

November 30, 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

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Dear Mr. Brons:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. 73828)

The Commission has issued the enclosed Amendment No. 146 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 July 14, 1989.

The amendment corrects Note 1 of Table 3.2-3, "Instrumentation that Initiates Control Rod Blocks" regarding the operability requirements for the Average Power Range Monitor System rod blocks during startup.

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. 146 to DPR-59
2. Safety Evaluation

cc: w/enclosures  
See next page

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

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Sincerely,

A handwritten signature in dark ink, appearing to read "De LaBarge", is written over a horizontal line.

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

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See next page

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James A. FitzPatrick Nuclear  
Power Plant

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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. 146  
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 July 14, 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. 146, 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, 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: November 30, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 146

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page

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TABLE 3.2-3 (Cont'd)

**INSTRUMENTATION THAT INITIATES CONTROL ROD BLOCKS**

NOTES FOR TABLE 3.2.-3

the RBM rod block need not be operable in start-up mode. When the reactor is in the start-up mode, the APRM upscale (start-up mode) rod block shall be operable. When the reactor is in the run mode, the APRM upscale (flow biased) and APRM downscale rod blocks shall be operable. From and after the time it is found that the first column cannot be met for one of the two trip systems, this condition may exist for up to seven days provided that during that time the operable system is functionally tested immediately and daily thereafter; if this condition lasts longer than seven days, the system shall be tripped. From and after the time it is found that the first column cannot be met for both trip systems, the systems shall be tripped.

2. IRM downscale is bypassed when it is on its lowest range.
3. This function is bypassed when the count rate is  $\geq 100$  cps.
4. One of the four SRM inputs may be bypassed.
5. This SRM Function is bypassed when the IRM range switches are on range 8 or above.
6. The trip is bypassed when the reactor power is  $\leq 30\%$ .
7. This function is bypassed when the Mode Switch is placed in Run.
8. S = Rod Block Monitor Setting in percent of initial.  
W = Loop recirculation flow in percent of rated  
K = Intercept values of 39%, 40%, 41%, and 42% can be used with appropriate MCPD limits from Section 3.1.B.
9. When the reactor is subcritical and the reactor water temperature is less than 212°F, the control rod block is required to be operable only if any control rod in a control cell containing fuel is not fully inserted.
10. When one of the instruments associated with scram discharge instrument volume high water rod blocks is not operable, the trip system shall be tripped.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 146 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 July 14, 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 correct Note 1 of Table 3.2-3, "Instrumentation That Initiates Control Rod Blocks."

DESCRIPTION

Presently Note 1 of Table 3.2-3 states that the Average Power Range Monitor (APRM) rod blocks need not be operable in the startup mode. This contradicts both the body of Table 3.2-3, which indicates a separate trip level setting for the APRM System in the startup mode, and Table 3.1-1, "Reactor Protection System (SCRAM) Instrumentation Requirement," which requires that two APRM instrument channels be operable in the startup mode.

To correct this discrepancy, the proposed amendment would change Note 1 to state: "When the reactor is in the start-up mode, the APRM upscale (start-up mode) rod block shall be operable." As a further clarification, the amendment would modify Note 1 to indicate that the upscale (flow biased) and the downscale rod blocks are required to be operable when the reactor is in the run mode.

These proposed changes do not change any setpoints, alter any administrative controls, procedures or other limitations. They do not involve the modification of any existing structures, equipment, systems, or components; nor do they alter the conclusions of the plant's accident analysis as documented in the Final Safety Analysis Report or the NRC staff's Safety Evaluation Report concerning the FitzPatrick Nuclear Power Plant. In addition, the proposed changes do not result in a decrease in the operability requirements.

The effect of the changes are to correct an administrative error in the TS such that the TS is consistent with present plant limitations concerning operability requirements for the APRM instrumentation and to eliminate a source of potential confusion. Also, the proposed changes will bring the rod block instrumentation into agreement with the APRM scram instrumentation operability requirements.



Based on this analysis, the staff has determined that the proposed TS changes are acceptable.

#### ENVIRONMENTAL CONSIDERATION

This amendment involves a change in a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. 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: November 30, 1989

#### PRINCIPAL CONTRIBUTOR:

D. LaBarge