October 2, 1989

Docket No. 50-333

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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

Dear Mr. Brons:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. 73289)

The Commission has issued the enclosed Amendment No. 139 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 May 19, 1989.

The amendment removes reference to a non-existing primary containment continuous leak rate monitoring system.

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
Office of Nuclear Reactor Regulation

Enclosures:
1. Amendment No. 139 to DPR-59
2. Safety Evaluation

cc w/enclosures:
See next page

[FITZPATRICK AMENDMENT 73289]

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

October 2, 1989

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David E. LaBarge, Project Manager
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cc w/enclosures:
See next page

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

James A. Fi atrick Nuclear
Power Plant

cc:

Mr. Gerald C. Goldstein
Assistant General Counsel
Power Authority of the State
of New York
1633 Broadway
New York, New York 10019

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

Mr. William Fernandez
Resident Manager
James A. FitzPatrick Nuclear
Power Plant
Post Office Box 41
Lycoming, New York 13093

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

Supervisor
Town of Scriba
R. D. #4
Oswego, New York 13126

Mr. J. P. Bayne, President
Power Authority of the State
of New York
1633 Broadway
New York, New York 10019

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

Charlie Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, New York 10271

Ms. Donna Ross
New York State Energy Office
2 Empire State Plaza
16th Floor
Albany, New York 12223

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

Mr. A. Klausman
Senior Vice President - Appraisal
and Compliance Services
Power Authority of the State
of New York
1633 Broadway
New York, New York 10019

Mr. George Wilverding, Manager
Nuclear Safety Evaluation
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Mr. R. E. Beedle
Vice President Nuclear Support
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Mr. S. S. Zulla
Vice President Nuclear Engineering
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Vice President Nuclear Operations
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

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. 139
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 May 19, 1989, 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.139 , 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
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: October 2, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 139

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Pages	Insert Pages
176	176
177	177

3.7 (cont'd)

3. The containment shall be purged through the Standby Gas Treatment System whenever the primary containment integrity is required. If this requirement cannot be met, then purging shall be discontinued without delay.

4.7 (cont'd)

3. Continuous Leak Rate Monitoring

When the primary containment is inerted, it shall be continuously monitored for gross leakage by review of the inerting system makeup requirements.

3.7 (cont'd)

4. Pressure Suppression Chamber-Reactor Building Vacuum Breakers

   a. Except as specified in 3.7.A.4.b below, two Pressure Suppression Chamber-Reactor Building Vacuum Breakers shall be operable at all times when the primary containment integrity is required. The setpoint of the differential pressure instrumentation which actuates the pressure suppression chamber reactor building vacuum breakers shall be $\leq$0.5 psi below reactor building pressure.

   b. From and after the date that one of the pressure suppression chamber-reactor building vacuum breakers is made or found to be inoperable for any reason, reactor operation is permissible only during the succeeding 7 days, unless such vacuum

4.7 (cont'd)

When the primary containment is inerted, it shall be continuously monitored for gross leakage by review of the inerting system makeup requirements. The monitoring system may be taken out of service for maintenance, but shall be returned to service as soon as possible.

4. Pressure Suppression Chamber-Reactor Building Vacuum Breakers

   a. The pressure suppression chamber-reactor building vacuum breakers and associated instrumentations including setpoint shall be checked for proper operation every three months.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 139 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 May 19, 1989, the Power Authority of the State of New York (PASNY or the licensee), requested changes to the Technical Specifications (TS) for the James A. FitzPatrick Nuclear Power Plant. The changes would remove a misleading reference to a non-existent continuous leak rate monitoring system, change the title of Specification 4.7.A.3 "Continuous Leak Rate Monitor" to "Continuous Leak Rate Monitoring," and delete the sentence "The monitoring system may be taken out of service for maintenance, but shall be returned to service as soon as possible." For clarity, the remaining sentence in the specification would be moved to the preceeding page and placed below the title.

DESCRIPTION

The design of the FitzPatrick Nuclear Power Plant primary containment does not include a dedicated leakage monitoring system; i.e., a system which is designed to determine leakage across the boundary of the primary containment. Leakage monitoring is performed by periodically determining the makeup requirements of the Containment Air Dilution (CAD) Inerting System. As described in the Final Safety Analysis Report (FSAR) Section 5.2.3.13, the method consists of measuring the gas flow needed to maintain the primary containment pressure greater than 1.7 psi above the suppression chamber pressure (hence 1.7 psi above atmospheric pressure) as the pressure slowly decays due to minor leakage. This method, as implemented in Operations Department Procedure Number OP-40D, consists of daily logging the CAD nitrogen flow integrator reading, the drywell pressure, the drywell temperature and the drywell humidity by the Control Room operator. The readings are checked by the shift supervisor. If the readings are not within the expected range for the existing plant conditions, an immediate investigation is started. In addition, the differential pressure between the drywell and suppression chamber is logged and checked for possible leakage into the suppression chamber.

This method of leak rate monitoring is not associated with the Reactor Coolant System Leakage Detection System, which measures leakage from the Reactor Coolant System within the drywell and is unaffected by this proposed change.

Based on this analysis it has been determined that the proposed TS change does not alter the conclusions or analysis of either the FitzPatrick FSAR or the Safety Evaluation Report. The change is, therefore, acceptable.

ENVIRONMENTAL CONSIDERATION

This amendment involves a change in 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.

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: October 2, 1989

PRINCIPAL CONTRIBUTOR:

D. LaBarge