



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

December 11, 1989

Docket No. 50-333

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: TEMPORARY WAIVER OF COMPLIANCE WITH TECHNICAL SPECIFICATION
TABLE 3.2-2, ITEM NO. 31

In response to the Power Authority of the State of New York (PASNY) letter dated December 11, 1989, the Commission herewith grants this temporary waiver of compliance from the James A. FitzPatrick Technical Specification (TS) Table 3.2-2, Item No. 31 concerning the setpoint of the High Pressure Coolant Injection (HPCI) Turbine Steam Line High Flow instrument which initiates isolation of the HPCI System. This temporary waiver of compliance affects page 70b of the James A. FitzPatrick TS to Facility Operating License No. DPR-59. The basis for this temporary waiver of compliance is discussed below, and shall remain in effect while the NRC staff completes the processing of your emergency amendment request dated December 11, 1989.

The purpose of the HPCI isolation is to limit reactor coolant inventory loss and the offsite radiological consequences in the event of a break in the HPCI piping. The analytical limit for determining if a break exists in the HPCI system piping is stated in FSAR Section 7.4.3.2.7 as a HPCI steam line flow of 300 percent of rated. At the FitzPatrick plant, the HPCI steam line flow rate is sensed by differential pressure elbow taps on the HPCI steam line.

Recent tests have shown that the technical specification differential pressure setpoint presently corresponds to an indicated steam line flow of approximately 200 percent of rated. Since the HPCI System start-up pressure transient can result in an indicated steam flow higher than 200 percent of rated, this instrumentation has generated inadvertent isolations, and resulted in inoperability of the system. The purpose of the proposed amendment is to change the trip setting for the HPCI turbine steam line high flow isolation signal and clarify the required trip setting associated with this signal in order to maintain operability of the system.

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Mr. John C. Brons

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The FitzPatrick plant is currently operating in a 7 day Limiting Condition for Operation (LCO) under the provisions of Specification 3.5.C.1.a, which expires at approximately 6:00 am on Tuesday, December 12, 1989. If this change is not granted prior to this time, Specification 3.5.C.1.b requires the plant to be in a cold condition and less than 150 psig reactor pressure within 24 hours. Therefore, you have requested that this application for amendment be processed on an emergency basis under the provisions of 10 CFR 50.91(a)(5), since insufficient time exists to provide for a 30 day public comment period without requiring a plant shutdown.

Therefore, there is insufficient time to allow a 30 day public notice of the proposed amendment prior to expiration of the LCO time period. The staff is satisfied that you have made a good faith effort to submit the license amendment in a timely manner once the test data was fully analyzed and the requirements addressed. Failure on the part of the Commission to act on the amendment request would result in plant shutdown on December 12, 1989.

Based upon: (1) the good faith effort shown by the licensee once the problem was analyzed, (2) the fact that the increased setpoint will result in an increase in the reliability of the HPCI System, and (3) preventing plant shutdown under this condition is consistent with the public health and safety, the staff finds that the facility can safely operate with the increased steam line flow setpoint of 160 in. H₂O, vs. the current TS setpoint of 106 in. H₂O during the time period it will take to process the amendment request.

Sincerely,
ORIGINAL SIGNED BY
Bruce A. Boger, Assistant Director
for Region I Reactors
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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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
Power Authority of the State
of New York
1633 Broadway
New York, New York 10019

Ms. Donna Ross
New York State Energy Office
2 Empire State Plaza
16th Floor
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
475 Allendale Road
King of Prussia, Pennsylvania 19406

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

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

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

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

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

Mr. William Josiger, Vice President
Operations and Maintenance
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

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