



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

January 13, 1995

Mr. William J. Cahill, Jr.
Executive Vice President - Nuclear Generation
Power Authority of the State of New York
123 Main Street
White Plains, NY 10601

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING
UNIT NO. 3 (TAC NO. M89352)

Dear Mr. Cahill:

The Commission has issued the enclosed Amendment No. 157 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3. The amendment consists of changes to the Technical Specifications (TS) in response to your application transmitted by letter dated April 18, 1994, as supplemented October 25, 1994.

The amendment revises TS Section 3.14 (Fire Protection and Detection Systems - Limiting Conditions for Operation), TS Section 4.12 (Fire Protection and Detection Systems - Surveillances) and TS Section 6.0 (Administrative Controls) to relocate the fire protection requirements from the TS to the IP3 Operational Specifications Manual. In addition, the amendment revises the IP3 Facility Operating License to include the NRC's standard fire protection license condition. These changes were made in accordance with the guidance provided in Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications."

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,

Nicola F. Conicella, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosures: 1. Amendment No. 157 to DPR-64
2. Safety Evaluation

cc w/encls: See next page

CP-1

URGENT COPY

9501270330 950113
PDR ADDCK 05000286
P PDR

DFU

January 13, 1995

Mr. William J. Cahill, Jr.
Executive Vice President - Nuclear Generation
Power Authority of the State of New York
123 Main Street
White Plains, NY 10601

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING
UNIT NO. 3 (TAC NO. M89352)

Dear Mr. Cahill:

The Commission has issued the enclosed Amendment No. 157 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3. The amendment consists of changes to the Technical Specifications (TS) in response to your application transmitted by letter dated April 18, 1994, as supplemented October 25, 1994.

The amendment revises TS Section 3.14 (Fire Protection and Detection Systems - Limiting Conditions for Operation), TS Section 4.12 (Fire Protection and Detection Systems - Surveillances) and TS Section 6.0 (Administrative Controls) to relocate the fire protection requirements from the TS to the IP3 Operational Specifications Manual. In addition, the amendment revises the IP3 Facility Operating License to include the NRC's standard fire protection license condition. These changes were made in accordance with the guidance provided in Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications."

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:

Nicola F. Conicella, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-286

- Enclosures: 1. Amendment No. 157 to DPR-64
2. Safety Evaluation

cc w/encls: See next page

DOCUMENT NAME: H:\IP3\IP389352.AMD

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	LA:PDI-1	E	PM:PDI-1	E	BC:SPLB	OGC	N	D:PDI-1
NAME	CVogan CW		NConicella:cn		CMcCracken	S.Horn w/changes to SE		MCase
DATE	12/15/94	1/11/95	12/15/94		12/1/94	12/21/94		12/1/94

OFFICIAL RECORD COPY

1/13/95

William J. Cahill, Jr.
Power Authority of the State
of New York

Indian Point Nuclear Generating
Station Unit No. 3

cc:

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Resident Inspector
Indian Point 3 Nuclear Power Plant
U.S. Nuclear Regulatory Commission
P.O. Box 337
Buchanan, NY 10511

Mr. Gerald C. Goldstein
Assistant General Counsel
Power Authority of the State
of New York
1633 Broadway
New York, NY 10019

Mr. Charles W. Jackson
Manager, Nuclear Safety and
Licensing
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenues
Buchanan, NY 10511

Mr. Robert G. Schoenberger
First Executive Vice President
and Chief Operating Officer
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

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

Mr. Leslie M. Hill
Resident Manager
Indian Point 3 Nuclear Power Plant
P.O. Box 215
Buchanan, NY 10511

Mr. Richard L. Patch, Director
Quality Assurance
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Ms. Charlene D. Faison
Director Nuclear Licensing
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Ms. Donna Ross
New York State Energy Office
2 Empire State Plaza
16th Floor
Albany, NY 12223

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

Union of Concerned Scientists
Attn: Mr. Robert D. Pollard
1616 P Street, NW, Suite 310
Washington, DC 20036

DATED: January 13, 1995

AMENDMENT NO. 157 TO FACILITY OPERATING LICENSE NO. DPR-64-INDIAN POINT UNIT 3

Docket File

PUBLIC

PDI-1 Reading

S. Varga, 14/E/4

J. Zwolinski, 14/H/3

Michael J. Case

C. Vogan

N. Conicella

C. McCracken

OGC

D. Hagan, T-4 A43

G. Hill (2), T-5 C3

C. Grimes, 11/E/22

ACRS (4)

OPA

OC/LFDCB

PD plant-specific file

C. Cowgill, Region I

cc: Plant Service list



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

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-286

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 157
License No. DPR-64

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Power Authority of the State of New York (the licensee) dated April 18, 1994, as supplemented October 25, 1994, 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-64 is hereby amended to read as follows:

9501270338 950113
PDR ADOCK 05000286
P PDR

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 157, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. Also, the license is amended to include Paragraph 2.H on page 7 of Facility Operating License DPR-64 to read as follows:

- H. The licensee shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for Indian Point Nuclear Generating Unit No. 3 and as approved in NRC fire protection safety evaluations (SEs) dated September 21, 1973, March 6, 1979, May 2, 1980, November 18, 1982, December 30, 1982, February 2, 1984, April 16, 1984, January 7, 1987, September 9, 1988, October 21, 1991, April 20, 1994, January 5, 1995, and supplements thereto, subject to the following provision:

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

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

FOR THE NUCLEAR REGULATORY COMMISSION



Michael J. Case, Acting Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachments:

1. Page 7 of License DPR-64
2. Changes to the Technical Specifications

Date of Issuance: January 13, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 157

FACILITY OPERATING LICENSE NO. DPR-64

DOCKET NO. 50-286

Revise Appendix A as follows:

<u>Remove Pages</u>	<u>Insert Pages</u>
3.14-1 thru 3.14-11	3.14-1
4.12-1 thru 4.12-7	4.12-1
6-2	6-2
6-5	6-5
6-7	6-7
6-14	6-14
6-18	6-18

Section 3.14

FIRE PROTECTION
AND DETECTION SYSTEMS

has been deleted.

3.14-1

Amendment No. ~~10, 43~~, 157

Section 4.12

FIRE PROTECTION
AND DETECTION SYSTEMS

has been deleted.

4.12-1

Amendment No. 10, 43, 140, 157

- d) The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

6.2.2 PLANT STAFF

- a) Each duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2-1.
- b) At least one Licensed Operator shall be in the control room when fuel is in the reactor.
- c) At least two Licensed Operators shall be present in the control room during reactor start-up, scheduled reactor shutdown and during recovery from reactor trips.
- d) An individual qualified in radiation protection procedures shall be on site when fuel is in the reactor.
- e) ALL CORE ALTERATIONS shall be directly supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation.
- f) Deleted.

6.3 PLANT STAFF QUALIFICATIONS

6.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions, except for (1) the Radiological and Environmental Services Manager who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975; (2) the Shift Technical Advisor who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant for transients and accidents; and (3) the Operations Manager who shall meet or exceed the minimum qualifications of ANSI N18.1-1971 except for the SRO license requirement which shall be in accordance with Technical Specification 6.2.2.i.

6.4 TRAINING

6.4.1 A retraining and replacement training program for the plant staff shall be maintained under the direction of the Training Manager and shall meet or exceed the requirements and recommendations of Section 5.5 of ANSI N18.1-1971 and 10 CFR Part 55.59.

6.4.2 Deleted. |

6.4.3 A training program for use of the post-accident sampling system shall be maintained to ensure that the plant has the capability to obtain and analyze reactor coolant and containment atmosphere samples under post-accident conditions.

6.4.4 A training program shall be maintained to ensure that the plant has the capability to collect and analyze or measure representative samples of radioactive iodines and particulates in plant gaseous effluent during and following an accident.

6.5 REVIEW AND AUDIT

6.5.1 PLANT OPERATING REVIEW COMMITTEE (PORC)

FUNCTION

6.5.1.1 The Plant Operating Review Committee shall function to advise the Resident Manager on all matters related to nuclear safety and all matters which could adversely change the plant's environmental impact.

- c. Review of all proposed changes to the Operating License and Technical Specifications.
- d. Review of all proposed changes or modifications to plant systems or equipment that affect nuclear safety.
- e. Review of changes to the PROCESS CONTROL PROGRAM and the OFFSITE DOSE CALCULATION MANUAL.
- f. Investigation of all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the Resident Manager, who will forward the report to the Executive Vice President and Chief Nuclear Officer, Vice President Regulatory Affairs and Special Projects, and the Chairman of the Safety Review Committee.
- g. Review of all reportable events.
- h. Review of facility operations to detect potential nuclear safety hazards.
- i. Performance of special reviews, investigations or analyses and reports thereon as requested by the Resident Manager or the Chairman of the Safety Review Committee (SRC).
- j. Review of the Plant Security Plan and implementing procedures annually.
- k. Review of the Emergency Plan and implementing procedures annually.
- l. Review of every unplanned onsite release of radioactive material to the environs including the preparation of reports covering evaluation, recommendations and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the Resident Manager and to the Safety Review Committee.
- m. Review of the Fire Protection Program and implementing procedures.

AUTHORITY

- 6.5.1.7 The Plant Operating Review Committee shall:
- a) Recommend to the Resident Manager approval or disapproval of items considered under 6.5.1.6(a) through (e) above.
 - b) Render determinations with regard to whether or not each item considered under 6.5.1.6(a) through (e) above constitutes an unreviewed safety question, as defined in 10 CFR 50.59.

- h. Post-accident sampling and analysis and maintenance of required equipment.
- i. Collection and analysis or measurement of post-accident radioactive iodine and particulates in plant gaseous effluents and maintenance of required equipment.
- j. Fire Protection Program Plan implementation.

6.8.2 Temporary changes to procedures above may be made provided:

- a. The intent of the original procedure is not altered.
- b. The change is approved by two members of the plant staff, at least one of whom holds a Senior Reactor Operator's License on the unit affected.
- c. The change is documented, reviewed by the PORC and approved by the Resident Manager within 14 days of implementation.

6.8.3 Each procedure of 6.8.1 above, and changes thereto, shall be reviewed by the PORC and approved by the Resident Manager prior to implementation and reviewed periodically as set forth in administrative procedures.

6.9 REPORTING REQUIREMENTS

ROUTINE REPORTS

6.9.1 In addition to the applicable reporting requirements of Title 10, Code of Federal Regulations, the following reports shall be submitted to the Regional Administrator - Region 1, unless otherwise noted.

STARTUP REPORT

6.9.1.1 A summary report of appropriate plant testing shall be submitted following (1), an amendment to the license involving a planned increase in power level, (2) installation of fuel that has a different design and (3) modifications that may have significantly altered the nuclear, thermal, or hydraulic performances of the plant. The report shall address each of the tests identified in the FSAR and shall in general include a description of the measured values of the operating conditions or characteristics obtained during the testing and comparison of these values with acceptance criteria. Any corrective actions that were required to obtain satisfactory operation shall also be described. Any additional specific details required in license conditions based on other commitments shall be included in this report.

- 3f. WCAP-12610, "VANTAGE+ Fuel Assembly Report," (W Proprietary).
(Methodology for Specification 3.10.2 - Heat Flux Hot Channel Factor).

6.9.1.6.c The core operating limits shall be determined so that all applicable limits (e.g., fuel thermal-mechanical limits, core thermal-hydraulic limits, ECCS limits, nuclear limits such as shutdown margin, and transient and accident analysis limits) of the safety limits are met.

6.9.1.6.d The CORE OPERATING LIMITS REPORT, including any mid-cycle revisions or supplements thereto, shall be provided upon issuance, for each reload cycle, to the NRC Document Control Desk with copies to the Regional Administrator and Resident Inspector.

SPECIAL REPORTS

6.9.2 Special reports shall be submitted to the Regional Administrator-Region 1 within the time period specified for each report. These reports shall be submitted covering the activities identified below pursuant to the requirements of the applicable reference specification;

- a. Sealed source leakage on excess of limits (Specification 3.9)
- b. Inoperable Seismic Monitoring Instrumentation (Specification 4.10)
- c. Seismic event analysis (Specification 4.10)
- d. Inoperable plant vent sampling, main steam line radiation monitoring or effluent monitoring capability (Table 3.5-4, items 5, 6 and 7)
- e. The complete results of the steam generator tube inservice inspection (Specification 4.9.C)
- f. Deleted
- g. Release of radioactive effluents in excess of limits (Appendix B Specifications 2.3, 2.4, 2.5, 2.6)



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 157 TO FACILITY OPERATING LICENSE NO. DPR-64
POWER AUTHORITY OF THE STATE OF NEW YORK
INDIAN POINT NUCLEAR GENERATING UNIT NO. 3
DOCKET NO. 50-286

1.0 INTRODUCTION

By letter dated April 18, 1994, as supplemented October 25, 1994, the Power Authority of the State of New York (the licensee) submitted a request for changes to the Indian Point Nuclear Generating Unit No. 3 (IP3) Technical Specifications (TSs). The requested changes would revise the TS to relocate fire protection requirements from the TS to the IP3 Fire protection Program. Specifically, TS Section 3.14 (Fire Protection and Detection Systems - Limiting Conditions for Operation), TS Section 4.12 (Fire Protection and Detection Systems - Surveillances) and TS Section 6.0 (Administrative Controls) would be revised and the fire protection requirements would be relocated to IP3 Operational Specifications Manual. In addition, the amendment would revise the IP3 Operating License to include the NRC's standard fire protection license condition. These changes would be made in accordance with the guidance provided in Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications." The October 25, 1994, letter provided clarifying information that did not change the initial proposed no significant hazards consideration determination.

2.0 EVALUATION

2.1 Background

Section 50.36 of Title 10 of the *Code of Federal Regulations* established the regulatory requirements related to the content of TS. The rule requires that TSs include items in specific categories, including safety limits, limiting conditions for operation, and surveillance requirements; however, the rule does not specify the particular requirements to be included in the TS. The Nuclear Regulatory Commission (NRC/Commission) developed criteria, as described in the "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors," (58 FR 39132) to determine which of the design conditions and associated surveillances need to be located in the TS because the requirement is "necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety." Briefly, those criteria are (1) detection of abnormal degradation of the reactor coolant pressure boundary, (2) boundary conditions for design basis accidents and transients, (3) primary success paths to

prevent or mitigate design basis accidents and transients, and (4) functions determined to be important to risk or operating experience. The Commission's final policy statement acknowledged that its implementation may result in the relocation of existing TS requirements to licensee-controlled documents and programs.

Following the fire at the Browns Ferry Nuclear Power Plant on March 22, 1975, the Commission undertook a number of actions to ensure that improvements were implemented in the fire protection programs for all power reactor facilities. Because of the extensive modification of fire protection programs and the number of open issues resulting from staff evaluations, a number of revisions and alterations occurred in these programs over the years. Consequently, licensees were requested by GL 86-10 to incorporate the final NRC-approved fire protection program in their Final Safety Analysis Reports (FSARs). In this manner, the fire protection program, including the systems, certain administrative and technical controls, the organization, and other plant features associated with fire protection, would have a status consistent with that of other plant features described in the FSAR. In addition, the Commission concluded that a standard license condition, requiring compliance with the provisions of the fire protection program as described in the FSAR, should be used to ensure uniform enforcement of the fire protection requirements. Finally, the Commission stated that with the requested actions, licensees may request an amendment to delete the fire protection TS that would now be unnecessary.

On this basis, the staff concludes that the fire protection program does not need to be controlled by the TS, and changes to the fire protection program, which will be described in the Updated Final Safety Analysis Report (UFSAR), are adequately controlled by 10 CFR 50.59, "Changes, tests, and experiments." Should the licensee's determination conclude that an unreviewed safety question is involved, due to either (1) an increase in the probability or consequences of accidents or malfunctions of equipment important to safety, (2) the creation of a possibility for an accident or malfunction of a different type than any evaluated previously, or (3) a reduction in the margin of safety, NRC approval and a license amendment would be required prior to implementation of the change. NRC inspection and enforcement programs also enable the NRC staff to monitor facility and program changes and licensee adherence to UFSAR commitments and to take any remedial action that may be appropriate.

2.2 Discussion

The specific TS changes proposed by the licensee are as follows:

1. Delete TS 3.14.A (High Pressure Water Fire Protection System), TS 3.14.B (Fire Protection Spray and/or Sprinkler Systems), TS 3.14.C (Penetration Fire Barriers), TS 3.14.D (Fire Detection Systems), TS 3.14.E (Fire Hose Stations), TS 3.14.F (Yard Fire Hydrant Hose Houses), and TS 3.14.G

(CO₂ Fire Protection System) and their associated bases and incorporate them into the IP3 FSAR by reference and into the IP3 Operational Specifications Manual (OSM).

2. Delete TS 6.2.2.f for site fire brigade staffing and incorporate into the FSAR.
3. Delete TS 6.4.2 requirements related to the fire brigade training program and incorporate into the FSAR.
4. Add TS 6.5.1.6.m to include the review of the fire protection program and implementing procedures as an additional responsibility of the Plant Operating Review Committee (PORC).
5. Add TS 6.8.1.j related to the establishment, implementation, and maintenance of written procedures covering the activities of the fire protection program.
6. Delete TS 6.9.2.f related to the requirements for special reports for inoperable fire protection and detection equipment.

The licensee also proposed the following fire protection license condition:

- 2.H The licensee shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report for Indian Point Nuclear Generating Unit No. 3 and as approved in NRC fire protection safety evaluations (SEs) dated September 21, 1973, March 6, 1979, May 2, 1980, November 18, 1982, December 30, 1982, February 2, 1984, April 16, 1984, January 7, 1987, September 9, 1988, October 21, 1991, April 20, 1994, January 5, 1995, and supplements thereto, subject to the following provision:

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

The NRC staff reviewed the license amendment request for IP3 against the guidance provided in GLs 86-10 and 88-12. GL 86-10 requested that the licensee incorporate the NRC-approved fire protection program in its FSAR for the facility and specified a standard fire protection license condition. GL 88-12 addressed the elements a licensee should include in a license amendment request to remove the fire protection requirements from the plant TS. These elements are (1) the NRC-approved fire protection program must be incorporated into the FSAR; (2) the Limiting Conditions of Operations (LCO) and Surveillance Requirements associated with fire detection systems, fire suppression systems, fire barriers, and the administrative controls that address fire brigade staffing would be deleted from the TS (the existing administrative controls related to fire protection audits would be retained in

the TS); (3) all operational conditions, remedial actions, and test requirements presently included in the TS for these systems, as well as the fire brigade staffing requirements, shall be incorporated into the fire protection program; (4) the standard fire protection license condition specified in GL 86-10 must be included in the facility operating license; (5) the Unit Review Group (Onsite Review Group) shall be given responsibility for the review of the fire protection program and implementing procedures and for the submittal of recommended changes to the Company Nuclear Review and Audit group (Off-site or Corporate Review Group); and (6) fire protection program implementation shall be added to the list of elements for which written procedures shall be established, implemented, and maintained.

The licensee incorporated the NRC approved fire protection program for IP3 into the IP3 FSAR in July 1982. The licensee has, therefore, satisfied Element 1 of GL 88-12.

The licensee will incorporate the current TS LCO and surveillance requirements for the fire detection systems, fire suppression systems, and fire rated assemblies and the IP3 TS requirements related to fire brigade staffing into the IP3 OSM. Control of these LCOs and surveillance requirements by the TS is not required since they will be relocated as they currently exist to licensee procedures and maintained under appropriate administrative controls. Therefore, the licensee has satisfied Elements 2 and 3 of GL 88-12. The licensee proposed the standard fire protection license condition specified in GL 86-10 for IP3. The licensee has, therefore, satisfied Element 4 of GL 88-12.

To satisfy Elements 5 and 6 of GL 88-12, the licensee will add TS 6.5.1.6.m to include the review of the fire protection program and implementing procedures as an additional responsibility of the PORC. Element 6 of GL 88-12 specified that the licensee add fire protection program implementation to the list of elements for which written procedures shall be established, implemented, and maintained. In addition, the new TS 6.8.1.j will include the fire protection program. The licensee has, therefore, satisfied Elements 5 and 6 of GL 88-12.

The licensee also proposed to delete TS 6.9.2.f which relates to the requirement of special reports of fire detection instrumentation, fire suppression systems and fire rated assemblies. The TS for the detection instrumentation, fire suppression systems and fire barrier penetration will be deleted by this amendment. Therefore, these reporting requirements will no longer be applicable to the IP3 TSs and the deletion of 6.9.2.f is acceptable.

2.3 Summary:

The staff has concluded that relocation of fire protection TSs is acceptable because (1) their inclusion in TS is not specifically required by 10 CFR 50.36 or other regulations, (2) the relocation of fire protection TSs are not required to avert an immediate threat to the public health and safety,

(3) changes that are described in the FSAR and deemed to involve an unreviewed safety question, will require prior NRC approval in accordance with 10 CFR 50.59, and (4) the proposed TS amendment for IP3 is in accordance with NRC staff guidance provided in GLs 86-10 and 88-12. Therefore, the NRC staff finds the licensee's proposed changes 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 changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20, and changes administrative procedures or requirements. The NRC staff has determined that the amendment involves 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 the amendment involves no significant hazards consideration, and there has been no public comment on such finding (59 FR 27065). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (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 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: A. Singh

Date: January 13, 1995