



**Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.**

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Lawrence M. Coyle
Site Vice President – JAF

10 CFR 50.90

JAFP-13-0160
January 17, 2014

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Subject: Response to Request for Additional Information for Proposed Change to
Renewed Facility Operating License Condition 2.T

James A. FitzPatrick Nuclear Power Plant
Docket 50-333
License No. DPR-59

- References:**
1. NRC letter, Safety Evaluation Report Related to the License Renewal of the James. A. FitzPatrick Nuclear Power Plant, NUREG-1905, dated April 2008
 2. Entergy letter, Proposed Change to Renewed Facility Operating License Condition 2.T, JAFP-13-0043, dated May 7, 2013
 3. NRC email, Request for Additional Information – James A. FitzPatrick Nuclear Power Plant – Revise License Condition 2.T, dated November 19, 2013

Dear Sir or Madam,

Pursuant to 10 CFR 50.90, Entergy Nuclear Operations, Inc. (ENO) submitted a request for an amendment to the Renewed Facility Operating License (DPR-59) for the James A. FitzPatrick Nuclear Power Plant (JAFNPP), License Condition (LC) 2.T [Reference 2]. The intent of this proposed amendment ensures that changes made to those programs and activities described in the UFSAR supplement submitted pursuant to 10 CFR 54.21(d), as revised during the license renewal application review process, and as supplemented by Appendix A of NUREG-1905, "Safety Evaluation Report Related to the License Renewal of the James A. FitzPatrick Nuclear Power Plant," dated April 2008, [Reference 1] would be managed in accordance with 10 CFR 50.59.

The NRC submitted a request for additional information (RAI) [Reference 3] for the JAFNPP to provide an explanation or rewording of the proposed LC language to further clarify how the commitments for the JAFNPP are related to the programs and activities as described in the UFSAR.

JAFNPP is providing rewording to LC 2.T to be consistent with what is presented in the NRCs RAI which the NRC has indicated are reflective of other versions of LCs reviewed and accepted by the NRC. The rewording is presented in Attachments 1 and 2 of this letter.

Attachment 1: contains the annotated pages 3 and 8 of the current JAFNPP Renewed Facility Operating License (FOL).

Attachment 2: contains the retyped JAFNPP FOL pages 3 and 8

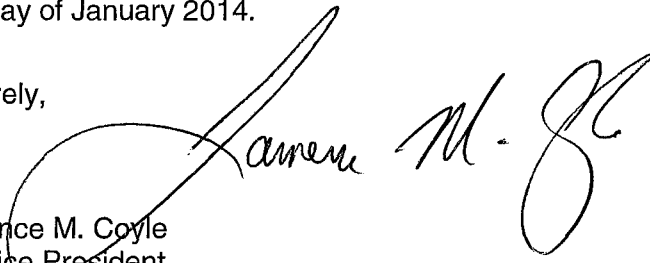
This proposed change is based on the understanding that it has the effect of explicitly attaching commitments made by the JAFNPP to its corresponding UFSAR supplements so that implementation of these activities described in the UFSAR can be managed in accordance with 10 CFR 50.59 rather than 10 CFR 50.90. So as to ensure a proper understanding of this matter, the JAFNPP requests, as part of this proposed License Amendment, that a statement be made to the same effect in the NRC's Safety Evaluation Report. If this is not possible, the JAFNPP requests that the NRC notify the Licensee as soon as practical prior to issuance of the License Amendment.

There are no commitments contained in this correspondence. Should you have any questions concerning this submittal, please contact Mr. Chris M. Adner, Regulatory Assurance Manager, at (315) 349-6766.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 17th day of January 2014.

Sincerely,

Lawrence M. Coyle
Site Vice President

A handwritten signature in black ink, appearing to read "Lawrence M. Coyle", with a large, stylized flourish at the end.

LMC/CMA/kk

- Attachments: (1) Annotated Pages of the Current JAF Facility Operating License
Pages 3 and 8
(2) Re-Typed JAF Facility Operating License Pages 3 and 8

cc: Director, Office of Nuclear Reactor Regulation
NRC Regional Administrator
NRC Resident Inspector
Ms. Heather Jones, Project Manager RSRG
Mr. Mohan Thadani, Senior Project Manager
Ms. Bridget Frymire, NYSPSC
Mr. Francis J. Murray Jr., President NYSERDA

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Attachment 1

**Annotated Pages of the Current JAFNPP Facility Operating License
Pages 3 and 8**

(3 Pages)

- (4) ENO pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use, at any time, any byproduct, source and special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration; or associated with radioactive apparatus, components or tools..
 - (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

ENO is authorized to operate the facility at steady state reactor core power levels not in excess of 2536 megawatts (thermal).
 - (2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. ~~304~~, are hereby incorporated in the renewed operating license. The licensee shall operate the facility in accordance with the Technical Specifications.
 - (3) Fire Protection

ENO shall implement and maintain in effect all provisions of the approved fire protections program as described in the Final Safety Analysis Report for the facility and as approved in the SER dated November 20, 1972; the SER Supplement No. 1 dated February 1, 1973; the SER Supplement No. 2 dated October 4, 1974; the SER dated August 1, 1979; the SER Supplement dated October 3, 1980; the SER Supplement dated February 13, 1981; the NRC Letter dated February 24, 1981; Technical Specification Amendments 34 (dated January 31, 1978), 80 (dated May 22, 1984), 134 (dated July 19, 1989), 135 (dated September 5, 1989), 142 (dated October 23, 1989), 164 (dated August 10, 1990), 176 (dated January 16, 1992), 177 (dated February 10, 1992), 186 (dated February 19, 1993), 190 (dated June 29, 1993), 191 (dated July 7, 1993), 206 (dated February 28, 1994) and 214 (dated June 27, 1994); and NRC Exemptions and associated safety evaluations dated April 26, 1983, July 1, 1983, January 11, 1985, April 30, 1986, September 15, 1986 and September 10, 1992 subject to the following provision:

- T. License Renewal - UFSAR supplement submitted pursuant to 10 CFR 54.21(d), as revised during the license renewal application review process, and as supplemented by Appendix A of NUREG-1905, "Safety Evaluation Report Related to the License Renewal of James A. FitzPatrick Nuclear Power Plant" dated April 2008, describes certain programs to be implemented and activities to be completed prior to the period of extended operation (PEO).

- a. The licensee shall implement those new programs and enhancements to existing programs no later than the PEO date.
- b. The licensee shall complete those inspection and testing activities by the PEO date.

The licensee shall notify the NRC in writing within 10 days after having accomplished item (a) above and include the status of those activities that have been or remain to be completed in item (b) above.

~~License Renewal Commitments/Conditions—The UFSAR supplement, as revised, describes certain future activities to be completed prior to and during the period of extended operation. ENF and ENO shall complete these activities in accordance with Appendix A of NUREG 1905, Safety Evaluation Report Related to the License Renewal of James A. FitzPatrick Nuclear Power Plant, issued April 2008. ENF and ENO shall notify the NRC in writing within 10 days of completion of those activities required prior to the period of extended operation and those activities required during the period of extended operation.~~

- U. UFSAR Supplement Changes – The UFSAR supplement, as revised, submitted pursuant to 10 CFR 54.21(d), shall be included in the next scheduled update to the UFSAR required by the 10 CFR 50.71(e)(4) following the issuance of this renewed operating license. Until that update is complete, ENF and ENO may make changes to the programs and activities described in the supplement without prior Commission approval, provided that ENF and ENO evaluate such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section. .
- V. Capsule withdrawal schedule – All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of the most recent NRC-approved version of the Boiling Water Reactor Vessel and Internals Project (BWRVIP) Integrated Surveillance Program (ISP) appropriate for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. All capsules placed in storage must be maintained for future insertion. Any changes to storage requirements must be approved by the NRC, as required by 10 CFR Part 50, Appendix H.

3. This renewed operating license is effective as of the date of issuance and shall expire at midnight on October 17, 2034.

FOR THE NUCLEAR REGULATORY COMMISSION

Renewed License No. DPR-59

Original signed by
Eric J. Leeds, Director
Office of Nuclear Reactor Regulation

Attachments/Appendices:

1. Appendix A – Technical Specifications
2. Appendix B – Deleted
3. Appendix C – Additional Conditions

Date of Issuance: ~~September 8, 2008~~ _____

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Attachment 2

**Re-Typed JAFNPP Facility Operating License
Pages 3 and 8**

(2 Pages)

- (4) ENO pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use, at any time, any byproduct, source and special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration; or associated with radioactive apparatus, components or tools..
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Amendment _____
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