

August 9, 1985

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. 94 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 request dated February 22, 1985.

The amendment changes the Technical Specifications to revise the function and membership of the Safety Review Committee and clarify the responsibility of the Plant Operating Review Committee.

A copy of our Safety Evaluation is enclosed.

Sincerely,

Original signed by/

Harvey I. Abelson, Project Manager
Operating Reactors Branch #2
Division of Licensing

Enclosures:

- 1. Amendment No. 94 to License No. DPR-59
- 2. Safety Evaluation

cc w/enclosures:
See next page

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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

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

Mr. Harold Glovier
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. 94
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 February 22, 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:

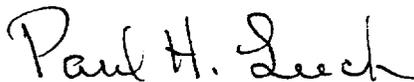
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(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 94, 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



Domenic B. Vassallo, Chief
Operating Reactors Branch #2
Division of Licensing

Attachment:
Changes to the Technical
Specifications

Date of Issuance: August 9, 1985

ATTACHMENT TO LICENSE AMENDMENT NO. 94

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise the Appendix "A" Technical Specifications as follows:

<u>Remove</u>	<u>Insert</u>
249	249
250	250
251	251
252a	252a

The revised areas are identified by vertical lines.

(B) Alternates

Alternative members shall be appointed in writing by the PORC Chairman to serve on a temporary basis; however, no more than two alternates shall participate in PORC activities at any one time.

(C) Meeting Frequency

Meetings will be called by the Chairman as the occasions for review or investigation arise. Meetings will be no less frequent than once a month.

(D) Quorum

The Chairman or Vice Chairman and four members, including designated alternates, shall constitute a quorum.

(E) Responsibilities

1. Review plant procedures, and changes thereto, required by Specification 6.8.
2. Review proposed tests and experiments that affect nuclear safety.
3. Review proposed changes to the Operating License and Technical Specifications.
4. Review proposed changes or modifications to plant systems or equipment that affect nuclear safety.
5. Investigate violations of the Technical Specifications and prepare and forward a report covering evaluation and recommendations to prevent recurrence to the Resident Manager, who will forward the report to the Manager - Nuclear Operations and to the Chairman of the Safety Review Committee.
6. Review plant operations to detect potential safety hazards.
7. Review the Security Plan (including the Safeguards Contingency Plan) and implementing procedures annually.

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 those reportable occurrences requiring 24 hour notification to the NRC, in accordance with Specification 6.9.
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 alternatives, 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

- f. Radiological safety
- g. Mechanical engineering
- h. Electrical engineering
- i. Administrative controls and quality assurance practices
- j. Environment
- k. Civil/Structural Engineering
- l. Nuclear Licensing
- m. Emergency Planning
- n. Other appropriate fields associated with the unique characteristics of a nuclear power plant

MEMBERSHIP

6.5.2.2 The SRC shall be composed of the following voting members:

Chairman:	Manager-Nuclear Safety Evaluation
Vice-Chairman:	Director-Quality Assurance
Member:	Vice President Nuclear Support-BWR
Member:	Vice President Nuclear Support-PWR
Member:	Vice President-Generic Nuclear Support
Member:	Vice President-Design and Analysis
Member:	Resident Manager-IP3
Member:	Resident Manager-JAF
Member:	Consultant

ALTERNATES

6.5.2.3 All alternate members shall be appointed in writing by the SRC Chairman; however, no more than two alternates shall participate as voting members in SRC activities at any one time.

CONSULTANTS

6.5.2.4 Consultants shall be utilized as determined by the SRC Chairman to provide expert advice to the SRC.

MEETING FREQUENCY

6.5.2.5 The SRC shall meet at least once per calendar quarter during the initial year of facility operation following initial fuel loading and at least once per six months, thereafter.

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- c. The results of actions taken to correct deficiencies occurring in facility equipment, structures, systems or method 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. The Facility Emergency Plan and implementing procedures at least once per 12 months.
- f. The Facility Security Plan (including the Safeguards Contingency Plan) and implementing procedures at least once per 12 months.
- g. Any other area of facility operation considered appropriate by the SRC or the Executive Vice President-Nuclear Generation.
- h. The Facility Fire Protection Program and implementing procedures at least once per two years.
- i. An independent fire protection and loss of 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.
- l. The Offsite Dose Calculation Manual and implementing procedures at least once per 24 months.
- m. The Process Control Program and implementing procedures for processing and packaging of radioactive wastes at least once per 24 months.
- n. The performance of activities required by the Quality Assurance Program to meet the provisions of Regulatory Guide 1.21, Revision 1, June 1974 and Regulatory Guide 4.1, Revision 1, April 1975 at least once per 12 months.

AUTHORITY

6.5.2.9 The SRC shall report to and advise the Executive Vice President-Nuclear Generation on those areas of responsibility specified in Section 6.5.2.7 and 6.5.2.8

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 94 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

The Power Authority of the State of New York (PASNY, the licensee) has requested, by letter dated February 22, 1985, changes to the Administrative Controls Section of the Technical Specifications for the James A. FitzPatrick Nuclear Power Plant. Below is a brief description and our evaluation of the changes.

2.0 DISCUSSION

- A. A proposed change to Section 6.5-1 would clarify the responsibility of the Plant Operations Review Committee (PORC) to include review of the Safeguards Contingency Plan as a part of the PORC review of the Security Plan.
- B. The Safety Review Committee (SRC) membership is to be revised to include the next-to-highest level management in the Nuclear Generation, Engineering and Quality Assurance, and Reliability Departments. The existing and proposed membership of the SRC are shown below.

Present:

Chairman:	Manager-Nuclear Safety Evaluation
Vice-Chairman:	Vice President-Quality Assurance
Member:	Vice President Nuclear Support-BWR
Member:	Vice President Nuclear Support-PWR
Member:	Manager-Radiological Health and Chemistry
Member:	Director-Nuclear Design and Analysis
Member:	Director-Electrical Design and Analysis
Member:	Director of Environmental Programs
Member:	Director-Civil/Structural Design and Analysis
Member:	Director-Mechanical Design and Analysis
Member:	Director-Piping and Process-Design and Analysis
Member:	Manager Operational Analysis and Training

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Proposed:

Chairman:	Manager-Nuclear Safety Evaluation
Vice-Chairman:	Director-Quality Assurance
Member:	Vice President Nuclear Support-BWR
Member:	Vice President Nuclear Support-PWR
Member:	Vice President-Generic Nuclear Support
Member:	Vice President-Design and Analysis
Member:	Resident Manager-IP-3
Member:	Resident Manager-JAF
Member:	Consultant

This change in the committee membership reduces the committee to nine (9) voting members. Title changes have been made throughout Section 6 to reflect the new membership.

- C. The SRC's function described in Section 6.5.2.1 has been modified to be consistent with NUREG-0123, Revision 3, "Standard Technical Specifications for Boiling Water Reactors." The specific change is shown below:

Present:

6.5.2.1 The SRC shall collectively have the competence required to review problems in the following areas:

Proposed:

6.5.2.1 The SRC shall function to provide independent review and audit of designated activities in the areas of:

3.0 EVALUATION

- A. The proposed revision described in Item A above is a clarification of the responsibilities currently assigned to the PORC and would not decrease the duties of the PORC as now described in the plant Technical Specifications. Furthermore, the revision is not inconsistent with the wording of the Standard Technical Specifications for Boiling Water Reactors NUREG-0123, Revision 3. Accordingly, we find the change acceptable.
- B. The staff considered the safety implications of the removal of the Design and Analysis Directors from the membership of the Safety Review Committee. For the following reasons, it was determined that no measurable decrease in the effectiveness of the SRC would occur.
1. The qualifications of the Vice President (VP) level managers to be included on the SRC are: A BS in Engineering or Science and 6 years of professional level experience in nuclear services, nuclear plant operations, or nuclear engineering, and the

necessary overall nuclear background to determine when to call consultants and contractors for dealing with complex problems beyond the scope of the owner-organization expertise. The qualifications of the Directors removed from the SRC are: a BS in Engineering or Science and 3 years in design, operation or other related activities of nuclear power plants.

The experience level of the VPs in actual operations, service or engineering of nuclear power plants is acceptable.

2. The reporting responsibilities of the SRC Chairman are not affected by the SRC membership changes. The Chairman shall continue to report directly to the Executive Vice President-Nuclear Generation.
3. The implementation of the SRC charter usually relies on outside organizations or the Technical Divisions to perform the actual review and/or audit for which the SRC is responsible. Therefore, although the Technical Division Directors were removed from the SRC membership, they will, in essence, continue to remain involved with the SRC review process. Moreover, the Directors replaced from the Engineering and Generation Departments will be the alternates to the new VP level voting members from their same departments.
4. The SRC is an oversight body which ordinarily meets every 6 months to review actions and reports that have already been implemented or accomplished. In most cases, the Plant Operations Review Committee and/or the Independent Safety Engineering Group (ISEG) have previously performed reviews of the same actions being reviewed by the SRC.
5. The addition of the consultant as a voting member was considered a strength and could bring specific expertise to be used in the resolution of problems, if required.
6. The reduction in the number of SRC membership from 12 to 9 was considered a strength. The SRC should be more effective in bringing about closure of any identified safety issues with the smaller number of members and the increased level of decision-making capability.
7. The increased participation of upper management attention and involvement in the safety review process should aid in achieving safe plant operation.

The proposed change is in accordance with the guidance provided in Section 13.4 of the Standard Review Plan, NUREG-0800 and the Standard Technical Specifications for Boiling Water Reactors, NUREG-0123, Revision 3. Accordingly, the proposed change is acceptable.

- C. The proposed change described in Item C above is in accordance with the guidance provided in Section 13.4 of the Standard Review Plan, NUREG-0800 and the Standard Technical Specifications for Boiling Water Reactors, NUREG-0123, Revision 3. Accordingly, the proposed change is acceptable.

4.0 ENVIRONMENTAL CONSIDERATIONS

This amendment relates to changes in administrative procedures. Accordingly, this 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

We have 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: L. Crocker

Dated: August 9, 1985