

December 7, 2005

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

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - NRC EVALUATED
EMERGENCY PREPAREDNESS EXERCISE INSPECTION REPORT
05000333/2005011

Dear Mr. Sullivan:

The enclosed report documents an inspection at the James A. FitzPatrick Nuclear Power Plant, which evaluated the performance of your emergency response organization during the November 17, 2005, exercise and the post-exercise critique conducted on November 23, 2005, as specified in the reactor oversight program. The inspectors discussed the findings of this inspection with Mr. D. Johnson, Mr. D. Wallace, and other members of your staff on November 23, 2005.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed emergency plan procedures, previous drill reports, observed the exercise activities, and interviewed selected emergency preparedness personnel from your staff.

Based on the results of this inspection, no findings of significance were identified.

In accordance with 10CFR2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure and your response (if any) will be 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).

Sincerely,

/RA/

Raymond K. Lorson, Chief
Plant Support Branch 1
Division of Reactor Safety

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

Mr. T. Sullivan

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Enclosure: Inspection Report No. 050003332/2005011
w/Attachment: Supplemental Information

cc w/encl:

G. Taylor, CEO, Entergy Operations
M. Kansler, President, Entergy
J. Herron, Sr, VP and Chief Operating Officer
C. Schwarz, VP, Operations Support
K. Mulligan, General Manager, Plant Operations
O. Limpas, VP, Engineering
J. McCann, Director, Licensing
C. Faison, Manager, Licensing
M. Colomb, Director of Oversight
D. Wallace, Director, Nuclear Safety Assurance
R. Plasse, Acting Manager, Regulatory Compliance
T. McCullough, Assistant General Counsel
P. Smith, President, New York State Energy Research and Development Authority
P. Eddy, New York State Department of Public Service
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
S. Lousteau, Treasury Department
INPO
J. Picciano, Acting Regional Director, FEMA, Region II

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- J. Picciano, Acting Regional Director, FEMA, Region II

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DATE	11/29/05	11/29/05	12/07/05				

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U. S. NUCLEAR REGULATORY COMMISSION REGION I

REGION I

Docket No: 50-333

License No: DPR-59

Report No: 05000333/2005011

Licensee: Entergy Nuclear Northeast

Facility: James A. FitzPatrick Nuclear Power Plant

Location: Lake Road
Scriba, New York

Dates: November 16 - 23, 2005

Inspectors: D. Silk, Senior Emergency Preparedness Inspector, DRS (Lead)
T. Walker, Senior Project Engineer, DRP, Branch 5
S. Barr, Senior Operations Engineer, DRS, PSB 1
J. Noggle, Senior Radiation Protection Specialist, DRS, PSB 2

Observer: B. Haagensen, Operations Engineer, DRS, OSB

Approved by: Raymond K. Lorson, Chief
Plant Support Branch 1
Division of Reactor Safety

Enclosure

SUMMARY OF FINDINGS

IR 05000333/2005011; 11/16/2005-11/23/2005; James A. FitzPatrick Nuclear Power Plant; Emergency Preparedness Exercise; Emergency Preparedness Performance Indicators.

This inspection was conducted by three region-based inspectors and an emergency preparedness specialist from NSIR. No findings of significance were identified. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-5949, "Reactor Oversight Process," Revision 3, dated August 2000.

A. NRC-Identified Findings

Cornerstone: Emergency Preparedness

None

B. Licensee-Identified Findings

None

Report Details

1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

1EP1 Exercise Evaluation (71114.01 - 1 Sample)

a. Inspection Scope

Prior to the exercise, an in-office review was conducted of the exercise objectives and scenario submitted to the NRC to determine if the exercise would test major elements of the emergency plan as required by 10 CFR 50.47(b)(14). This inspection activity represents the completion of one sample on a biennial cycle.

The onsite inspection consisted of the following review and assessment:

- The adequacy of Entergy's performance in the biennial full-participation exercise regarding the implementation of the risk-significant planning standards (RSPS) in 10 CFR 50.47 (b)(4), (5), (9) & (10) which are emergency classification, offsite notification, radiological assessment, and protective action recommendations, respectively.
- The overall adequacy of Entergy's emergency response facilities with regard to NUREG-0696, "Functional Criteria for Emergency Response Facilities," and Emergency Plan commitments. The facilities assessed were the control room simulator, the Technical Support Center (TSC), the Operations Support Center (OSC), and the Emergency Operations Facility (EOF).
- Other performance areas, such as, the emergency response organization's (ERO) recognition of abnormal plant conditions, command and control, intra- and inter-facility communications, prioritization of mitigation activities, utilization of repair and field monitoring teams, interface with offsite agencies, staffing and procedure adequacy, and the overall implementation of the emergency plan and its implementing procedures.
- Past performance issues from NRC inspection reports and Entergy's drill reports to determine effectiveness of corrective actions as demonstrated during this exercise to ensure compliance with 10 CFR 50.47(b)(14).
- The post-exercise critique to evaluate Entergy's self-assessment of its ERO performance during the exercise and to ensure compliance with 10 CFR 50, Appendix E.IV.F.2.g.

The inspectors reviewed the documents listed in Attachment 1 to this report.

Enclosure

b. Findings

No findings of significance were identified.

1EP4 Emergency Action Level and Emergency Plan Changes (7111404 - 1 sample)

a. Inspection Scope

During this inspection period, the NRC received and acknowledged the changes made to the Fitzpatrick emergency plan in accordance with 10 CFR 50.54(q). The licensee had determined that the changes did not decrease the effectiveness to the plan and that the changes continued to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. The inspectors conducted a sampling review of the changes that could potentially result in a decrease in effectiveness. This review does not constitute an approval of the changes and, as such, the changes are subject to future NRC inspection. The inspection was conducted in accordance with NRC Inspection Procedure 71114, Attachment 4, and the applicable requirements in 10 CFR 50.54(q) were used as reference criteria. This inspection activity represents the completion of one sample on an annual cycle.

b. Findings

No findings of significance were identified.

4. OTHER ACTIVITIES (OA)

4OA1 Performance Indicator (PI) Verification (71151- 3 Samples)

a. Inspection Scope

The inspectors reviewed data for the EP PIs which are: (1) Drill and Exercise Performance (DEP); (2) ERO Drill Participation; and (3) Alert and Notification System (ANS) Reliability. The inspector reviewed supporting documentation from drills in the third and fourth quarters of 2004 and the first three quarters of 2005 to verify the accuracy of the reported data. Since the ANS system is shared with Nine Mile Point (NMP) who tests the system, the inspector verified that Entergy was reviewing the ANS data reported by NMP. The inspector verified the accuracy of NMP's ANS data in August 2005 and is documented in Inspection Report 05000220&410/2005008. The review of these performance indicators was conducted in accordance with NRC Inspection Procedure 71151. The acceptance criteria used for the review were 10 CFR 50.9 and NEI 99-02, Revision 2, "Regulatory Assessment Performance Indicator Guidelines." This inspection activity represents the completion of three samples on an annual cycle.

b. Findings

No findings of significance were identified.

40A2 Identification and Resolution of Problems (71152: 1 Sample)

a. Inspection Scope

The inspectors reviewed Entergy's critique findings as documented in drill and exercise reports from 2004 and 2005. These reviews were conducted to determine if significant performance trends exist and to determine the effectiveness of licensee corrective actions based upon ERO performance during this exercise. The inspectors verified that issues identified during this exercise were entered into Entergy's corrective action program and are listed in the attachment to this report. The inspection was conducted in accordance with NRC Inspection Procedure 71114, Attachment 01. The inspector utilized 10 CFR 50.47(b)(14), and Appendix E IV.F.2.g as reference criteria.

b. Findings and Observations

No findings of significance were identified. The inspectors noted that the licensee was self-critical at identifying issues during this exercise.

40A6 Meetings, including Exit

The inspectors presented the inspection results to Mr. D. Johnson, Acting Plant Manger, Mr. D. Wallace, Director of Nuclear Safety Assurance, and other members of the licensee's staff at the conclusion of the inspection on November 23, 2005. The licensee had no objections to the NRC observations. No proprietary information was provided to the inspectors during this inspection.

ATTACHMENT

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee Personnel

N. Avrankatos, Fitzpatrick Emergency Preparedness Manager
J. Rogers, Senior Emergency Planner
A. Halliday, Senior Project Manager Emergency Planner
J. McCarty, Senior Emergency Planner

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened, Closed, Discussed

None

LIST OF DOCUMENTS REVIEWED

Section 1EP1: Exercise Evaluation

Fitzpatrick Emergency Plan
Emergency Plan Implementing Procedures
AOP-70A, Airborne Security Threat, Rev 2

Section 1EP4: Emergency Action Level and Emergency Plan Changes

Emergency Plan Section 5, Rev 39 & 40
EAP-1.1, Offsite Notifications, Rev 55 & 56
EAP-17, Emergency Organization Staffing, Rev 113
EAP 31, Recovery Manager, Rev 2 (Deleted)
EAP-32, Recovery Support Group Manager, Rev 10 (Deleted)
EAP-33, Development of a Recovery Action Plan, Rev 1 (Deleted)
EAP-43, Emergency Facilities Long Term Staffing, Rev 67
CR-JAF-2004-02804
DRN-05-03279

Section 4OA1: Performance Indicator Verification

EN-EP-201, Emergency Planning Performance Indicators, Rev 2

Section 40A2: Identification and Resolution of Problems

Fitzpatrick June 3, 2003, Exercise Report
Fitzpatrick May 26, 2004, Drill Report
Fitzpatrick February 16, 2005, Drill Report
Fitzpatrick August 3, 2005, Drill Report

Condition Reports

CR 2005-4714 Provisions for 24-hour staff coverage
CR 2005-4751 Volume of plant page in OSC
CR 2005-4794 GE notification form inaccurate
CR 2005-4795 Problems with 4-way communication systems
CR 2005-4796 RECS line handset problems
CR 2005-4797 JNC EPIC terminal was not operable
CR 2005-4798 Use of CANS during security event
CR 2005-4800 ERO response to “take cover” and two-man rule
CR 2005-4802 Make provisions to locate closest bomb squad
CR 2005-4804 Impact of “passing over” a security-related alert declaration
CR 2005-4807 Meteorological data system and usage issues
CR 2005-4810 ProRad software availability at EOF
CR 2005-4811 OSC remodeling is incomplete
CR 2005-4812 Web-based exercise data was not accurate
CR 2005-4814 Incorrect or inadequate communications
CR 2005-4815 EOF dose assessor commencing duties before EOF activation
CR 2005-4816 Exercise debriefs at some facilities were short and non-critical
CR 2005-4817 Some debriefs critique equipment versus personnel performance
CR 2005-4818 Failure to provide requested information to CANS

LIST OF ACRONYMS

ANS	Alert and Notification System
CFR	Code of Federal Regulations
DEP	Drill and Exercise Performance
ERO	Emergency Response Organization
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
NMP	Nine Mile Point
NRC	Nuclear Regulatory Commission
OSC	Operations Support Center
PI	Performance Indicator
RSPS	Risk Significant Planning Standard
TSC	Technical Support Center