

April 23, 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: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - NRC EVALUATED
EMERGENCY PREPAREDNESS EXERCISE - INSPECTION REPORT NO.
05000333/2007502

Dear Mr. Dietrich:

The enclosed report documents an inspection at James A. FitzPatrick Nuclear Power Plant, which evaluated the performance of your emergency response organization during the March 7, 2007, exercise and the post-exercise critiques conducted on March 8-12, 2007, as specified in the reactor oversight program. The inspectors discussed the preliminary findings of this inspection with you and members of your staff on March 12, 2007.

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 and 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 10 CFR 2.390 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/

James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

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James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

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

Enclosure: Inspection Report No. 05000333/2007502 w/Attachment: Supplemental Information

SUNSI Review Complete: JMT (Reviewer's Initials)

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J. McCann, Director, Licensing (ENO)
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Supervisor, Town of Scriba
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U. S. NUCLEAR REGULATORY COMMISSION REGION I
REGION I

Docket No: 50-333

License Nos: DPR-59

Report Nos: 05000333/2007502

Licensee: Entergy Nuclear Northeast (Entergy)

Facility: James A. FitzPatrick Nuclear Power Plant (FitzPatrick)

Location: 268 Lake Road
Scriba, NY 13093

Dates: March 6-12, 2007

Inspectors: S. Barr, Senior Emergency Preparedness Inspector, Region I (Lead)
P. Bonnett, Senior Risk Analyst, NRR
P. Frechette, Physical Security Inspector, Region I
P. Presby, Operations Engineer, Region I

Approved by: James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

Enclosure

SUMMARY OF FINDINGS

IR 05000333/2007502; 03/06-03/12/07; James A. FitzPatrick Nuclear Power Plant; Emergency Preparedness Exercise; Emergency Action Level and Emergency Plan Changes; Emergency Preparedness Performance Indicators.

This inspection was conducted by three region-based inspectors and one headquarters-based inspector. 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.

Cornerstone: Emergency Preparedness

A. NRC-Identified and Self-Revealing Findings

No findings of significance were identified.

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). The evaluation of the licensee's performance during the exercise is described below. Overall, this inspection activity represents the completion of one sample on a biennial cycle.

The exercise evaluation consisted of the following review and assessment:

- The adequacy of FitzPatrick'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), and (10), which are emergency classification, offsite notification, radiological assessment, and protective action recommendations, respectively.
- The overall adequacy of FitzPatrick'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), the Joint Information Center (JIC), and the Emergency Operations Facility (EOF).
- Other performance areas, such as, the emergency response organization's (ERO's) 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 the last NRC exercise report and FitzPatrick'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 critiques to evaluate FitzPatrick'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 (EAL) and Emergency Plan Changes

a. Inspection Scope (71114.04 - 1 Sample)

Prior to this inspection, the NRC had received and acknowledged the changes made to the FitzPatrick Emergency Plan and implementing procedures. These changes were made in accordance with 10 CFR 50.54(q), which the licensee had determined did not result in a decrease in effectiveness to the Plan and concluded that the changes continued to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. During this inspection the inspector 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 associated 10 CFR 50.54(q) reviews for the changes were sampled by the inspector. Also, the NRC reviewed the licensee's EAL scheme for logic and consistency. The inspection was conducted in accordance with NRC Inspection Procedure 71114, Attachment 4. The requirements in 10 CFR 50.54(q) were used as reference criteria.

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 FitzPatrick EP PIs which are: (1) Drill and Exercise Performance (DEP); (2) ERO Drill Participation; and (3) Alert and Notification System (ANS) Reliability. The last EP inspection at FitzPatrick was in August 2006, so the inspectors reviewed supporting documentation from drills and tests from the third and fourth quarters of 2006, to verify the accuracy of the reported PI data. 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 4, "Regulatory Assessment Performance Indicator Guidelines." This inspection activity represented the completion of three samples on an annual cycle.

b. Findings

No findings of significance were identified.

40A6 Meetings, including Exit

On March 12, 2007, the inspectors presented the inspection results to Mr. Peter Dietrich, Site Vice President, and other members of the licensee's staff. No proprietary information was provided to the inspectors during this inspection.

ATTACHMENT

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee Personnel

Nick Avrakotos, FitzPatrick Emergency Preparedness Manager

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened, Closed, Discussed

None

LIST OF DOCUMENTS REVIEWED

Section 1EP1: Exercise Evaluation

James A. FitzPatrick Nuclear Power Station Emergency Plan
James A. FitzPatrick Nuclear Power Station Emergency Plan Implementing Procedures
2007 Graded Exercise Timeline, Scenario Messages, and Radiation Release Data
All EP drill-related Condition Reports generated since March 2006

Condition Reports (CR's) reviewed as a result of the 2007 evaluated exercise:

CR-JAF-2007-00976
CR-JAF-2007-00975
CR-JAF-2007-00973
CR-JAF-2007-00972
CR-JAF-2007-00971
CR-JAF-2007-00970
CR-JAF-2007-00968
CR-JAF-2007-00967
CR-JAF-2007-00966
CR-JAF-2007-00961
CR-JAF-2007-00955
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CR-JAF-2007-00925
CR-JAF-2007-00924
CR-JAF-2007-00923
CR-JAF-2007-00920
CR-JAF-2007-00919
CR-JAF-2007-00918

Section 1EP4: Emergency Action Level an Emergency Plan Changes

All Emergency Plan and Emergency Plan Implementing Procedure changes processed between July 2006 (date of last NRC inspection) and March 2007.

Section 4OA1: Performance Indicator Verification

Drill/Exercise Performance Indicator Data, July 2006 - December 2006
ERO Drill Participation Performance Indicator Data, July 2006 - December 2006
ANS Reliability Performance Indicator Data, July 2006 - December 2006

LIST OF ACRONYMS

ANS	Alert and Notification System
CFR	Code of Federal Regulations
CR	Condition Report
DEP	Drill and Exercise Performance
ERO	Emergency Response Organization
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
JIC	Joint Information Center
NRC	Nuclear Regulatory Commission
OSC	Operations Support Center
PASS	Post-Accident Sample System
PI	Performance Indicator
RSPS	Risk Significant Planning Standard
TSC	Technical Support Center