

Docket No. 50-333

July 30, 1990

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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 FOR FITZPATRICK (TAC NO. 76373)

The Commission has issued the enclosed Amendment No. 163 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 March 9, 1990.

The amendment clarifies Specification 3.9.B.3 by removing the term "both diesel generator systems" and corrects two editorial errors.

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,

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

Enclosures:

1. Amendment No. 163 to DPR-59
2. Safety Evaluation

cc: w/enclosures
 See next page

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| PDI-1 | PDI-1 | <i>SELB</i> | OGC | <i>ROC</i> |
| CVogan | DLaBarge:rsc | FRosa | <i>03 add</i> | PDI-1 |
| 7/12/90 | 7/12/90 | <i>for 7/17/90</i> | <i>7-19-90</i> | RACapra |
| | | | | 7/30/90 |

DOCUMENT NAME: Issuance of Amendment 76373

FOI
 Add: Dave LaBarge
 14B2

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



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. 163
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 March 9, 1990, 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. 163, 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: July 30, 1990

ATTACHMENT TO LICENSE AMENDMENT NO. 163.

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page

217

Insert Page

217

JAFNPP

3.9 (cont'd)

3. From and after the time that one of the Emergency Diesel Generator Systems is made or found to be inoperable, continued reactor operation is permissible for a period not to exceed 7 days provided that the two incoming power sources are available and that the remaining Diesel Generator System is operable. At the end of the 7-day period, the reactor shall be placed in a cold condition within 24 hours, unless the affected diesel generator system is made operable sooner.
4. When both Emergency Diesel Generator Systems are made or found to be inoperable, a reactor shutdown shall be initiated within two hours and the reactor placed in a cold condition within 24 hours after initiation of shutdown.

4.9 (cont'd)

3. The emergency diesel generator system instrumentation shall be checked during the monthly generator test.
4. Once each operating cycle, the conditions under which the Emergency Diesel Generator System is required will be simulated to demonstrate that the pair of diesel generators will start, accelerate, force parallel, and accept the emergency loads in the prescribed sequence.
5. Once within one hour and at least once per twenty-four hours thereafter while the reactor is being operated in accordance with Specifications 3.9.B.1, 3.9.B.2, or 3.9.B.3 the availability of the operable Emergency Diesel Generators shall be demonstrated by manual starting and force paralleling where applicable.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 163 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 March 9, 1990, the Power Authority of the State of New York (PASNY or the licensee) submitted a proposed amendment requesting changes to the Technical Specifications (TS) for the James A. FitzPatrick Nuclear Power Plant. The amendment would clarify Specification 3.9.B.3 on page 217 by removing extraneous and confusing wording which references the number of emergency diesel generators which must be returned to service before the Limiting Condition for Operation (LCO) can be satisfied. In addition, certain editorial TS changes were proposed.

EVALUATION

The emergency AC power distribution system at the FitzPatrick plant consists of two emergency buses, each supplied by a diesel generator system. Each of the two diesel generator systems, in turn, consists of two emergency diesel generators which must operate in parallel to supply the design requirements for its respective emergency bus. Therefore, if either diesel generator is inoperable, the respective "diesel generator system" is considered to be inoperable.

The intent of Specification 3.9.B.3 is to establish the allowable out-of-service time when one of the emergency diesel generator systems is inoperable, as indicated by the opening sentence which states, "From and after the time that one of the Emergency Diesel General [sic] Systems is made or found to be inoperable, continued reactor operation is permissible...provided that ... the remaining Diesel Generator System is operable" (underline added for emphasis). However, the LCO becomes confusing by the wording in the last sentence which states that "...the reactor shall be placed in a cold condition within 24 hours, unless one or both diesel generator systems are made operable sooner" (underline added). If both of the diesel generator systems were inoperable, this LCO would not be applicable since the requirements are contained in the next LCO.

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PDR

The proposed TS change to Specification 3.9.B.3 would modify the last sentence to read, "...the reactor shall be placed in the cold condition within 24 hours, unless the affected diesel generator system is made operable sooner." Since this statement does not change the requirement of the LCO, it can be classified as editorial in nature which serves to clarify the LCO wording without changing its meaning or intent. It does not result in a change to the analysis presented in the Final Safety Analysis Report (FSAR) or the Safety Evaluation Report (SER). The proposed change is, therefore, acceptable.

Two other changes proposed by the licensee in this amendment are to change the word "General" to "Generator" in Specification 3.9.B.3 (an error indicated above) and to replace the word "and" with "or" in Specification 4.9.B.5. The first change would correct an obvious typographical error. The second change is proposed to more clearly indicate that testing Specification 4.9.B.5 for the operable diesel generator system is required whenever any one of the three LCO conditions of Specifications 3.9.B.1, 3.9.B.2, or 3.9.B.3 are met--not when all three are satisfied. The proposed changes are, therefore, editorial in nature. They do not involve modifications of any plant equipment, systems, or components; nor are any administrative controls or limitations relaxed. The FSAR and SER are not affected. The proposed changes are, therefore, acceptable.

ENVIRONMENTAL CONSIDERATION

This amendment involves a change to 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 and a change to a surveillance requirement. 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: July 30, 1990

PRINCIPAL CONTRIBUTOR:

D. LaBarge