

Mr. A. Alan Blind
 Vice President, Nuclear Power
 Consolidated Edison Company
 of New York, Inc.
 Broadway and Bleakley Avenue
 Buchanan, NY 10511

March 8, 1999

**SUBJECT: ISSUANCE OF AMENDMENT AND BASES CHANGE FOR INDIAN POINT
 NUCLEAR GENERATING UNIT NO. 2 (TAC NOS. MA3865)**

Dear Mr. Blind:

The Commission has issued the enclosed Amendment No. 199 to Facility Operating License No. DPR-26 for Indian Point Nuclear Generating Unit No. 2. The amendment consist of changes to Technical Specifications (TSs) in response to your application transmitted by letter dated October 9, 1998.

The amendment revised Section 6.0, administrative controls, of the TSs. Specifically, TS Sections 6.5.2.1.j, 6.7.1.c, and 6.8.1.a are revised to correct typographical errors. In addition, TS Section 6.5.2.2 is revised to change the membership of the Nuclear Facility Safety Committee (NFSC). This change provides Consolidated Edison (Con Ed) the flexibility to obtain industry experts outside of Con Ed to perform the duties of Chairman, or Vice Chairman, and members of the NFSC.

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

Sincerely,

Original signed by:

Jefferey F. Harold, Project Manager
 Project Directorate I-1
 Division of Licensing Project Management
 Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 199 to DPR-26
 2. Safety Evaluation

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NAME	JHarold/rsl		SLittle	SBajwa	RCorreia	
DATE	02/12/99		02/12/99	02/14/99	02/19/99	

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**A. Alan Blind
Consolidated Edison Company
of New York, Inc.**

**Indian Point Nuclear Generating
Station Units 1/2**

cc:

**Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, NY 10511**

**Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271**

**Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
Corporate Plaza West
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Albany, NY 12203-6399**

**Ms. Charlene D. Faison, Director
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Power Authority of the State
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**Mr. Charles W. Jackson
Manager of Nuclear Safety and
Licensing
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Buchanan, NY 10511**

**Mr. Walter Stein
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**Senior Resident Inspector
U. S. Nuclear Regulatory Commission
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**Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406**

**Mr. Brent L. Brandenburg
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New York, NY 10003**

**Mr. Paul Eddy
New York State Department of
Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223**

DATED: March 8, 1999

AMENDMENT NO. 199 TO FACILITY OPERATING LICENSE NO. DPR-26-INDIAN POINT
UNIT 2

~~Docket File~~

PUBLIC

PDI-1 Reading

J. Zwolinski

S. Bajwa

S. Little

J. Harold

R. Correia

OGC

G. Hill (2), T-5 C3

W. Beckner, 013/H15

ACRS

R. Norsworthy (e-mail SE, only)

J. Rogge, Region I

cc: Plant Service list



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

March 8, 1999

Mr. A. Alan Blind
Vice President, Nuclear Power
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenue
Buchanan, NY 10511

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Dear Mr. Blind:

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Sincerely,

A handwritten signature in black ink that reads "Jefferey F. Harold".

Jefferey F. Harold, Project Manager
Project Directorate I-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-247

Enclosures: 1. Amendment No. 199 to DPR-26
2. Safety Evaluation

cc w/encls: See next page

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DATED: March 8, 1999

AMENDMENT NO. 199 TO FACILITY OPERATING LICENSE NO. DPR-26-INDIAN POINT
UNIT 2

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 199
License No. DPR-26

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 October 9, 1998, 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 2.C.(2) of Facility Operating License No. DPR-26 is hereby amended to read as follows:

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(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 199 , 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



S. Singh Bajwa, Director
Project Directorate I-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: March 8, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 199

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Revise Appendix A as follows:

Remove Pages

6-7
6-12

Insert Pages

6-7
6-12

Composition

6.5.2.2 The Committee shall have a permanent voting membership of at least 5 persons of which a majority are independent of the Nuclear Power organization and shall include technically competent persons from departments of Consolidated Edison having a direct interest in nuclear plant design, construction, operation or in nuclear safety. In addition, persons from departments not having a direct interest in nuclear plant design, construction, operation or nuclear safety may serve as members of the Committee if experienced in the field of nuclear energy. The Chairman or Vice Chairman will be a senior official of the Company. The Chairman and Vice Chairman will be experienced in the field of nuclear energy.

The Chairman of the Nuclear Facilities Safety Committee, hereafter referred to as the Chairman, shall be appointed by the Senior Vice President, Nuclear Operations.

The Vice Chairman shall be appointed by the Senior Vice President, Nuclear Operations. In the absence of the Chairman, he will serve as Chairman.

The Secretary shall be appointed by the Chairman of the Committee.

Committee members from departments of Consolidated Edison shall be designated by the NFSC Chairman with the concurrence of the appropriate department Vice President. Committee members from outside Consolidated Edison shall be designated by the NFSC Chairman with the concurrence of the Senior Vice President, Nuclear Operations.

- d. The Safety Limit Violation Report shall be submitted to the Commission, the NFSC Chairman and the Vice President-Nuclear Power within 10 days of the violation.

6.8 PROCEDURES AND PROGRAMS

- 6.8.1 Written procedures and administrative policies shall be established, implemented and maintained covering the activities referenced below:

- a. The requirements and recommendations of Sections 5.2 and 5.3 of ANSI N18.7-1976 and Appendix A of Regulatory Guide 1.33, Revision 2 except as provided in 6.8.2 and 6.8.3 below.
- b. Process Control Program implementation.
- c. Offsite Dose Calculation Manual implementation.
- d. Quality Assurance Program for effluent and environmental monitoring using the guidance in Regulatory Guide 1.21, Revision 1, April 1974 and Regulatory Guide 4.1, Revision 1, April 1975.
- e. Fire Protection Program implementation.

- 6.8.2 Each procedure and administrative policy of Specification 6.8.1 above, and any changes to them shall be reviewed and approved for implementation in accordance with a written administrative control procedure approved by the Plant Manager, or appropriate Department Manager, with the concurrence of the Station Nuclear Safety Committee and the Vice President, Nuclear Power. The administrative control procedure required by this specification shall, as a minimum, require that:

- a. Each proposed procedure/procedure change involving safety-related components and/or operation of same receives a pre-implementation review by the SNSC except in case of an emergency.
- b. Each proposed procedure/procedure change which renders or may render the Updated Final Safety Analysis Report or subsequent safety analysis reports inaccurate and those which involve or may involve potential unreviewed safety questions are approved by the SNSC prior to implementation.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 109 TO FACILITY OPERATING LICENSE NO. DPR-26
CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.
INDIAN POINT NUCLEAR GENERATING UNIT NO. 2
DOCKET NO. 50-247

1.0 INTRODUCTION

By letter dated October 9, 1998, Consolidated Edison Company of New York, Inc., (the licensee) submitted a request to change the Administrative Controls Section of the Technical Specifications (TSs) for Indian Point Nuclear Generating Unit No. 2 (IP2). The proposed changes would correct typographical errors in TS Sections 6.5.2.1.j, 6.7.1.c, and 6.8.1.a. In addition, TS Section 6.5.2.2 would be revised to allow changes the membership of the Nuclear Facility Safety Committee (NFSC). This change would provide Consolidated Edison (Con Ed) with the flexibility to obtain industry experts outside of Con Ed to perform as members of the NFSC.

2.0 EVALUATION

Section 13.4, "Operational Review", of NUREG-0800, the "Standard Review Plan" (SRP), provides the acceptance criteria used by the staff to evaluate TS provisions related to the plant staff review of operational activities performed by the NFSC. The SRP stipulates that this review function should meet the provisions described in Section 4.3 of ANSI N18.7 (ANS 3.2), and the qualification requirements for those performing these reviews should meet or exceed those described in Section 4.7 of ANSI/ANS-3.1-1978 and the regulatory position of Regulatory Guide (RG) 1.8.

These acceptance criteria are based on meeting the relevant requirements of 10 CFR 50, Section 50.40(b) as it relates to the licensee being technically qualified to engage in licensed activities, and of Appendix B to 10 CFR Part 50 as it relates to the review and audit functions required by the licensee's quality assurance program.

RG 1.8, Revision 2 (April 1987) conditionally endorsed both ANSI/ANS N18.1-1971, and ANSI/ANS-3.1-1981, "Selection and Training of Nuclear Power Plant Personnel," as industry standards which provide acceptable methods to the NRC staff for meeting the applicable regulatory requirements in 10 CFR 50, Section 50.34(b)(6)(i). Additionally, RG 1.33, Revision 2 (February 1978) conditionally endorsed ANSI N18.7 (ANS-3.2)-1976, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," as an industry standard which provides acceptable methods to the NRC staff for meeting the applicable regulatory requirements in Appendix B to 10 CFR Part 50.

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2.1 NFSC Membership Changes

Currently, in accordance with Section 6.5.2.2 of the TS, the Chairman and Vice Chairman will be senior officials of the Company experienced in the field of nuclear energy. In addition, the Committee members are from departments having a direct interest in nuclear plant design, construction and operation or in nuclear safety and shall be designated by the Vice President of the Company, who is responsible for the functioning of the department subject to the approval of the Chairman. Committee members from other departments may be appointed by the Chairman with the concurrence of the Vice President of that department. The proposed revision reads as follows: "The Chairman or Vice Chairman will be a senior official of the Company. The Chairman and Vice Chairman will be experienced in the field of nuclear energy." and "Committee members from departments of Consolidated Edison shall be designated by the NFSC Chairman with concurrence of the appropriate department Vice President. Committee members from outside Consolidated Edison shall be designated by the NFSC Chairman with the concurrence of the Senior Vice President, Nuclear Operations."

The licensee indicated that the proposed change would provide flexibility in retaining industry experts, not Company officials, as either the Chairman or Vice Chairman, and as NFSC committee members.

The NRC staff has reviewed the proposed changes to Section 6.5.2.2 of the TS for the IP2 resulting from the new NFSC membership criteria and has concluded that prospective NFSC members will continue to collectively possess the range of technical competence, in accordance with Section 13.4 of the SRP and as defined in RG 1.8, Revision 2, necessary to assess the overall safety of operating phase activities at the facility.

Based on the considerations discussed above, the staff concludes that the revisions to Section 6.0 (Administrative Controls) of the TSs for IP2, as described in the October 9, 1998, letter by the Consolidated Edison Company of New York, Inc. are acceptable, as the TS continue to meet the guidance in Section 13.4, "Operational Review," of the Standard Review Plan (NUREG-0800).

2.2 Correction of Typographical Errors

TS 6.5.2.1.j currently has the phrase "nuclear power plant" printed at the top of page 6-7. However this phrase is a repeat from the bottom of page 6-6. This error was introduced during document word processing.

TS 6.7.1.c currently has the phrase "systems or structures, and (3) corrective action taken to prevent recurrence." printed at the top of page 6-12. However this phrase is a repeat from the bottom of page 6-11. This error was introduced during document word processing.

TS 6.8.1.a provides the requirements and recommendation of Sections 5.1 and 5.3 of ANSI N18.7-1976 and Appendix A of RG 1.33, Revision 2 except as provided in 6.8.2 and 6.8.3. Section 5.1 of ANSI N18.7-1976 provides a description of the program for providing the administrative controls. Section 5.2 provides the rules of practice for the organization. The

licensee is proposing to change the reference from 5.1 to 5.2. This change is necessary to accurately reflect the specific section of the referenced ANSI Standard.

These changes are administrative in nature and correct typographical errors, therefore, the above proposed changes are acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or requirements. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration (63 FR 69337), and there has been no public comment on such finding. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need to be prepared in connection with the issuance of the amendment.

5.0 CONCLUSION

The Commission has 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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: J. Harold

Date: March 8, 1999