

February 10, 1992

Docket No. 50-333

Mr. Ralph E. Beedle  
Executive Vice President - Nuclear Generation  
Power Authority of the State of New York  
123 Main Street  
White Plains, New York 10601

Dear Mr. Beedle:

SUBJECT: ISSUANCE OF AMENDMENT FOR JAMES A. FITZPATRICK NUCLEAR POWER PLANT  
(TAC NO. M82321)

The Commission has issued the enclosed Amendment No. 177 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 December 19, 1991.

The amendment provides a one-time extension to the fire barrier penetration surveillance interval required by Technical Specification (TS) 4.12.F.1. Specifically, TS 4.12.F.1 requires that fire barrier penetration seals be visually inspected once every 18 months. This amendment provides a one-time extension of 3 months until May 15, 1992, to complete these fire barrier penetration seal visual inspections.

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

Sincerely,  
Original Signed By:  
Brian C. McCabe, Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No.177 to DPR-59
- 2. Safety Evaluation

cc w/enclosures:

See next page

\*See previous concurrence

LA:PDI-1	PM:PDI-1	NRR/SPLB	OGC	D:PDI-1
CVogan <i>CV</i>	BMcCabe:av1 <i>B</i>	*CMcCracken	*THu11	RACapra <i>ROC</i>
1/27/92	1/27/92	01/10/92	01/10/92	2/10/92

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DATED: February 10, 1992

AMENDMENT NO. 177 TO FACILITY OPERATING LICENSE NO. DPR-59-FITZPATRICK

Docket File

NRC & Local PDRs

PDI-1 Reading

S. Varga, 14/E/4

J. Calvo, 14/A/4

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C. Cowgill

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G. Hill (4), P-137

Wanda Jones, P-130A

C. Grimes, 11/F/23

ACRS (10)

OCA

OC/LFMB

Plant File

cc: Plant Service list



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555  
February 10, 1992

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Brian C. McCabe, Project Manager  
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Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 177 to DPR-59
2. Safety Evaluation

cc w/enclosures:  
See next page

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Mr. Ralph E. Beedle  
Power Authority of the State of New York

James A. FitzPatrick Nuclear  
Power Plant

cc:

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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. 177  
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 December 19, 1991, 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. 177, 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: February 10, 1992

ATTACHMENT TO LICENSE AMENDMENT NO. 177

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

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2. If the fire protection systems smoke and/or heat detectors in Tables 3.12.1 and 3.12.2 cannot be restored to an operable status within 14 days, a written report to the Commission outlining the action taken, the cause of inoperability and plans and schedule for restoring the detectors to an operable status shall be prepared and submitted within 30 days.

F. Fire Barrier Penetration Seals

1. All fire barrier penetrations, including cable penetration barriers, fire doors and fire dampers, in fire zone boundaries protecting safety related areas shall be functional.
2. With one or more of the required fire barrier penetrations non-functional, within one hour establish a continuous fire watch on at least one side of the affected penetration or verify the operability of fire detectors on at least one side of the non-functional fire barrier and establish an hourly fire watch patrol. Restore the non-functional fire barrier penetration(s) to functional status within 7 days or, in lieu of any other report required by Specification 6.9.A, prepare and submit a Special Report to the Commission pursuant to Specification 6.9.B within 30 days outlining the action taken, the cause of the non-functional penetration and plans and schedule for restoring the fire barrier penetration(s) to functional status.

F. Fire Barrier Penetration Seals

1. All fire barrier penetration seals for each protected area shall be visually inspected once/1.5 years to verify functional integrity. For those fire barrier-penetrations that are not in the as-designed condition, an evaluation shall be performed to show that the modification has not degraded the fire rating of the fire barrier penetration.\*
2. Any repair of fire barrier penetration seals shall be followed by a visual inspection.

\* The current surveillance interval for visually inspecting fire barrier penetration seals is extended until May 15, 1992. This is a onetime extension, effective only for this inspection interval. The next surveillance interval began September 27, 1991.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 177 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

By letter dated December 19, 1991, the Power Authority of the State of New York (the licensee) submitted a request for changes to the James A. FitzPatrick Nuclear Power Plant, Technical Specifications (TS). The requested changes would provide a one-time extension to the fire barrier penetration surveillance interval required by Technical Specification (TS) 4.12.F.1. Specifically, TS 4.12.F.1 requires that fire barrier penetration seals be visually inspected once every 18 months. This amendment provides a one-time extension of 3 months until May 15, 1992, to complete these fire barrier penetration seal visual inspections.

2.0 EVALUATION

The Code of Federal Regulations, 10 CFR Part 50, Appendix R, "Fire Protection Program For Nuclear Power Facilities Operating Prior to January 1, 1979," requires that each nuclear power plant establish a fire protection program that extends the concept of defense-in-depth to fire protection in fire areas important to safety, with the following objectives:

1. To prevent fires from starting;
2. To detect rapidly, control, and extinguish promptly those fires that do occur;
3. To provide protection for structures, systems, and components important to safety so that a fire that is not promptly extinguished by the fire suppression activities will not prevent the safe shutdown of the plant.

Fire barriers are just one feature of the FitzPatrick fire protection program. The functional integrity of these fire barrier penetrations ensures that fire will be confined or adequately retarded from spreading to an adjacent portion of the facility. This design feature minimizes the possibility of a single fire rapidly involving several areas of the facility prior to detection and extinguishment. The fire barrier penetrations are a passive element in the facility fire protection program and are subject to periodic inspections.

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On August 2, 1991, during a meeting with the NRC's staff concerning FitzPatrick's fire protection program, the licensee committed to complete a full baseline barrier seal inspection not later than 30 days after startup from the 1993 refueling outage. The licensee accelerated this baseline inspection schedule so that it could be performed concurrently with the fire barrier penetration seal inspections required by TS 4.12.F.1. Each of these inspections takes longer because the baseline inspection requirements are more detailed than those previously employed at FitzPatrick. Because of the additional time required to perform each inspection, the licensee determined that a 3-month extension until May 15, 1992, was necessary to complete the surveillance requirements of TS 4.12.F.1. On the date that this extension becomes applicable, approximately 57 percent of the penetrations will have already been inspected using the new, more-detailed, baseline inspection requirements. An even greater percentage of penetrations will have been inspected by the projected startup date following the current 1992 refueling outage.

The NRC staff has reviewed the licensee's request for a one-time extension of 3 months (May 15, 1992) to the surveillance interval in TS 4.12.F.1. The staff has determined that this extension is warranted because it will provide the time needed by the licensee to perform a thorough, detailed, baseline inspection of the fire barrier penetration seals. This baseline inspection should enhance efforts to detect existing penetration seal degradation and deficiencies, and assist in accurately trending and correcting future degradation.

The staff further concludes that the current design, construction, and maintenance requirements for fire barrier penetration seals in nuclear power plants ensure that the degradation that may occur during the proposed 3-month extension will be minimal and thus will not significantly reduce their ability to prevent the spread of fire from one side of the barrier to the other.

The staff has reviewed the current levels of fire protection, detection, and suppression at the FitzPatrick plant to ensure that the proposed extension does not compromise the ability of the plant to adhere to the defense-in-depth concept outlined in 10 CFR Part 50, Appendix R. The defense-in-depth concept has been incorporated into the FitzPatrick fire protection program via detection, suppression, and protection features which include:

- o Automatic suppression and/or detection systems are installed in some fire hazard areas including carbon dioxide systems, halon and water sprays.
- o Manual hose stations are installed throughout the plant.
- o A trained fire brigade is on site to respond to a fire.
- o A local fire department is available to respond to a fire.

- o Portable extinguishers are installed throughout the plant.
- o Fire protection systems are periodically tested to assure that they are capable of performing their intended function.
- o Fire barriers separate safety-related components and reduce the potential for the spread of fire between fire areas or zones.
- o An alternate safe shutdown panel, procedures and operator training will assure that the plant can be safely shutdown and maintained in a shutdown condition.
- o The physical integrity of structural steel is assured by fire proof coatings.
- o Emergency lighting and communication systems have been installed.

The staff concludes that, even should seal degradation occur during the 3-month extension, the current levels of fire detection, suppression, and protection at FitzPatrick are adequate to ensure maintenance of safe shutdown capability and to provide reasonable assurance of prompt extinguishment of postulated fires.

For the above reasons, the staff finds that the proposed amendment is acceptable.

### 3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a surveillance requirement. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluent 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 the amendment involves no significant hazards consideration, and there has been no public comment on such finding (57 FR 715). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 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 the amendment.

## 5.0 CONCLUSION

The Commission has 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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor:  
B. McCabe

Date: February 10, 1992