

January 13, 1978

Docket No.: 50-333

Power Authority of the State
of New York
ATTN: Mr. George T. Berry
General Manager and
Chief Engineer
10 Columbus Circle
New York, New York 10019

Gentlemen:

The Commission has issued the enclosed Amendment No. 32 to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The amendment consists of changes to the Technical Specifications in response to your application for amendment submitted by letter dated November 2, 1977 and staff discussions.

The amendment provides for changes in the Technical Specifications which (1) utilize words from Regulatory Guide 1.16 instead of referencing the Guide, and (2) delete the requirement for an Annual Operating Report.

Copies of the Safety Evaluation and the Notice of Issuance are also enclosed.

Sincerely,

Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Enclosures:

1. Amendment No. 32
2. Safety Evaluation
3. Notice

cc w/enclosures: See next page

*SEE PREVIOUS YELLOW FOR CONCURRENCES

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Power Authority of the State
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ATTN: Mr. George T. Berry
General Manager and
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10 Columbus Circle
New York, New York 10019

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The Commission has issued the enclosed Amendment No. to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The amendment consists of changes to the Technical Specifications in response to your application for amendment submitted by letter dated November 2, 1977.

The amendment provides for changes in the Technical Specifications which (1) utilize words from Regulatory Guide 1.16 instead of referencing the Guide, (2) add requirements to report system security defects and defects in in-stock components as prompt reportable occurrences, and (3) delete the requirement for an Annual Operating Report.

Copies of the Safety Evaluation and the Notice of Issuance are also enclosed.

Sincerely,

Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Enclosure:

- 1. Amendment No.
- 2. Safety Evaluation
- 3. Notice

cc w/enclosures:
See next page

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Power Authority of the State
of New York

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New York, New York 10007



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

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-333

JAMES A. FITZPATRICK NUCLEAR POWER PLANT
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 32
License No. DPR-59

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the Power Authority of the State of New York (the licensee) dated November 2, 1977, 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- 59 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 32, 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.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 13, 1978

ATTACHMENT TO LICENSE AMENDMENT NO. 32

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Remove pages iii, 1, and 254 of the Appendix A Technical Specifications and insert the attached pages iii, 1, 254a through 254g. Changes on these pages are shown by marginal lines.

JAFNPP

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TECHNICAL SPECIFICATIONS

1.0 DEFINITIONS

The succeeding frequently used terms are explicitly defined so that a uniform interpretation of the specifications may be achieved.

- A. Reportable Occurrence - A reportable occurrence is defined in Specification 6.9.(A)4.

- B. Core Alteration - The act of moving any component in the region above the core support plate, below the upper grid and within the shroud. Normal control rod movement with the control rod drive hydraulic system is not defined as a core alteration. Normal movement of in-core instrumentation is not defined as a core alteration.

2. The change is approved by two members of the plant management staff, at least one of whom holds a Senior Reactor Operator's license on the unit affected.
3. The change is documented, reviewed by the PORC and approved by the Resident Manager within 14 days of implementation.

6.9 REPORTING REQUIREMENTS

(A) ROUTINE REPORTS AND REPORTABLE OCCURRENCES

In addition to the applicable reporting requirements of Title 10, Code of Federal Regulations, the following reports shall be submitted to the Director of the Regional Office of Inspection and Enforcement unless otherwise noted.

1. STARTUP REPORT

- a. A summary report of plant startup and power escalation testing shall be submitted following (1) amendment to the license involving a planned increase in power level, (2) installation of fuel that has a different design or has been manufactured by a different fuel supplier, and (3) modifications that may have significantly altered the nuclear, thermal, or hydraulic performance of the plant. The report shall address each of the tests identified in the FSAR and shall include a description of the measured values of the operating conditions or characteristics obtained during the test program and a comparison of these values with design predictions and specifications. 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.

(A) ROUTINE REPORTS AND REPORTABLE OCCURRENCES (Continued)

1. STARTUP REPORT (Continued)

- b. Startup Reports shall be submitted within (1) 90 days following completion of the startup test program, or (2) 90 days following resumption or commencement of commercial power operation, or whichever is earliest. If the Startup Report does not cover both events, i.e., completion of startup test program and resumption or commencement of commercial power operation, supplementary reports shall be submitted at least every three months until both events are completed.

2. ANNUAL OCCUPATIONAL EXPOSURE TABULATION

A tabulation on an annual basis of the number of station, utility and other personnel (including contractors) receiving exposures greater than 100 mrem/yr and their associated man rem exposure according to work and job functions, 1/ e.g., reactor operations and surveillance, inservice inspection, routine maintenance, special maintenance (describe maintenance), waste processing, and refueling. The dose assignment to various duty functions may be estimates based on pocket dosimeter, TLD, or film badge measurements. Small exposures totaling less than 20% of the individual total dose need not be accounted for. In the aggregate, at least 80% of the total whole body dose received from external sources shall be assigned to specific major work functions.

3. MONTHLY OPERATING REPORT

A report providing a narrative summary of facility operating experience, major safety-related maintenance, and other pertinent information, should be submitted no later than the 15th of each month following the calendar month covered to the USNRC Director, Office of Management Information and Program Control.

1/ This tabulation supplements the requirements of §20.407 of 10 CFR Part 20.

4. REPORTABLE OCCURRENCES

The REPORTABLE OCCURRENCES of Section 4.1 thru 4.2 below, including corrective actions and measures to prevent recurrence, shall be reported to the NRC. Supplemental reports may be required to fully describe final resolution of occurrence. In case of corrected or supplemental reports, a licensee event report (LER) update shall be completed and reference shall be made to the original report date.

4.1 PROMPT NOTIFICATION WITH WRITTEN FOLLOWUP

The types of events listed below shall be reported within 24 hours by telephone and confirmed by telegraph, mailgram, or facsimile transmission to the Director of the Regional Office, or his designate no later than the first working day following the event, with a written followup report within two weeks. A copy of the confirmation and the written followup report shall be forwarded to the Director, Office of Management Information and Program Control, USNRC.

The written followup report shall include, as a minimum, a completed copy of an LER form. Information provided on the LER form shall be supplemented, as needed, by additional narrative material to provide complete explanation of the circumstances surrounding the event.

- a. Failure of the reactor protection system or other systems subject to limiting safety system settings to initiate the required protective function by the time a monitored parameter reaches the setpoint specified as the limiting safety system setting in the technical specifications or failure to complete the required protective function.

(A) ROUTINE REPORTS AND REPORTABLE OCCURRENCES (Continued)

4. REPORTABLE OCCURRENCES (Continued)

- 4.1 b. Operation of the unit or affected systems when any parameter or operation subject to a limiting condition for operation is less conservative than the least conservative aspect of the limiting condition for operation established in the technical specifications.
- c. Abnormal degradation discovered in fuel cladding, reactor coolant pressure boundary, or primary containment.
- d. Reactivity anomalies involving disagreement with the predicted value of reactivity balance under steady state conditions during power operation greater than or equal to $1\% \Delta k/k$: a calculated reactivity balance indicating a SHUTDOWN MARGIN less conservative than specified in the technical specifications; short-term reactivity increases that correspond to a reactor period of less than 5 seconds or, if subcritical, an unplanned reactivity insertion of more than $0.5\% \Delta k/k$; or occurrence of any unplanned criticality.
- e. Failure or malfunction of one or more components which prevents or could prevent, by itself, the fulfillment of the functional requirements of system(s) used to cope with accidents analyzed in the SAR.
- f. Personnel error or procedural inadequacy which prevents or could prevent, by itself, the fulfillment of the functional requirements of systems required to cope with accidents analyzed in the SAR

(A) ROUTINE REPORTS AND REPORTABLE OCCURRENCES (Continued)

4. REPORTABLE OCCURRENCES (Continued)

- 4.1 g. Conditions arising from natural or man-made events that, as a direct result of the event require plant shutdown, operation of safety systems, or other protective measures required by technical specifications.
- h. Errors discovered in the transient or accident analyses or in the methods used for such analyses as described in the safety analysis report or in the bases for the technical specifications that have or could have permitted reactor operation in a manner less conservative than assumed in the analyses.
- i. Performance of structures, systems, or components that requires remedial action or corrective measures to prevent operation in a manner less conservative than assumed in the accident analyses in the safety analysis report or technical specifications bases; or discovery during plant life of conditions not specifically considered in the safety analysis report or technical specifications that require remedial action or corrective measures to prevent the existence or development of an unsafe condition.

(A) ROUTINE REPORTS AND REPORTABLE OCCURRENCES (Continued)

4. REPORTABLE OCCURRENCES (Continued)

4.2 THIRTY DAY WRITTEN REPORTS

The types of events listed below shall be the subject of written reports to the Director of the Regional Office within thirty days of occurrence of the event. The written report shall include, as a minimum, a completed copy of the LER form. Information provided on the LER form shall be supplemented, as needed, by additional narrative material to provide complete explanation of the circumstances surrounding the event.

- a. Reactor protection system or engineered safety feature instrument settings which are found to be less conservative than those established by the technical specifications but which do not prevent the fulfillment of the functional requirements of affected systems.
- b. Conditions leading to operation in a degraded mode permitted by a limiting condition for operation or plant shutdown required by a limiting condition for operation.
- c. Observed inadequacies in the implementation of administrative or procedural controls which threaten to cause reduction of degree of redundancy provided in reactor protection systems or engineered safety feature systems.
- d. Abnormal degradation of systems other than those specified in item 4.1.c above designed to contain radioactive material resulting from the fission process.

(B) SPECIAL REPORT

Fifteen copies of the Evaluation Report of the results of the first five years of performance of the nondestructive inspection listed in Table 4.6-1 of Technical Specifications 4.6.F, Structural Integrity, relating to the FitzPatrick inservice inspection program shall be submitted to the NRC, Director of Operating Reactors, within three months of the completion of the fifth year of the program.

6.10 RECORD RETENTION

(A) The following records shall be retained for at least five years:

1. Records and logs of facility operation covering time intervals at each power level.
2. Records and logs of principal maintenance activities, inspections, repair and replacement of principal items of equipment related to nuclear safety.
3. Reportable Occurrence Reports.
4. Records of surveillance activities, inspections and calibrations required by these Technical Specifications.
5. Records of reactor tests and experiments.
6. Records of changes made to Operating Procedures.
7. Records of radioactive shipments.
8. Records of sealed source leak tests and results.
9. Records of annual physical inventory of all source material of record.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 32 TO FACILITY OPERATING LICENSE NO. DPR-59
POWER AUTHORITY OF THE STATE OF NEW YORK
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
DOCKET NO. 50-333

Introduction

Regulatory Guide 1.16, "Reporting of Operating Information - Appendix A Technical Specifications", is the basis for reporting requirements found in Technical Specifications today. When these Technical Specifications were issued we requested that licensees use the formats in the guide for the Licensee Event Report (LER) and Monthly Operating Report. In some cases licensees' use of these formats was required by a reference to Regulatory Guide 1.16 in the Technical Specifications. After two years of experience with the reporting requirements identified in this guide we reviewed the scope of information licensees are required to submit in the LER, Annual Operating Report, Monthly Operating Report and Startup Report.

Based on our review of LER's, we developed a modified format for the LER to make this document more useful for evaluation purposes. By letters sent in July and August 1977, we informed licensees of the new LER format and requested that they use it. For those licensees who reference Regulatory Guide 1.16 in their Technical Specifications we also requested that they propose a change which would replace this reference with appropriate words from the guide and which would delete mandatory use of the reporting forms contained in the guide.

From our review of all licensee reports, we determined that much of the information found in the Annual Operating Report either is addressed in the LER's or Monthly Operating Reports, which are submitted in a more timely manner, or could be included in these reports with only a slight augmentation of the information already supplied. Therefore, we concluded that the Annual Operating Report could be deleted as a Technical Specification requirement if certain additional information were provided in the Monthly Operating Reports. As a result we sent

letters during September 1977 to licensees informing them that a revised and improved format for Monthly Operating Reports was available and requested that they use it. For those licensees with the Technical Specification reference to Regulatory Guide 1.16 the change deleting this reference, discussed above, would be necessary. In addition, licensees were informed that if they agreed to use the revised format they should submit a change request to delete the requirement for an Annual Operating Report except that occupational exposure data must still be submitted.

By letter dated November 2, 1977, the Power Authority of the State of New York (licensee) proposed an amendment to the James A. FitzPatrick Nuclear Power Plant (facility) operating license. The amendment would modify the Technical Specifications to permit use of LER and Monthly Operating Report formats different than those contained in Regulatory Guide 1.16, and delete the requirement for an Annual Operating Report. In addition, the proposed amendment would add to the Technical Specifications requirements to report system security defects and defects in in-stock components as prompt reportable occurrences.

Evaluation

The proposed change, which would replace the reference to RG 1.16 with appropriate wording from that guide, is administrative in nature and does not change the operation of the reactor. This change provides and does not change the operation of the reactor. This change provides reports in the Technical Specifications which identifies the required reports, states the circumstances under which they should be submitted and details the timing of such submittals. The text does not specify in great detail the format and content of the reports as was previously done by reference to the guide. The proposed change provides greater flexibility to accommodate changes to the reporting system and allows the licensee to use the recently revised LER and Monthly Operating Report formats and is therefore acceptable.

We have discussed with the licensee the proposed addition to the Technical Specifications of requirements to report system security defects and defects in in-stock components as prompt reportable occurrences. These two categories of reports are the only categories required by the new 10CFR Part 21 regulation which are not already covered by the present LER system. Since they are required by the regulations, they do not need to be required by the Technical Specifications too, and, therefore, the licensee has agreed to delete them as proposed additions to the Technical Specification requirements. However, the licensee has indicated a desire to use the LER system in reporting these two categories to comply with 10CFR Part 21, and we find this acceptable.

The licensee has also proposed to delete all but one of the four specified items in the Annual Operating Report. The report which tabulates occupational exposure on an annual basis is needed and therefore, the requirement to submit this information has been retained. We have determined that the failed fuel examination information does not need to be supplied routinely by licensees because this type of historical data can be obtained in a compiled form from fuel vendors when needed. The information concerning forced reductions in power and outages will be supplied in the revised Monthly Operating Reports and the narrative summary of operating experience will be provided on a monthly basis in the Monthly Operating Report rather than annually. The licensee has committed to use the revised Monthly Operating Report format beginning with their report for January 1978 as requested. We have concluded that all needed information will be provided and deletion of the Annual Operating Report is acceptable.

Environmental Consideration

We have determined that this amendment does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendment involves an action which is insignificant from the standpoint of environmental impact, and pursuant to 10 CFR §51.5(d)(4) that an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

Conclusion

We have concluded, based on the considerations discussed above, that: (1) because the amendment does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant decrease in a safety margin, the amendment does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: January 13, 1978

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-333POWER AUTHORITY OF THE STATE OF NEW YORKNOTICE OF ISSUANCE OF AMENDMENT TO FACILITY
OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 32 to Facility Operating License No. DPR-59, issued to the Power Authority of the State of New York (the licensee), which revised Technical Specifications for operation of the James A. FitzPatrick Nuclear Power Plant (the facility) located in Oswego County, New York. The amendment is effective as of its date of issuance.

The amendment provides for changes in the Technical Specifications which (1) utilize words from Regulatory Guide 1.16 instead of referencing the Guide and (2) delete the requirement for an Annual Operating Report.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

- 2 -

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment submitted by letter dated November 2, 1977, (2) Amendment No. 32 to License No. DPR-59, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. and at the Oswego County Office Building, 46 E. Bridge Street, Oswego, New York. A copy of items (2) and (3) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 13th day of January 1978.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert W. Reid, Chief
Operating Reactors Branch #4
Division of Operating Reactors