

November 16, 1977

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

DISTRIBUTION:

Docket
NRC PDR
L PDR
ORB#4 Reading
VStello
KGoller
RIngram
GVissing
OELD
OI&E(5)
BJones (4)
BScharf (10)
JMcGough
BHarless
DEisenhut
BGrimes
~~ACRS(16)~~
OPA, Clare Miles
DRoss
TAbernathy
JBuchanan
Gray file
Xtra Cy - 4
TCarter

Gentlemen:

The Commission has issued the enclosed Amendment No. 31 to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. This amendment consists of changes to the Technical Specifications in partial response to your application submitted by letter dated January 10, 1977, and staff discussions. Other proposed changes submitted by this application remain under consideration.

This amendment revises the provisions in the Technical Specifications relating to the schedule of sampling for ecological studies and water chemistry in the Nine Mile Plant Area of Lake Ontario.

The Technical Specifications require biological monitoring from April through December and for water chemistry throughout the year. However, there are periods during the year, particularly during the winter months, when weather conditions and/or ice conditions would prohibit the safe operation of water craft on the lake. These conditions could extend throughout a total interval when sampling is required. This amendment to the Technical Specifications allows the licensee to suspend sampling during periods of inclement weather or ice conditions. The change also requires reporting, in the annual environmental operating report, of the bases for not sampling at the stated frequency. We judge this change is acceptable as the lack of information during brief periods of inclement weather would not greatly affect the ability of the environmental studies to detect plant induced changes over the long term. Additionally, by reporting the bases for omission of samples in the annual environmental operating report, we believe there is adequate control within the Technical Specifications to assure an adequate sampling program for ecological studies and water chemistry monitoring.

Const. 1
GD

We have evaluated the potential for environmental impact of plant operation in accordance with the enclosed amendment, and have determined that the 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.

Since the amendment applies only to ecological and water chemistry sampling during periods of inclement weather, it does not involve significant new safety information of a type not considered by a previous Commission safety review of the facility. It does not involve a significant increase in the probability or consequences of an accident, does not involve a significant decrease in a safety margin, and therefore does not involve a significant hazards consideration. We have also concluded that there is reasonable assurance that the health and safety of the public will not be endangered by this action.

A copy of the related Notice of Issuance is also enclosed.

Sincerely,

original signed by

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

Enclosures:

1. Amendment No. 31
to DPR-59
2. Notice

cc w/enclosures:
 See next page

OFFICE >	ORB#4: DOR	ORB#4: DOR	<i>SALES</i>	OELD	C-ORB#4: DOR
SURNAME >	RIngram	AV ss ng: dn	Bkrines	A. J.	RWReid
DATE >	11/14/77	11/14/77	11/14/77	11/15/77	11/16/77

Power Authority of the State
of New York

cc w/enclosure(s):

Lewis R. Bennett, General Counsel
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

Rear Admiral Paul J. Early
Assistant Chief Engineer-Projects
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

Manager-Nuclear Operations
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

J. D. Leonard, Jr., Resident Manager
James A. FitzPatrick Nuclear Power Plant
P. O. Box 41
Lycoming, New York 13093

Lex K. Larson, Esq.
LeBoeuf, Lamb, Leiby and MacRae
1757 N Street, N.W.
Washington, D.C. 20036

Director, Technical Development
Programs
State of New York Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Scott B. Lilly, General Counsel
Power Authority of the State of New York
10 Columbus Circle
New York, New York 10019

Oswego County Office Building
46 E. Bridge Street
Oswego, New York 13126

Power Authority of the State
of New York

Mr. Robert P. Jones, Supervisor
Town of Scriba
R. D. #4
Oswego, New York 13126

Mr. Alvin L. Krakau
Chairman, County Legislature
County Office Building
46 East Bridge Street
Oswego, New York 13126

Chief, Energy Systems
Analyses Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection
Agency
Room 645, East Tower
401 M Street, S. W.
Washington, D.C. 20460

U. S. Environmental Protection
Agency
Region II Office
ATTN: EIS COORDINATOR
26 Federal Plaza
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. 31
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) sworn to January 5, 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.

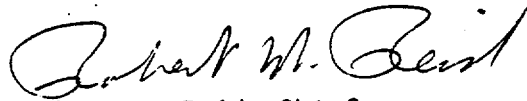
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-59 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 31, 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: November 16, 1977

ATTACHMENT TO LICENSE AMENDMENT NO. 31

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix B Technical Specifications as follows:

Remove Pages

28 & 30

Insert Pages

28 & 30

Changes on the revised pages are shown by marginal lines.

TABLE 4.1.1-1 - Frequency of Sampling for Ecological Studies in the Nine Mile Point Area of Lake Ontario

Study/Biotic Group	Frequency (April-December)
A. General Ecological Survey ⁽¹⁾	
Phytoplankton	Monthly
Zooplankton	Monthly
Periphyton	Monthly
Benthos	Every Other Month
Fish - Trawling, Seining, Gill Netting	Twice per Month
Lake Water Chemistry	Twice per Month
B. Impingement of Organisms	
Collection of impinged fish	Daily (24 hourly)
C. Entrainment of Organisms Through the Condenser	
	Twice per month, throughout the year

Note

(1) Sampling shall not be required when prevented by inclement weather including ice conditions. If sample collection cannot be undertaken on the scheduled date due to inclement weather or ice conditions or for other justifiable reasons, the factual basis shall be recorded in the annual environmental report and collections shall commence on the first practical date following the scheduled date.

4.1.2 Water Chemistry Survey

A water quality survey shall be conducted at two stations in the vicinity of the Plant. One station shall be located in approximately 45 feet of water and the other in 25 feet of water. Both stations shall be located off the Nine Mile Point promontory between the Nine Mile Point and FitzPatrick power plants. The data collected shall be used to supplement data collected during previous surveys. These surveys shall also be conducted in such a manner as to provide support for and complement the biological monitoring programs.

Samples shall be collected at the surface and bottom at the above mentioned stations in the lake at least once per month. Sampling shall not be required when prevented by inclement weather including ice conditions. If sample collection cannot be undertaken due to inclement weather or ice conditions or other justifiable reasons the factual bases shall be recorded in the annual environmental operating report and collections shall commence on the first practical date following the scheduled date. These samples shall be analyzed for:

1. Alkalinity
2. 5-day Biological Oxygen Demand (BOD₅)
3. Chemical Oxygen Demand (COD)
4. Total Solids
5. Total Filterable Solids (Dissolved Solids)
6. Total Non-Filterable Solids (Suspended Solids)
7. Total Volatile Solids
8. Total Kjeldahl Nitrogen
9. Ammonia
10. Nitrate
11. Total Phosphorus
12. Color
13. Specific Conductance
14. Total Coliform Bacteria
15. Fecal Coliform
16. Organic Nitrogen
17. Ortho-phosphate
18. Sulfate
19. Chloride
20. Aluminum
21. Cadmium
22. Calcium
23. Chromium
24. Copper
25. Beryllium
26. Iron
27. Lead
28. Magnesium
29. Mercury

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. 31 to Facility Operating License No. DPR-59, issued to 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.

This amendment revises the provisions in the Technical Specifications relating to the schedule of sampling for ecological studies and water chemistry in the Nine Mile Point area of Lake Ontario.

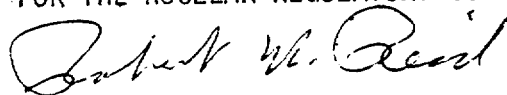
The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 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.

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, negative declaration or 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 transmitted by letter dated January 10, 1977, and (2) Amendment No. 31 to License No. DPR-59. Both 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 East Bridge Street, Oswego, New York. A copy of Item (2) 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 16th day of November 1977.

FOR THE NUCLEAR REGULATORY COMMISSION



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