SAFETY</b>	<b>1</b>			
1	IP 7112102	ALARA Planning and Controls		09/22/2008	09/26/2008	Baseline Inspections
	<b>MODS</b>	<b>- MODS AND 50.59</b>	<b>3</b>			
1	IP 7111102	Evaluation of Changes, Tests, or Experiments		10/20/2008	10/24/2008	Baseline Inspections
1	IP 7111117B	Permanent Plant Modifications		10/20/2008	10/24/2008	Baseline Inspections
	<b>MR</b>	<b>- MAINTENANCE RULE</b>	<b>1</b>			
1	IP 7111112B	Maintenance Effectiveness		11/03/2008	11/07/2008	Baseline Inspections