

May 4, 1989

Docket No. 50-333

DISTRIBUTION

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

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Dear Mr. Brons:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. 68457)

The Commission has issued the enclosed Amendment No. 126 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 transmitted by letter dated June 10, 1988.

The amendment clarifies the sections dealing with the Crescent Area Ventilation and associated Limiting Condition for Operation and Surveillance Testing inconsistencies.

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular bi-weekly Federal Register notice.

Sincerely,

Original signed by

David E. LaBarge, Project Manager
Project Directorate I-1
Division of Reactor Projects, I/II

Enclosures:

1. Amendment No. 126 to DPR-59
2. Safety Evaluation

cc: w/enclosures
See next page

[AMEND TAC 68457]

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NAME	:CVogan	:DLaBarge/bah	:JCraig	:	:RCapra	:	:
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Mr. John C. Brons
Power Authority of the State of New York

James A. FitzPatrick Nuclear
Power Plant

cc:

Mr. Gerald C. Goldstein
Assistant General Counsel
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Quality Assurance Superintendent
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Charlie Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, New York 10271



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. 126
License No. DPR-59

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 June 10, 1988, 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. 126, 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

Robert A. Capra

Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects, I/II

Attachment:
Changes to the Technical
Specifications

Date of Issuance: May 4, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 126.

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page

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Insert Page

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3.11 (cont'd)

B. Crescent Area Ventilation

Crescent area ventilation and cooling equipment shall be operable on a continuous basis whenever specification 3.5.A, 3.5.B, and 3.5.C are required to be satisfied.

1. From and after the date that more than one unit cooler serving ECCS components in the same half of the crescent area are made or found to be inoperable, all ECCS components in that half of the crescent area shall be considered to be inoperable for purposes of specification 3.5.A, 3.5.B, and 3.5.C.
2. If 3.11.B.1 cannot be met, the reactor shall be placed in a cold condition within 24 hours.

C. Battery Room Ventilation

Battery room ventilation shall be operable on a continuous basis whenever specification 3.9.E is required to be satisfied.

1. From and after the date that one of the battery room ventilation systems is made or found to be inoperable, its associated battery shall be considered to be inoperable for purposes of specification 3.9.E.

4.11 (cont'd)

B. Crescent Area Ventilation

1. Unit coolers serving ECCS components shall be checked for operability once/3 months.
2. Temperature indicator controllers shall be calibrated once/operating cycle.

C. Battery Room Ventilation

Battery room ventilation equipment shall be checked for operability once/week.

1. When it is determined that one battery room ventilation system is inoperable, the remaining ventilation system shall be checked for operability and daily thereafter.
2. Temperature transmitters and differential pressure switches shall be calibrated once/operating cycle.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 126 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

By letter dated June 10, 1988, the Power Authority of the State of New York (PASNY or the licensee), requested changes to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The changes would revise the crescent area ventilation Limiting Conditions for Operation (LCO) and the Surveillance Testing requirements of the Technical Specifications (TS) to clarify the requirements and eliminate a conflict in the operability and surveillance testing sections.

DESCRIPTION

The portion of the reactor building commonly referred to as the crescent area is located in the lower level and has the shape of a half-moon. It is divided, functionally, into two halves, with each half containing a major portion of the Residual Heat Removal (RHR) subsystem and the Core Spray (CS) subsystem. Also, one of these areas contains a major portion of the High Pressure Coolant Injection (HPCI) system and the other area contains a major portion of the Reactor Core Isolation Cooling (RCIC) system. Since each area is separated somewhat from the other, it may be considered to be a compartment. However, the whole crescent area may also be considered to be a compartment. Hence, the proposed change to Specification 3.11.B.1 would replace the term "compartment" with the nomenclature "half of the crescent area" to remove this ambiguity and ensure that the LCO is properly understood.

Another proposed change to TS Section 3.11.B.1 would replace the reference to Specification "3.5.D" with "3.5.B" since Specification 3.5.D refers to the Automatic Depressurization System (which has no equipment located in the crescent area) and Specification 3.5.B refers to the Containment Cooling subsystem of the RHR system (which does have equipment located in the area). The effect of the change is to ensure proper application of the LCO so that the containment cooling subsystem is declared inoperable if more than one cooler in one-half of the crescent area is declared inoperable; rather than the Automatic Depressurization System.

The proposed change to Specification 4.11.B would eliminate the existing conflict between Specifications 3.11.B.1 and 4.11.B.1 in determining the applicability of the 7-day and 24-hour LCOs when more than one cooler in

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one-half of the crescent area is inoperable. The proposed amendment deletes the 7-day LCO, retains the 24-hour LCO, and moves the specification from the surveillance section to the LCO section of the TS. Thus, the more conservative limit is retained and the LCO is consistent with similar LCOs.

These proposed changes do not change any systems or subsystem and will not alter the conclusions of either the FitzPatrick Final Safety Analysis Report or Safety Analysis Report accident analysis. They are therefore, acceptable.

ENVIRONMENTAL CONSIDERATION

This amendment involves a change in the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and a change in the surveillance requirements. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Sec 51.22(c)(9). 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.

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.

Dated: May 4, 1989

PRINCIPAL CONTRIBUTOR:

D. LaBarge

May 4, 1989

Docket No. 50-333

DISTRIBUTION

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DLaBarge GPA/PA
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RCapra JCraig

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The amendment clarifies the sections dealing with the Crescent Area Ventilation and associated Limiting Condition for Operation and Surveillance Testing inconsistencies.

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular bi-weekly Federal Register notice.

Sincerely,

Original signed by

David E. LaBarge, Project Manager
Project Directorate I-1
Division of Reactor Projects, I/II

Enclosures:

- 1. Amendment No. 126 to DPR-59
- 2. Safety Evaluation

cc: w/enclosures
See next page

[AMEND TAC 68457]

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Power Authority of the State of New York

James A. FitzPatrick Nuclear
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 - 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;
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FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Capra

Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects, I/II

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Changes to the Technical
Specifications

Date of Issuance: May 4, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 126-

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page

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Insert Page

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3.11 (cont'd)

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RELATED TO AMENDMENT NO. 126 TO FACILITY OPERATING LICENSE NO. DPR-59

POWER AUTHORITY OF THE STATE OF NEW YORK

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DOCKET NO. 50-333

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These proposed changes do not change any systems or subsystem and will not alter the conclusions of either the FitzPatrick Final Safety Analysis Report or Safety Analysis Report accident analysis. They are therefore, acceptable.

ENVIRONMENTAL CONSIDERATION

This amendment involves a change in the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and a change in the surveillance requirements. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Sec 51.22(c)(9). 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.

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.

Dated: May 4, 1989

PRINCIPAL CONTRIBUTOR:

D. LaBarge