September 5, 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. 73042)

The Commission has issued the enclosed Amendment No. 135 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 April 24, 1989.

The amendment identifies the high pressure water fire protection system boundary as the hose station riser isolation valves and removes the reference that the valves are located near water flow alarms.

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.135 to DPR-59
2. Safety Evaluation

cc: w/enclosures
See next page

[FITZPATRICK AMENDMENT 73042]

OGC 8/21/89

OFC	:PDI-1	:PDI-1	:ECEB	:OGC	:PDI-1	:	:
NAME	:CVogan	:DLaBarge/jw/bah	:CMcCraken	:	:RCapra	:	:
DATE	:8/17/89	:8/17/89	:8/23/89	:8/15/89	:8/25/89	:	:

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

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David E. LaBarge, Project Manager
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See next page

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Power Authority of the State of New York

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. 135
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 April 24, 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. 135, 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: September 5, 1989

ATTACHMENT TO LICENSE AMENDMENT NO. 135

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page	Insert Page
244a	244a

LIMITING CONDITIONS FOR OPERATION

3.12 FIRE PROTECTION SYSTEMS

Applicability:

Applies to the Operational Status of the Fire Protection Systems.

Objective:

To assure operability of the Fire Protection Systems.

Specification:

A. High Pressure Water Fire Protection System

1.

a. Both high pressure water fire protection pumps and associated automatic and manual initiation logic shall be operable and aligned to the high pressure water fire header.

b. The high pressure water fire protection system shall be operable with an operable flow path capable of taking suction from the lake and transferring the water through distribution piping with operable sectionalizing control or isolation valves to the yard hydrant curb valves and the first valve ahead of the water flow alarm device on each sprinkler, or spray system riser required to be operable per specification 3.12.B and to each hose station riser isolation valve required to be operable per specification 3.12.D.

SURVEILLANCE REQUIREMENTS

4.12 FIRE PROTECTION SYSTEMS

Applicability:

Applies to the Surveillance of the Fire Protection System.

Objective:

To verify the operability of the Fire Protection Systems.

Specification:

A. High Pressure Water Fire Protection System

1. High pressure water fire protection system testing:

	Item	Frequency
a.	High pressure water fire protection system pressure check.	Once/week
b.	Each pump, on a STAGGERED TEST BASIS, by starting and operating it for at least 20 minutes on recirculating flow	Once/week
c.	Valve operational test	Once/12 months
d.	System flush	Once/6 months
e.	Functional test including:	Once/18 months

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 135 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 April 24, 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 resolve a potential for misinterpreting the High Pressure Water Fire Protection System (HPWFPS) Limiting Condition For Operation Specification 3.12.A.1.b.

EVALUATION

Specification 3.12.A.1.b requires that the HPWFPS flow path be available from the river through distribution piping to sectionalizing control or isolation valves to the yard hydrant curb valves and to the first valve ahead of the water flow alarm device on each sprinkler, hose standpipe or spray system riser which is required to be operable. A literal interpretation of this would indicate that each hose station must contain an operable isolation valve and a water flow alarm device. Each hose station riser does have an isolation valve, and flow through each sprinkler and spray system riser (i.e., the Fixed Water Suppression System) does contain an alarm. However, there are no water flow alarm devices associated with the design of the hose station risers.

Branch Technical Position CMEB 9.5-1, "Guidelines for Fire Protection for Nuclear Power Plants," which is incorporated into Section 9.5.1 of the NRC Standard Review Plan, NUREG-0800, defines a Sprinkler System, in part, as a network of piping connected to a reliable water supply which will distribute the water throughout the area protected through sprinklers. The system is usually activated by heat, and includes a controlling valve and a device for activating an alarm when it is in operation. CMEB 9.5-1 defines a Water Spray System as a network of piping similar to a sprinkler system except that it utilizes open-head spray nozzles. It defines a Standpipe and Hose System as a fixed piping system with hose outlets, hoses, and nozzles connected to a reliable water supply to provide effective fire hose streams to specific areas inside the building. A review of this document indicates that flow alarms are required for the Sprinkler and Water Spray Systems, but not for the Standpipe and Hose Stations.

In its letter of January 11, 1977, the licensee responded to an NRC request to compare the Fitzpatrick Nuclear Power Plant Fire Protection Program with the guidelines of Standard Review Plan Section 9.5.1. The letter contained a description of the various alarms and concluded that the water flow alarms are provided in accordance with the National Fire Protection Association (NFPA) code and the Standard Review Plan.

In the safety evaluation attached to Amendment No. 47 to the FitzPatrick TS dated August 1, 1979, the NRC discussed various aspects of the FitzPatrick Fire Protection System. In the discussion concerning the interior hose stations, flow alarms (or the lack thereof) were not addressed. However, in the discussion concerning the fixed water suppression system, the flow alarms for the fixed system were discussed. The conclusion reached in the safety evaluation was that, subject to various modifications which were described but did not involve the alarm systems, the design was acceptable.

Based on this information and analysis, and a review of the applicable NFPA codes, it is concluded that water flow alarms were not intended to be included in the design of the hose station risers. It is further concluded that the proposed change will not affect the conclusions reached in either the Final Safety Analysis Report or the Safety Evaluation Report accident analysis. For these reasons the proposed changes can be considered to be administrative in nature and it is appropriate that the proposed wording change be incorporated. The revision is, therefore, approved.

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 Part 51.22(c)(10). Pursuant to 10 CFR Part 51.22(b) no environmental impact statement of 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: September 5, 1989

PRINCIPAL CONTRIBUTOR: D. LaBarge