



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
June 26, 1990

Docket Nos. 50-003
and 50-247

*See Correction Letter
of 7/31/90*

Mr. Stephen B. Bram
Vice President, Nuclear Power
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenue
Buchanan, New York 10511

Dear Mr. Bram:

SUBJECT: ISSUANCE OF AMENDMENTS FOR INDIAN POINT NUCLEAR GENERATING
UNIT NOS. 1 AND 2 (TAC NO. 67831)

The Commission has issued the enclosed Amendment No. 42 to Facility Operating License No. DPR-5 and Amendment No. 152 to Facility Operating License No. DPR-26 for Indian Point Nuclear Generating Unit Nos. 1 and 2. The amendments consist of changes to the Technical Specifications in response to your application transmitted by letter dated March 18, 1988, which was superseded by your letter dated March 27, 1990, as supplemented by letter dated May 11, 1990.

The amendments revise the Appendix A Technical Specifications for Unit 2 and the Appendix B Technical Specifications for Units 1 and 2. The amendments involve editorial changes, correct typographical errors, adjust line spacing (repagination), and adjust text formats. In addition, the amendments delete pertinent portions of the Technical Specifications that related to one-time only date extensions which have since expired and to plant equipment which has been removed from service pursuant to previously approved amendments. However, the amendments would not make any substantive changes to the Technical Specifications.

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sent*

June 26, 1990

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular bi-weekly Federal Register notice.

Sincerely,

Original signed by:

Donald S. Brinkman, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 42 to DPR-5
- 2. Amendment No. 152 to DPR-26 *See Reports*
- 3. Safety Evaluation

cc: w/enclosures
See next page

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Mr. Stephen B. Bram
Consolidated Edison Company
of New York, Inc.

Indian Point Nuclear Generating
Station 1/2

cc:

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Buchanan, New York 10511

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

DOCKET NO. 50-003

INDIAN POINT NUCLEAR GENERATING UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 42
License No. DPR-5

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Consolidated Edison Company of New York, Inc. (the licensee) dated March 18, 1988, which was superseded by letter dated March 27, 1990, as supplemented by letter dated May 11, 1990, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B. of Facility Operating License No. DPR-5 is hereby amended to read as follows:

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(B) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 42, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: June 26, 1990

ATTACHMENT TO LICENSE AMENDMENT NO. 42

FACILITY OPERATING LICENSE NO. DPR-5

DOCKET NO. 50-003

Revise Appendix B as follows:

Remove Pages

All

Insert Pages

All attached pages

APPENDIX B

TO

FACILITY OPERATING LICENSE

FOR

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

INDIAN POINT NUCLEAR GENERATING
UNITS NUMBER 1 AND 2

ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS

NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN

FACILITY LICENSES NO. DPR-5 AND DPR-26

DOCKET NUMBERS 50-3 AND 50-247

Unit 1 Amendment No. 42
Unit 2 Amendment No. 152

INDIAN POINT NUCLEAR GENERATING PLANT

UNITS 1 AND 2

ENVIRONMENTAL TECHNICAL SPECIFICATION REQUIREMENTS
NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN

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1.0 Objectives of the Environmental Protection Plan

The Environmental Protection Plan (EPP) is to provide for protection of environmental values during construction and operation of the nuclear facility. The principal objectives of the EPP are as follows:

- (1) Verify that the plant is operated in an environmentally acceptable manner, as established by the FES and other NRC environmental impact assessments.
- (2) Coordinate NRC requirements and maintain consistency with other Federal, State and local requirements for environmental protection.
- (3) Keep NRC informed of the environmental effects of facility construction and operation and of actions taken to control those effects.

Environmental concerns identified in the FES which relate to water quality matters are regulated by way of the licensee's SPDES permit.

2.0 Environmental Protection Issues

In the FES-OL for Unit 2 dated September 1972 and the FES-OL for Unit 3 dated February 1975, the staff considered the environmental impacts associated with operation of the Indian Point Nuclear Generating Plant. Certain environmental issues were identified which required study or license conditions to resolve environmental concerns and to assure adequate protection of the environment. The Appendix B Environmental Technical Specifications issued with the licenses included monitoring programs and other requirements to protect water quality and aquatic biota during plant operation with once-through cooling. Appendix B ETS amendments, No. 30 Unit 1 and No. 70 Unit 2, issued on July 11, 1979, included monitoring and other requirements to address the following non-radiological aquatic protection issues:

- (1) Controlled release of thermal discharges (ETS Sections 2.1, 3.1, 2.2.2, 3.2.2, and 4.1.1.a).
- (2) Controlled release of non-radioactive chemical discharges (ETS Sections 2.3 and 3.3).
- (3) Controlled intake flow velocity to limit impingement of organisms on intake structures (ETS Sections 2.2.1 and 3.2.1).
- (4) Monitoring of aquatic biota in the Hudson River to evaluate effects of once-through operation (ETS Section 4.1.2). These issues were fully addressed in the SPDES permit with effective date of May 14, 1981 and were deleted from the ETS with Amendment No. 30 for Unit 1 and Amendment No. 70 for Unit 2.

Aquatic issues are now addressed by the effluent limitations, monitoring requirements and other conditions in or annexed to the effective SPDES permit issued by the Department of Environmental Conservation of the State of New York (DEC). The NRC will therefore rely on the DEC for regulation of matters involving water quality and aquatic biota.

3.0 Consistency Requirements

3.1 Plant Design and Operation

The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question, and do not involve a change in the Environmental Protection Plan.* Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to the requirements of the EPP. Activities governed by Section 3.3 are not subject to the requirements of this section.

Before engaging in additional construction or operational activities which may affect the environment, the licensee shall prepare and record an environmental evaluation of such activity. When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide a written evaluation of such activities and obtain prior approval from the Director, Office of Nuclear Reactor Regulation. When such activity involves a change in the Environmental Protection Plan, such activity and change to the Environmental Protection Plan may be implemented only in accordance with an appropriate license amendment as set forth in Section 5.3.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the final environmental statement (FES) as modified by staff's testimony to the Atomic Safety and Licensing Board, supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents or power level in accordance with 10 CFR Part 51.22(c)(9)ii; or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this subsection which may have a significant adverse environmental impact.

* This provision does not relieve the licensee of the requirements of 10 CFR 50.59.

The licensee shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this subsection. These records shall include a written evaluation which provides a basis for the determination that the change, test, or experiment does not involve an unreviewed environmental question nor constitute a decrease in the effectiveness of the EPP to meet the objectives specified in Section 1.0. The licensee shall include as part of his Annual Environmental Protection Plan Report (per subsection 5.4.1) brief descriptions, analyses, interpretations, and evaluations of such changes, tests and experiments.

3.2 Reporting Related to the SPDES Permit

Violations of the SPDES permit shall be reported to the NRC by submittal of copies of the reports required by the SPDES permit.

Changes and additions to the SPDES permit shall be reported to the NRC within 30 days following the date the change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.

The NRC shall be notified of the changes to the effective SPDES permit proposed by the licensee by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The notification of a licensee-initiated change shall include a copy of the requested revision submitted to the permitting agency. The licensee shall provide the NRC a copy of the application for renewal of the SPDES permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in plant design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

4.0 Environmental Conditions

4.1 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to plant operation shall be recorded and promptly reported to the NRC within 24 hours by telephone, telegraph, or facsimile transmissions followed by a written report per subsection 5.4.2. The following are examples: excessive bird impaction events, onsite plant or animal disease outbreaks, unusual mortality or occurrence of any species protected by the Endangered Species Act of 1973, unusual fish kills, unusual increase in nuisance organisms or conditions, and unanticipated or emergency discharge of waste water or chemical substances.

No routine monitoring programs are required to implement this condition.

4.2 Environmental Monitoring

None

5.0 Administrative Procedures

5.1 Review and Audit

The licensee shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

5.2 Records Retention

Records and logs relative to the environmental aspects of plant operation shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to the NRC on request.

Records of modifications to plant structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the plant. All other records, data and logs relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

5.3 Changes in Environmental Protection Plan

Request for changes in the Environmental Protection Plan shall include an assessment of the environmental impact of the proposed change and a supporting justification. Implementation of such changes in the EPP shall not commence prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the Environmental Protection Plan.

5.4 Plant Reporting Requirements

5.4.1 Routine Reports

An Annual Environmental Protection Plan Report describing implementation of this EPP for the previous year shall be submitted to the NRC prior to May 1 of each year. The initial report shall be submitted prior to May 1 of the year following issuance of the operating license. The period of the first report shall begin with the date of issuance of the operating license.

The report shall include summaries and analyses of the results of the environmental protection activities required by subsection 4.2 of this Environmental Protection Plan for the report period, including a comparison with the preoperational studies, operational controls (as appropriate), and previous non-radiological environmental monitoring reports, and an assessment of the observed impacts of the plant operation on the environment. If harmful effects or evidence of trends towards irreversible damage to the environment are observed, the licensee shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Environmental Protection Plan Report shall also include:

- (a) A list of EPP noncompliances and the corrective actions taken to remedy them.
- (b) A list of all changes in station design or operation, tests, and experiments made in accordance with subsection 3.1 which involved a potentially significant unreviewed environmental issue.
- (c) A list of nonroutine reports submitted in accordance with subsection 5.4.2.
- (d) A list of all reports submitted in accordance with the SPDES permit.

In the event that some results are not available by the report due date, the report shall be submitted noting and explaining the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

5.4.2 Nonroutine Reports

A written report shall be submitted to the NRC within 30 days of occurrence of nonroutine event. The report shall (1) describe, analyze, and evaluate the event, including extent and magnitude of the impact and plant operating characteristics, (2) describe the probable cause of the event, (3) indicate the action taken to correct the reported event, (4) indicate the corrective action taken to preclude repetition of the event and to prevent similar occurrences involving similar components or systems, and (5) indicate the agencies notified and their preliminary responses.

Events reportable under this subsection which also require reports to other Federal, State or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this subsection. The NRC shall be provided a copy of such report at the same time it is submitted to the other agency.

APPENDIX B
TO
FACILITY OPERATING LICENSE
FOR
CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.

INDIAN POINT NUCLEAR GENERATING
UNITS NUMBER 1 AND 2

ENVIRONMENTAL TECHNICAL SPECIFICATION
REQUIREMENTS

NON-RADIOLOGICAL ENVIRONMENTAL PROTECTION PLAN

FACILITY LICENSES NO. DPR-5 AND DPR-26

DOCKET NUMBERS 50-3 AND 50-247

INDIAN POINT NUCLEAR GENERATING PLANT

UNITS 1 AND 2

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 42 AND 152 TO FACILITY OPERATING
LICENSE NOS. DPR-5 AND DPR-26
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NOS. 1 AND 2
DOCKET NOS. 50-003 AND 50-247

1.0 INTRODUCTION

By letter dated March 18, 1988, which was superseded by letter dated March 27, 1990, as supplemented by letter dated May 11, 1990, the Consolidated Edison Company of New York, Inc. (the licensee), requested amendments to Facility Operating License Nos. DPR-5 and DPR-26. The proposed amendments involve editorial changes, correction of typographical errors, adjustment of line spacing (repagination), and adjustment of text formats. The proposed amendments would also delete pertinent portions of the Technical Specifications that relate to one-time only date extensions which have since expired and to plant equipment which has been removed from service pursuant to previously approved amendments. The proposed amendments would result in the reissuance of all pages in Appendices A and B to these operating licenses.

The licensee's letter dated May 11, 1990, provided supplemental information to the March 27, 1990, letter (which had superseded the March 18, 1988, letter) that did not alter the action as noticed in the Federal Register on April 18, 1990.

2.1 EVALUATION

The licensee has proposed amendments to Appendices A and B of Facility Operating License Nos. DPR-5 and DPR-26 that would result in the reissuance of all pages in these Appendices. Included in these proposed amendments are editorial changes, corrections of typographical errors, adjustments of line spacings (repaginations) and adjustments of text formats. The staff has reviewed these proposed changes and has determined that since they do not involve any substantive changes to requirements, these proposed changes are acceptable.

In addition to the above noted editorial changes, typographical corrections, repaginations, and other format changes, the following changes were also proposed:

Appendix A
Technical Specification

Description of Proposed Change

1.10	Delete out-of-date footnote. However, out-of-date footnote was deleted in License Amendment No. 151; therefore, no further action is required.
3.1.F.2.a.2	Reword the second sentence to clarify intent that specified action is required if tube leaks due to denting are detected in two or more steam generators.
3.9.A.2.d	Delete this specification since it provides that TS 6.9.1.7.2.b is not applicable and TS 6.9.1.7.2.b was deleted in License Amendment No. 90.
3.9.B.2.d	Delete this specification since it provides that TS 6.9.1.9.b is not applicable and TS 6.9.1.9.b was deleted in License Amendment No. 94.
Table 3.12-1	Delete from table all snubbers identified with a double asterisk. Also delete applicable footnote since all snubbers identified with a double asterisk have been physically removed.
Table 3.13-1	Delete double asterisk on item 22 and applicable footnote since footnote is out-of-date.
Table 4.1-1, page 1	Delete second sentence of first (single asterisk) footnote since second sentence of footnote is out-of-date.
Table 4.11-3	Reinsert footnote d. which was inadvertently deleted in the printing of License Amendment No. 90.
4.12.B.1	Delete the second footnote (designated #) since this footnote is out-of-date.
4.14.D.1.a.ii	Delete footnote (designated ##) since this footnote is out-of-date.

Appendix A
Technical Specification

6.3.3 and
Table 6.2-1

Throughout

Description of Proposed Change

Change title "Shift Technical Advisor (STA)" to "Watch Engineer" to be consistent with current organizational titles.

Revise references to reflect current sections of UFSAR.

Appendix B
Technical Specification

3.1

3.2 and 5.4.1

Description of Proposed Change

Change reference to 10 CFR 51.5(b)(2), which no longer exists, to 10 CFR 51.22(c)(9)ii which is the relevant reference.

Change NPDES to SPDES to reflect EPA's delegation of the NPDES discharge permit program to New York State in accordance with Section 402 of the Clean Water Act.

The staff has reviewed the above listing of proposed changes and has concluded that since these changes only delete out-of-date requirements, properly update titles and references and do not involve any substantive changes to requirements, these proposed changes are acceptable.

3.0 ENVIRONMENTAL CONSIDERATION

These amendments involve a change in a requirement with respect to the installation or use of the facilities components located within the restricted areas as defined in 10 CFR Part 20. The staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that these amendments involve no significant hazards consideration and there has been no public comment on such finding. Accordingly, these amendments meet the eligibility criteria for categorical exclusions set forth in 10 CFR 51.22(c)(9) and 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

4.0 CONCLUSION

We have concluded, based on the considerations discussed above, that:
(1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

Dated: June 26, 1990

PRINCIPAL CONTRIBUTOR:

D. Brinkman