

April 3, 1987

Docket No. 50-333

Mr. John C. Brons
Senior Vice President -
Nuclear Generation
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Dear Mr. Brons:

The Commission has issued the enclosed Amendment No. 110 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 dated September 19, 1985.

The amendment changes the Technical Specifications to revise notification and reporting requirements, as requested by NRC Generic Letter 83-43 dated December 19, 1983, to be consistent with the new requirements in 10 CFR 50.72 and 50.73.

A copy of the Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's Bi-Weekly Federal Register Notice.

Sincerely,

Original signed by

Harvey I. Abelson, Project Manager
BWR Project Directorate #2
Division of BWR Licensing

Enclosures:

1. Amendment No. 110 to License No. DPR-59
2. Safety Evaluation

cc w/enclosures:

See next page

DISTRIBUTION:

Docket File	SNorris	BGrimes	OPA
NRC PDR	HAbelson	TBarnhart (4)	Plant File
Local PDR	OGC - Bethesda	WJones	LFMB
RBernero	LJHarmon	JPartlow	NThompson
ELJordan	ACRS (10)	EButcher	

OFFICIAL RECORD COPY

DBL:PD#2 SNorris: 3/19/87	DBL:PD#2 HAbelson 3/19/87	OGC Bethesda M. Karman 3/29/87	DBL:PD#210 DMGiller 3/13/87
---------------------------------	---------------------------------	--------------------------------------	-----------------------------------

8704090149 870403
PDR ADDCK 05000333
P PDR

Mr. John C. Brons
Power Authority of the State of New York

James A. FitzPatrick Nuclear
Power Plant

CC:
Mr. Charles M. Pratt
Assistant General Counsel
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Mr. Jay Dunkleberger
Division of Policy Analysis
and Planning
New York State Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Resident Inspector's Office
U. S. Nuclear Regulatory Commission
Post Office Box 136
Lycoming, New York 13093

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, Pennsylvania 19406

Mr. Radford J. Converse
Resident Manager
James A. FitzPatrick Nuclear
Power Plant
Post Office Box 41
Lycoming, New York 13093

Mr. A. Klausman
Vice President - Quality Assurance
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Mr. J. A. Gray, Jr.
Director - Nuclear Licensing - BWR
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Mr. George Wilverding, Chairman
Safety Review Committee
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

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

Mr. Leroy W. Sinclair
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Mr. M. C. Cosgrove
Quality Assurance Superintendent
James A. FitzPatrick Nuclear
Power Plant
Post Office Box 41
Lycoming, New York 13093



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. 110
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 September 19, 1985, 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:

8704090155 870403
PDR ADOCK 05000333
P PDR

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 110, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. The license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Daniel R. Muller, Director
BWR Project Directorate #2
Division of BWR Licensing

Attachment:
Changes to the Technical
Specifications

Date of Issuance: April 3, 1987

ATTACHMENT TO LICENSE AMENDMENT NO. 110

FACILITY OPERATING LICENSE NO DPR-59

DOCKET NO. 50-333

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised areas are indicated by marginal lines.

Pages

iii

1

250

252

253

254-a

254-b

254-c thru 254-f

254-g

JAFNPP

TABLE OF CONTENTS (cont'd)

	<u>Page</u>
D. Emergency Service Water System	240
E. Intake Deicing Heaters	242
3.12 Fire Protection Systems	244a
5.0 Design Features	245
5.1 Site	245
5.2 Reactor	245
5.3 Reactor Pressure Vessel	245
5.4 Containment	245
5.5 Fuel Storage	245
5.6 Seismic Design	246
6.0 Administrative Controls	247
6.1 Responsibility	247
6.2 Plant Staff Organization	247
6.3 Plant Staff Qualifications	248
6.4 Retraining and Replacement Training	248
6.5 Review and Audit	248
6.5.1 Plant Operating Review Committee (PORC)	248a
6.5.2 Safety Review Committee (SRC)	250
6.6 Reportable Event Action	253
6.7 Safety Limit Violation	253
6.8 Procedures	253
6.9 Reporting Requirements	254a
6.10 Record Retention	254g
6.11 Radiation Protection Program	255
6.12 Industrial Security Program	258
6.13 Emergency Plan	258
6.14 Fire Protection Program	258
6.15 Environmental Qualification	258a

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 Event - A reportable event shall be any of those conditions specified in Section 50.73 to 10 CFR Part 50.

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.

8. Review the Emergency Plan and implementing procedures annually.
9. Perform special review and/or investigations at the request of the Resident Manager.
10. Review of all Reportable Events.
11. Review the Offsite Dose Calculation Manual (ODCM) and implementing procedures at least once per 24 months.
12. Review the Process Control Program (PCP) at least once per 24 months.

(F) Authority

The PORC shall function to advise the Resident Manager on all matters related to nuclear safety and environmental operations. The PORC shall recommend approval or disapproval to the Resident Manager of those items considered in 6.5 1E (1) through (4) and determine if items considered in 6.5 1E (1) through (5) constitute unreviewed safety questions, as defined in 10 CFR 50.59.

In the event of a disagreement between the PORC and the Resident Manager, the Chairman of the SRC and the Executive Vice President-Nuclear Generation, or their designated alternates, shall be notified within 24 hours and written notification provided on the next business day; however, the Resident Manager shall have responsibility for resolution of such disagreement pursuant to Section 6.1.

(G) Records

Minutes of all meetings of the PORC shall be recorded and numbered. Copies will be retained in file. Copies will be forwarded to the Chairman of the SRC and the Executive Vice President-Nuclear Generation.

(H) Procedures

Conduct of the PORC and the mechanism for implementation of its responsibilities and authority are defined in the pertinent Administrative Procedures.

6.5.2 SAFETY REVIEW COMMITTEE (SRC)

FUNCTION

- 6.5.2.1 The SRC shall function to provide independent review and audit of designated activities in the areas of:
- a. Nuclear power plant operations
 - b. Nuclear engineering
 - c. Chemistry and radiochemistry
 - d. Metallurgy
 - e. Instrumentation and control

QUORUM

- 6.5.2.6 A quorum of SRC shall consist of the Chairman, Vice-Chairman or Alternate Vice-Chairman and four members, including alternates. No more than a minority of the quorum shall have a direct line responsibility for the operation of the plant.

REVIEW

6.5.2.7 The SRC shall review:

- a. The safety evaluation for 1) changes to procedures, equipment or systems and 2) tests or experiments completed under the provision of Section 50.59, 10 CFR, 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 code, 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.

AUDIT

- 6.5.2.8 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 performance, training and qualifications of the entire facility staff at least once per 12 months.

CHARTER

- 6.5.2.11 Conduct of the committee will be in accordance with a charter approved by the Executive Vice President-Nuclear Generation setting forth the mechanism for implementation of the committee's responsibilities and authority.

6.6 REPORTABLE EVENT ACTION

The following actions shall be taken for Reportable Events:

- (A) The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- (B) Each Reportable Event shall be reviewed by the PORC, and the results of this review shall be submitted to the SRC and the Executive Vice President - Nuclear Generation.

6.7 SAFETY LIMIT VIOLATION

- (A) If a safety limit is exceeded, the reactor shall be shut down and reactor operation shall only be resumed in accordance with the provisions of 10 CFR 50.36, (c) (i).
- (B) An immediate report of each safety limit violation shall be made to the NRC by the Resident Manager. The Executive Vice President-Nuclear Generation and Chairman of the SRC will be notified within 24 hours.
- (C) The PORC shall prepare a complete investigative report of each safety limit violation and include appropriate analysis and evaluation of: (1) applicable circumstances preceding the occurrence, (2) effects of the occurrence upon facility component systems or structures and (3) corrective action required to prevent recurrence. The Resident Manager shall forward this report to the Executive Vice President-Nuclear Generation, Chairman of the SRC and the NRC.

6.8 PROCEDURES

- (A) Written procedures and administrative policies shall be established, implemented and maintained that meet or exceed the requirements and recommendations of Section 5 "Facility Administrative Policies and Procedures" of ANSI 18.7-1972 and Appendix A of Regulatory Guide 1.33, November 1972. In addition, procedures shall be established, implemented and maintained for the Fire Protection Program and other programs, as specified in Appendix B of the Radiological Effluent Technical Specifications, Section 7.2.
- (B) Those procedures affecting nuclear safety shall be reviewed by PORC and approved by the Resident Manager prior to implementation.
- (C) Temporary changes to nuclear related procedures may be made provided:
 - 1. The intent of the original procedure is not altered.

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

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 (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 Start-up 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, in-service 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 o 20.407 of 10 CFR Part 20.

(These pages intentionally blank)

(B) SPECIAL REPORTS

1. Fifteen copies of the Evaluation Report of the results of the first five years of performance of the non-destructive inspection listed in Table 4.6-1 of Technical Specifications 4.6.F, Structural Integrity, relating to the FitzPatrick in-service 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.
2. Special reports relating to fire protection equipment and systems shall be submitted to the NRC in accordance with Specifications 3.12.A.1.c, 3.12.A.1.d.2, 3.12.B.2, 3.12.C.2 and 3.12.E.2.

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. All Reportable Events.
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. 110 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

1.0 INTRODUCTION

By letter dated September 19, 1985, the Power Authority of the State of New York (PASNY or licensee) requested an amendment to the Appendix A Technical Specifications appended to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The proposed changes would revise notification and reporting requirements, as requested by NRC Generic Letter No. 83-43 dated December 19, 1983, to be consistent with the new requirements in 10 CFR 50.72 and 50.73.

2.0 EVALUATION

Currently, Administrative Controls Specification 6.9(A)4, "Reportable Occurrences," requires the licensee to report certain types of events either by prompt notification with written followup or in thirty day written reports. The proposed revisions, which bring the FitzPatrick Technical Specifications in conformance with new requirements in 10 CFR Parts 50.72 and 50.73, include changing the definition of "reportable occurrence" to that of "reportable event," and revising the Administrative Controls sections to reference 10 CFR Part 50.73 and to delete the previous reporting requirements, now unnecessary or conflicting.

The staff has evaluated the proposed changes to the Technical Specifications and concludes that these changes are administrative and do not involve any physical change to the plant's safety-related structures, systems or components. Further, these changes do not increase the likelihood of a malfunction of safety-related equipment, or increase the consequences of an accident previously analyzed or create the possibility of a malfunction different from those previously evaluated. Therefore, based on the above, the staff finds the licensee requested changes to revise event reporting requirements to be acceptable.

8704090161 870403
PDR ADOCK 05000333
P PDR

3.0 ENVIRONMENTAL CONSIDERATION

This amendment involves changes in reporting and administrative procedures or requirements. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Section 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.

4.0 CONCLUSION

The staff 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; and (2) 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.

Principal Contributor: Lawrence T. Doerflein

Dated : April 3, 1987