Mr. James Knubel
Chief Nuclear Officer
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

December), 1998

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING UNIT NO. 3 (TAC NO. M99231)

Dear Mr. Knubel:

The Commission has issued the enclosed Amendment No. 186 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 (TSs) in response to your application transmitted by letter dated April 14, 1997, as supplemented October 17, 1997, March 20, 1998, May 18, 1998, and August 17, 1998.

The amendment changes the TSs to allow for a Safety Review Committee review of plant performance as opposed to an audit of plant performance and replaces the position title of Vice President Regulatory Affairs and Special Projects with Director Regulatory Affairs and Special Projects.

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:

George F. Wunder, 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. 186 to DPR-64
2. Safety Evaluation

cc w/encls: See next page

DFO1

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NAME	GWunder/rsl		SLittle		SBajwa		SBlack		
DATE	12/16/98		12/10/98		12/30/98		12/ /98		12/22/98

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Mr. James Knubel
Chief Nuclear Officer
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

December 10, 1998

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING UNIT NO. 3 (TAC NO. M99231)

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George F. Wunder, Project Manager
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 30, 1998

Mr. James Knubel
Chief Nuclear Officer
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. M99231)

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Sincerely,

George F. Wunder

George F. Wunder, 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. 186 to DPR-64
2. Safety Evaluation

cc w/encls: See next page

DATE: December 30, 1998

ISSUANCE OF AMENDMENT NO. 186 TO FACILITY OPERATING LICENSE NO. DPR-64
INDIAN POINT UNIT 3

Docket File
PUBLIC
PDI-1 R/F
J. Zwolinski
S. Bajwa
S. Little
G. Wunder
OGC
G. Hill (2), T-5 C3
W. Beckner, 013/H15
J. Peralta
ACRS
J. Rogge, Region I
T. Harris (e-mail SE only to TLH3)

cc: Plant Service List

DATE: December 30, 1998

ISSUANCE OF AMENDMENT NO. 186 TO FACILITY OPERATING LICENSE NO. DPR-64
INDIAN POINT UNIT 3

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cc: Plant Service List

James Knubel
Power Authority of the State
of New York

Indian Point Nuclear Generating
Unit No. 3

cc:

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King of Prussia, PA 19406

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

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Assistant General Counsel
Power Authority of the State
of New York
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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

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and Chief Operating Officer
Power Authority of the State
of New York
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Albany, NY 12210-2820

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

Mr. Robert J. Barrett
Site Executive Officer
Indian Point 3 Nuclear Power Plant
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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
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123 Main Street
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Mr. Paul Eddy
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Albany, NY 12223

Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
Corporate Plaza West
286 Washington Ave. Extension
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Mr. Harry P. Salmon, Jr.
Vice President - Engineering
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

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

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. 186
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 14, 1997, as supplemented October 17, 1997, March 20, 1998, May 18, 1998, and August 17, 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-64 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. 186, 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 Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: December 30, 1998

ATTACHMENT TO LICENSE AMENDMENT NO. 186

FACILITY OPERATING LICENSE NO. DPR-64

DOCKET NO. 50-286

Revise Appendix A as follows:

Remove Pages	Insert Pages
6-7	6-7
6-9	6-9
6-10	6-10
6-11	6-11
6-13	6-13

ALTERNATES

6.5.1.3 All alternate members shall be appointed in writing by the (PORC) Chairman to serve on a temporary basis.

MEETING FREQUENCY

6.5.1.4 The PORC shall meet at least once per calendar month and as convened by the PORC Chairman or his designated alternate.

QUORUM

6.5.1.5 A quorum of the PORC shall consist of the Chairman or Vice-Chairman, and at least five members including alternates. Vice-Chairmen may act as members when not acting as Chairman. A quorum shall contain no more than two alternates.

RESPONSIBILITIES

6.5.1.6 The Plant Operating Review Committee shall be responsible for:

a. Review of 10 CFR 50.59 safety and environmental impact evaluations associated with procedures and programs required by Technical Specification 6.8, and changes thereto.

b. Review of all proposed tests and experiments that affect nuclear safety.

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 Site Executive Officer, who will forward the report to the Chief Nuclear Officer, Director 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 Site Executive Officer or the Chairman of the Safety Review Committee (SRC).

f. Radiological safety

g. Mechanical engineering

h. Electrical engineering

i. Administrative controls and quality assurance practices

j. Environment

k. Civil/Structural Engineering

l. Emergency Planning

m. Nuclear Licensing

n. Other appropriate fields associated with the unique characteristics of a nuclear power plant.

CHARTER

6.5.2.2 The conduct of the SRC will be in accordance with a charter approved by the Chief Nuclear Officer. The charter will define the SRC's authority and establish the mechanism for carrying out its responsibilities.

MEMBERSHIP

6.5.2.3 The SRC shall be composed of at least six individuals including a Chairman and a Vice Chairman. Members shall be appointed by the Director Regulatory Affairs and Special Projects and approved by the Chief Nuclear Officer. SRC members and alternates shall have an academic degree in engineering or a physical science, or the equivalent, and shall have a minimum of five years technical experience in one or more areas listed in 6.5.2.1.

ALTERNATES

6.5.2.4 Alternates for the Chairman, Vice Chairman and members may be appointed in writing by the Director Regulatory Affairs and Special Projects and approved by the Chief Nuclear Officer.

CONSULTANTS

6.5.2.5 Consultants may be used as determined by the SRC Chairman and as provided for in the charter.

MEETING FREQUENCY

6.5.2.6 The SRC shall meet at least once per six months.

QUORUM

6.5.2.7 A quorum shall consist of at least a majority of the appointed individuals (or their alternates) and the Chairman (or the designated alternate). No more than two alternates may participate as SRC voting members at any one time. No more than a minority of the quorum shall have direct line responsibility for the operation of the plant.

REVIEW

6.5.2.8 The SRC shall review:

a. The safety evaluations for 1) changes to procedures, equipment or systems and 2) tests or experiments completed under the provision of Section 50.59, 10CFR, to verify that such actions did not constitute an unreviewed safety question.

b. Proposed changes to procedures, equipment or systems which involve an unreviewed safety question as defined in Section 50.59, 10 CFR.

c. Proposed tests or experiments which involve an unreviewed safety question as defined in Section 50.59, 10 CFR.

d. Proposed changes to Technical Specifications of this Operating License.

e. Violations of codes, regulations, orders, Technical Specifications, license requirements, or of internal procedures or instructions having nuclear safety significance.

f. Significant operating abnormalities or deviations from normal and expected performance of plant equipment that affect nuclear safety.

g. All REPORTABLE EVENTS.

h. All recognized indications of an unanticipated deficiency in some aspect of design or operation of safety related structures, systems, or components.

i. Reports and meetings minutes of the Plant Operating Review Committee.

j. Plant staff performance.

AUDITS

6.5.2.9 Audits of facility activities shall be performed under the cognizance of the SRC. These audits shall encompass:

a. The conformance of facility operation to provisions contained within the Technical Specifications and applicable license conditions at least once per 12 months.

b. The training and qualifications of the entire facility staff at least once per 12 months.

c. The results of actions taken to correct deficiencies occurring in facility equipment, structures, systems or methods of operation that affect nuclear safety at least once per 6 months.

d. The performance of activities required by the Operational Quality Assurance Program to meet the criteria of Appendix "B," 10 CFR 50, at least once per 24 months.

e. Deleted

f. Deleted

g. Any other area of facility operation considered appropriate by the SRC or the Chief Nuclear Officer.

h. The Facility Fire Protection Program and implementing procedures at least once per two years.

i. A fire protection and loss prevention inspection and audit shall be performed annually utilizing either qualified offsite licensee personnel or an outside fire protection firm.

j. An inspection and audit of the fire protection and loss prevention program shall be performed by an outside qualified fire consultant at intervals no greater than 3 years.

k. The radiological environmental monitoring program and the results thereof at least once per 12 months.

b. Each REPORTABLE EVENT shall be reviewed by the PORC and a report submitted by the Site Executive Officer to the Chief Nuclear Officer, Director Regulatory Affairs and Special Projects, and the Chairman of the SRC.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

a. The reactor shall be shut down and reactor operation shall only be resumed in accordance with the provisions of 10 CFR 50.36(c)(1)(i).

b. The Safety Limit Violation shall be reported immediately to the Commission. The Chief Nuclear Officer, Director Regulatory Affairs and Special Projects, and the Chairman of the SRC will be notified within 24 hours.

c. A Safety Limit Violation Report shall be prepared by the PORC. This report shall describe (1) applicable circumstances preceding the occurrences, (2) effects of the occurrence upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

d. The Safety Limit Violation Report shall be submitted to the Commission, the Chief Nuclear Officer, the Director Regulatory Affairs and Special Projects, and the Chairman of the SRC by the Site Executive Officer.

6.8 PROCEDURES

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

a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, November, 1972.

b. Refueling operations.

c. Surveillance and test activities of safety related equipment.

d. Security Plan implementation.

e. Emergency Plan implementation.

f. Process Control Program implementation.

g. Offsite Dose Calculation Manual implementation.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 186 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 14, 1997, as supplemented October 17, 1997, March 20, 1998, May 18, 1998, and August 17, 1998, the Power Authority of the State of New York (PASNY) requested an amendment to change the Technical Specifications (TSs) for Indian Point Nuclear Generating Unit No. 3 (IP3). The requested amendment would allow for a Safety Review Committee (SRC) review of plant performance as opposed to an audit of plant performance and replace the position title of Vice President Regulatory Affairs and Special Projects with Director Regulatory Affairs and Special Projects. While providing additional information and/or clarification on the requested amendment, including its impact on Chapter 17 of the Final Safety Evaluation Report (FSAR) for IP3, the supplemental letters did not change the initially proposed no significant hazards consideration determination or expand the scope of the original Federal Register notice.

2.0 EVALUATION

In order to assess the performance of the facility staff, the licensee conducts the following activities:

1) The SRC assesses the plant staff performance on a continual basis.

2) Quality Assurance (QA) and the Operational Review Group (ORG) prepare a quarterly trending report that identifies performance issues. This report is discussed at the SRC meetings.

3) QA conducts an annual audit of the facility staff.

The annual audit (activity 3 above) consists of a review and assessment of the four quarterly reports for the year. The fourth quarterly report also contains an assessment of the trending reports for the entire year; therefore, conducting the audit is a duplication of effort. The proposed amendment would remove the requirement for the licensee to perform the annual audit and replace it with a requirement for an SRC review.

In its August 17, 1998, supplement to the requested amendment, PASNY provided copies of the FSAR Chapter 17 pages affected by the request. Specifically, PASNY proposed to take

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an exception to its commitment to the plant staff performance audit provisions in Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)," November 1972 as described in FSAR Appendix 17.2B, "Conformance with NRC Regulatory Guides." This version of RG 1.33 conditionally endorsed American Nuclear Society (ANS) proposed standard ANS-3.2, "Standard for Administrative Controls for Nuclear Power Plants," dated November 2, 1972, as providing the administrative controls necessary for safe and efficient operation of nuclear power plants. ANS-3.2, Section 4.5, "Audit Program," provides that audits shall include as a minimum verification of compliance and effectiveness of implementation of programs for training, retraining, qualification and performance of operating staff (among others).

Based on this exception, IP3 plant staff performance will be reviewed on an ongoing basis by the SRC instead of audited every year. This review will be accomplished by the following activities:

- SRC will assess the plant staff performance on a continual basis as part of its oversight function conducted at each scheduled meeting. This assessment will be based upon a review of documents such as Nuclear Safety Evaluations, Licensee Event Reports, NRC Inspection Reports, Plant Operating Review Committee (PORC) minutes, SRC subcommittee reports, Audit Reports and presentations by the Site Executive Officers and plant staff on plant performance. This will be further supplemented by NRC Systematic Assessment of Licensee Performance (SALP) Reports (or reports associated with the SALP successor) and industry plant/corporate evaluations.

- QA and ORG will prepare a quarterly trending report which identifies actual quality performance issues. The scope of the trending report encompasses the review and analysis of documents such as the monthly QA summary observation reports, Nuclear Generation Monthly Performance Indicator Reports, SRC Meeting Minutes, NRC Inspection Reports/Notice of Violations, and Root Cause Analysis Reports. This report will be distributed to all SRC members and discussed at SRC meetings.

While the proposed exception to RG 1.33 described above constitutes a reduction in commitment to the QA description previously approved by the NRC pursuant to §50.54(a), the proposed review and analysis accomplished by conducting the ongoing activities described above would continue to measure and demonstrate the effectiveness of the licensee's controls and processes associated with maintaining acceptable IP3 plant staff performance. Furthermore, the training and qualifications of the entire facility staff will continue to be audited by the QA organization at least once every year in accordance with IP3 TS requirements.

The proposed amendment would also change the title "Vice President Regulatory Affairs and Special Projects" to "Director Regulatory Affairs and Special Projects." This change is administrative and the staff considers it acceptable.

The assessment and trending framework described above is consistent with the applicable requirements of Appendix B to 10 CFR Part 50 as described in Section 17.2 of NUREG-0800 (the Standard Review Plan) and, therefore, constitutes a suitable alternative to the audits of staff performance currently being performed by the licensee.

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

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. 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 be prepared in connection with the issuance of this 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. Peralta

Date: December 30, 1998