



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

July 18, 1991

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: ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT
IMPACT - SCHEDULAR EXEMPTION FROM THE REQUIREMENTS OF
10 CFR 50.71(e)(4) AND 10 CFR 50.54(a)(3) FOR THE
JAMES A. FITZPATRICK NUCLEAR POWER PLANT, TAC NO. 80902

Enclosed is a copy of an "Environmental Assessment and Finding of No Significant Impact" for your information. This assessment relates to your application dated June 28, 1991, and supplemented by letter dated July 12, 1991. You specifically requested a one-time schedular exemption from the requirements of 10 CFR 50.71(e)(4), which requires licensees to submit annual updates to their Final Safety Analysis Report (FSAR), and the requirements of 10 CFR 50.54(a)(3), which requires licensees to submit annual changes to the quality assurance (QA) program description contained in their FSAR. The James A. FitzPatrick Nuclear Power Plant FSAR revisions and QA program description changes are currently required to be submitted by July 22, 1991. The requested one-time schedular exemption extends the required submittal date from July 22, 1991, to January 22, 1992, a period of six months.

Your basis for the request is that a good faith effort has been made to comply with the regulations. The current licensing workload for the FitzPatrick plant, in addition to difficulties in finding qualified personnel to fill an abnormally high number of vacancies in licensing engineering positions, have contributed to the need for exemption from 10 CFR 50.71(e)(4) and 10 CFR 50.54(a)(3). Furthermore, the additional time will ensure that the FSAR update is of better quality than it would be if completed by July 22, 1991. A detailed review of the update material and implementation of an improved FSAR update process will result in a more complete and correct FSAR.

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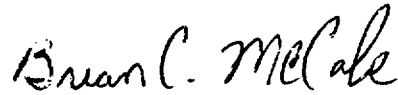
Mr. Ralph E. Beedle

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July 18, 1991

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script that reads "Brian C. McCabe".

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

Enclosure:
Environmental Assessment

cc w/enclosure:
See next page

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

James A. FitzPatrick Nuclear
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cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSION
POWER AUTHORITY OF THE STATE OF NEW YORK
DOCKET NO. 50-333
ENVIRONMENTAL ASSESSMENT AND FINDING OF
NO SIGNIFICANT IMPACT

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR 50.71, "Maintenance of records, making of reports," subsection (e)(4), and certain requirements of 10 CFR 50.54, "Conditions of licenses," subsection (a)(3), to the Power Authority of the State of New York (PASNY/licensee) for the James A. FitzPatrick Nuclear Power Plant, located at the licensee's site in Oswego County, New York.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action:

The licensee would be exempted from the requirements of 10 CFR 50.71, subsection (e)(4), to the extent that a one-time extension for submitting the annual update of the FSAR would be granted from the currently required submittal date of July 22, 1991, to January 22, 1992, which is a six-month extension. The licensee would also be exempted from the requirements of 10 CFR 50.54, subsection (a)(3), to the extent that a one-time extension for submitting annual changes to the quality assurance program description contained in the FSAR would be granted from the currently required submittal date of July 22, 1991, to January 22, 1992, which is a six-month extension. All future FSAR updates and quality assurance program description changes will be submitted on an annual basis by the July 22 date.

The Need for the Proposed Action:

The current licensing workload for the FitzPatrick plant, in addition to difficulties in finding qualified personnel to fill an abnormally high number of vacancies in licensing engineering positions, have contributed to the need for exemption from 10 CFR 50.71(e)(4) and 10 CFR 50.54(a)(3). Furthermore, additional time is necessary to ensure that extensive improvements, designed to enhance the quality and clarity of the FSAR, are incorporated into the next update. These improvements include the complete revision of Chapter 14, "Safety Analysis," and the upgrading of many FSAR system drawings.

The licensing workload for the FitzPatrick plant includes the following issues:

1. Individual Plant Evaluation (Generic Letter 88-20)
2. Mark I Containment Hardened Vent
3. Service Water System Evaluation (Generic Letter 89-13)
4. Station Blackout Analysis
5. ATWS Rule diversity
6. Motor Operated Valve Operability (Generic Letter 88-10)
7. Thermal Hydraulic Stability
8. Intergranular Stress Corrosion Cracking (Generic Letter 88-01)
9. Spent Fuel Pool Expansion
10. Licensing Actions Required for Refueling
11. Power Update
12. 24-Month Operating Cycle

The stated licensing activities are important to the continued safe and efficient operation of the FitzPatrick plant and have therefore received priority over the annual updates of the FSAR and the quality assurance program description contained in the FSAR, which are administrative requirements.

An increased burden on the FitzPatrick licensing staff has resulted from difficulties in finding qualified personnel to fill an abnormally high number of vacancies in licensing engineering positions. The licensee has made every effort to fill these vacancies as soon as they occurred. In spite of this, vacancies to date in 1991 have exceeded one-third of the authorized licensing engineering positions. The licensee has initiated corrective actions to compensate for this shortage of qualified personnel by hiring three contract engineers and two summer interns. These additional personnel should have a positive impact on the efforts to reduce the current FitzPatrick licensing workload.

Schedular exemption is also requested to provide additional time to complete a total revision of FSAR Chapter 14, "Safety Analysis," and to facilitate other FSAR improvements. The objective of the safety analyses in Chapter 14 of the FSAR is to evaluate the ability of the plant to mitigate the consequences of a postulated accident without undue hazard to the health and safety of the public. The revisions to this chapter will result in the following improvements:

1. The transient response figures will be enlarged for legibility and to make them more suitable for licensed operator training.

2. The transient and accident analyses for the fuel reloads will be added.
3. The existing (Cycle 1) analyses will be retained since they are the original licensing basis of the FitzPatrick plant.
4. The format will be revised to facilitate updates required by future reload cores.

Another FSAR improvement which requires additional time to implement is the replacement of many of the FSAR flow diagrams with new drawings which are consistent with current computer generated Operating Procedure (OP) and Process and Instrument (P&ID) drawings. The new OP, P&ID, and FSAR drawings incorporate differing levels of detail overlaid on a common base drawing using computer aided drafting techniques. This improves the consistency of all major plant drawing used for plant operator training.

It was determined that additional time would be required by the FitzPatrick licensing staff to prepare the annual update to the FSAR and the annual changes to the quality assurance program description contained in Chapter 17 of the FSAR. The additional six months would provide the licensee with the time required to perform a detailed review of the revisions, and ensure that the updated FSAR is correct, complete and of higher quality.

Environmental Impact of the Proposed Action:

The proposed exemption constitutes a six-month delay in the annual update of the FSAR and the annual changes to the quality assurance program description contained in Chapter 17 of the FSAR. The requested exemption is temporary and is necessary to allow a detailed review of the updated material to be conducted. This detailed review will assure a more complete and correct FSAR. The additional time will also allow inclusion of the extensive revisions to Chapter 14 and the improved FSAR system drawings.

The licensee has made a good faith effort to comply with the regulations by initiating corrective actions, both short-term and long-term, to improve its submittals and ensure that similar exemptions will not be necessary in the future. Therefore, the exemption would only provide temporary relief from the applicable regulations.

Based on the considerations discussed above, the staff concludes that granting the proposed exemption will not increase the probability of an accident and will not result in any post-accident radiological releases significantly in excess of those previously determined for James A. FitzPatrick Nuclear Power Plant. The proposed exemption would not otherwise affect radiological plant effluents, nor result in any significant occupational exposure. In addition, the exemption does not affect non-radiological plant effluents and has no other environmental impact.

Therefore, the Commission concludes that there are no significant radiological or non-radiological environmental impacts associated with the proposed exemption.

Alternative to the Proposed Action:

Since the Commission has concluded there are no measurable environmental impacts associated with the proposed exemption, any alternatives with equal or greater environmental impact need not be evaluated. The principal alternative to the exemption would be to require rigid compliance with the schedular requirements of 10 CFR 50.71(e)(4) for the FSAR update and 10 CFR 50.54(a)(3) for the QA program description changes. Such action would not enhance the protection of the environment and could result in an unsatisfactory submittal lacking all the required information specified in the regulations.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the "Final Environmental Statement for the James A. FitzPatrick Nuclear Power Plant," dated March 1973.

Agencies and Persons Consulted:

The NRC staff reviewed the licensee's submittal that supports the proposed exemption discussed above. The NRC staff did not consult other agencies or persons.

FINDING OF NO SIGNIFICANT IMPACT

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, the staff concludes that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the licensee's letters dated June 28, 1991, and July 12 1991. These letters are available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. and at the Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York.

Dated at Rockville, Maryland, this 18th day of July 1991.

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

Mr. Ralph E. Beedle

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July 18, 1991

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

ORIGINAL SIGNED BY:

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

Enclosure:
Environmental Assessment

cc w/enclosure:
See next page

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