



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

March 9, 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. M82516)

The Commission has issued the enclosed Amendment No. 178 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 30, 1991.

The amendment revises Section 6.0, "Administrative Controls," to reflect a management reorganization designed to improve operations at the plant. The management reorganization includes position title changes, the creation of two new senior level management positions on the same level as Superintendent of Power, the reassignment of position responsibilities, and the proposed restructuring of the Plant Operating Review Committee.

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,

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

Enclosures:

1. Amendment No.178 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

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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. 178
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 30, 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. 178, 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: March 9, 1992

ATTACHMENT TO LICENSE AMENDMENT NO. 178

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Pages

247
247a
248
248a
249

Insert Pages

247
247a
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249

6.0 ADMINISTRATIVE CONTROLS

Administrative Controls are the means by which plant operations are subject to management control. Measures specified in this section provide for the assignment of responsibilities, plant organization, staffing qualifications and related requirements, review and audit mechanisms, procedural controls and reporting requirements. Each of these measures are necessary to ensure safe and efficient facility operation.

6.1 RESPONSIBILITY

The Resident Manager is responsible for safe operation of the plant. During periods when the Resident Manager is unavailable, one of the three General Managers will assume his responsibilities. In the event all four are unavailable, the Resident Manager may delegate this responsibility to other qualified supervisory personnel. The Resident Manager reports directly to the Executive Vice President-Nuclear Generation.

6.2 ORGANIZATION

6.2.1 Facility Management and Technical Support

Onsite and offsite organizations shall be established for plant operation and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities that affect the safety of the nuclear power plant.

1. Lines of authority, responsibility, and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented and updated, as appropriate, in the form of organization charts, functional descriptions of department responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the Updated FSAR.
2. The resident Manager shall be responsible for overall plant operation, and shall have control over those onsite activities that are necessary for safe operation and maintenance of the plant.
3. The Executive Vice President - Nuclear Generation shall take any measures needed to ensure acceptable performance of the stall in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.
4. The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

6.2.2 Plant Staff

The plant staff organization shall be as follows:

1. Each shift crew shall be composed of at least the minimum shift crew composition shown in Table 6.2-1;

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2. An SRO or SRO with a license limited to fuel handling shall directly supervise all Core Alterations. This person shall directly supervise all Core Alterations. This person shall have no other duties during this time;
3. A fire brigade of five (5) or more members shall be maintained on site at all times. This excludes two (2) members of the minimum shift crew necessary for safe shutdown and any personnel required for other essential functions during a fire emergency;
4. In the event of illness or unexpected absence, up to two (2) hours is allowed to restore the shift crew or fire brigade to the minimum complement.
5. The Operations Manager, Assistant Operations Manager, Shift Supervisor and Assistant Shift Supervisor shall hold a SRO license and the Senior Nuclear Operator and the Nuclear Control Operator shall hold a RO license or an SRO license.
6. Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safety-related functions; e.g., senior reactor operators, health physicists, auxiliary operators, and maintenance personnel who are working on safety-related systems.

Adequate shift coverage shall be maintained without routine heavy use of overtime. The objective shall be to have operating personnel work a normal 8-hour day, 40-hour week while the plant is operating.

However, in the event that unforeseen problems require substantial amounts of overtime to be used or during extended periods of shutdown for refueling, major maintenance or major modifications, on a temporary basis, the following guidelines shall be followed:

- a. An individual should not be permitted to work more than 16 hours straight, excluding shift turnover time.
- b. An individual should not be permitted to work more than 16 hours in any 24-hour period, nor more than 24 hours in any 48-hour period, nor more than 72 hours in any seven day period, all excluding shift turnover time.
- c. A break of at least eight hours should be allowed between work periods, including shift turnover time.
- d. Except during extended shutdown periods, the use of overtime should be considered on an individual basis and not for the entire staff on a shift.

Any deviation from the above guidelines shall be authorized by the Resident Manager or the General Manager - Operations, or higher levels of management, in accordance with established procedures and with documentation of the basis for granting the deviation. Controls shall be included in the procedures such that individual overtime shall be reviewed monthly by the Resident Manager or his designee to assure that excessive hours have not been assigned. Routine deviation from the above guidelines is not authorized.

6.3 PLANT STAFF QUALIFICATIONS

- 6.3.1 The minimum qualifications with regard to educational background and experience for plant staff positions shown in FSAR Figure 13.2-7 shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions; except for the Radiological and Environmental Services Manager who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975.
- 6.3.2 The Shift Technical Advisor (STA) shall meet or exceed the minimum requirements of either Option 1 (Combined SRO/STA Position) or Option 2 (Continued use of STA Position), as defined in the Commission Policy Statement on Engineering Expertise on Shift, published in the October 28, 1985 Federal Register (50 FR 43621). When invoking Option 1, the STA role may be filled by the Shift Supervisor or Assistant Shift Supervisor. (1)
- 6.3.3 Any deviations will be justified to the NRC prior to an individual's filling of one of these positions.

NOTE:

- (1) The 13 individuals who hold SRO licenses, and have completed the FitzPatrick Advanced Technical Training Program prior to the issuance of License Amendment 111, shall be considered qualified as dual-role SRO/STAs.

6.4 RETRAINING AND REPLACEMENT TRAINING

A training program shall be maintained under the direction of the Training Manager to assure overall proficiency of the plant staff organization. It shall consist of both retraining and replacement training and shall meet or exceed the minimum requirements of Section 5.5 of ANSI N18.1-1971.

The retraining program shall not exceed periods two years in length with a curriculum designed to meet or exceed the requalification requirements of 10 CFR 55, Appendix A. In addition, fire brigade training shall meet or exceed the requirements of NFPA 27-1975, except for Fire Brigade training sessions which shall be held at least quarterly. The effective date for implementation of fire brigade training is March 17, 1978.

6.5 REVIEW AND AUDIT

Two separate groups for plant operations have been constituted. One of these, the Plant Operating Review Committee (PORC), is an onsite review group. The other is an independent review and audit group, the offsite Safety Review Committee (SRC).

6.5.1 PLANT OPERATING REVIEW COMMITTEE (PORC)

(A) Membership

The Plant Operating Review Committee shall be composed of the:

Chairman:	Resident Manager
Vice Chairman/Member:	General Manager - Operations
Vice-Chairman/Member:	General Manager - Support Services
Vice-Chairman/Member:	General Manager - Maintenance
Member:	Operations Manager
Member:	Maintenance Manager
Member:	Technical Services Manager
Member:	Instrument and Controls Manager
Member:	Radiological and Environmental Services Manager
Member:	Site Engineering Manager
Member:	Reactor Analyst Supervisor

Special consultants to provide expert advice may be utilized when the nature of a particular problem dictates.

(B) Alternates

Alternative members shall be appointed in writing by the PORC Chairman to serve on a temporary basis; however, no more than two alternates shall participate in PORC activities at any one time.

(C) Meeting Frequency

Meetings will be called by the Chairman as the occasions for review or investigation arise. Meetings will be no less frequent than once a month.

(D) Quorum

A quorum of the PORC shall consist of the Chairman or one of three Vice-Chairmen and five members including designated alternates. Vice-Chairmen may act as members when not acting as Chairman.

(E) Responsibilities

1. Review plant procedures, and changes thereto, required by Specification 6.8.
2. Review proposed tests and experiments that affect nuclear safety.
3. Review proposed changes to the Operating License and Technical Specifications.
4. Review proposed changes or modifications to plant systems or equipment that affect nuclear safety.
5. Investigate violations of the Technical Specifications and prepare and forward a report covering evaluation and recommendations to prevent recurrence to the Resident Manager, who will forward the report to the Manager - Nuclear Operations and to the Chairman of the Safety Review Committee.
6. Review plant operations to detect potential safety hazards.
7. Review the Security Plan (including the Safeguards Contingency Plan) and implementing procedures annually.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 178 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 30, 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 revise Section 6.0, "Administrative Controls," to reflect a management reorganization designed to improve operations at the plant. The management reorganization includes position title changes, the creation of two new senior level management positions on the same level as Superintendent of Power, the reassignment of position responsibilities, and the proposed restructuring of the Plant Operating Review Committee (PORC or Committee).

2.0 EVALUATION

In an effort to improve operations at the James A. FitzPatrick Nuclear Power Plant, the Power Authority of the State of New York implemented an extensive site management reorganization. This management reorganization consists, in part, of several title changes. Specifically, the titles of the following management personnel would be changed from:

- Superintendent of Power to General Manager-Operations.
- Operations Superintendent to Operations Manager.
- Assistant Operations Superintendent to Assistant Operations Manager.
- Technical Services Superintendent to Technical Services Manager.
- Instrument and Controls Superintendent to Instrument and Controls Manager.
- Radiological and Environmental Services Superintendent to Radiological and Environmental Services Manager.
- Maintenance Superintendent to Maintenance Manager.
- Training Superintendent to Training Manager.
- Security and Safety Superintendent to Security and Safety Manager.

Furthermore, two new senior level management positions have been created. These positions are General Manager-Maintenance and General Manager-Support Services. These positions are peer positions to the General Manager-Operations, with all three General Managers reporting directly to the Resident Manager. The creation of the General Manager positions is designed to improve

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communication, responsiveness, and effectiveness of operations at the plant by creating specific functional lines of responsibility.

The licensee has revised TS Sections 6.1, 6.2.2.5, 6.2.2.6, 6.3.1, and 6.4 to reflect the stated revised management and title changes. The NRC staff finds these changes acceptable as they accurately reflect the revised organization.

The licensee has also proposed changes to the PORC composition listed in TS Section 6.5.1(A) which include both title and restructuring changes. The changes reflect the plant's management reorganization. As proposed, the General Manager-Operations, the General Manager-Support Services, and the General Manager-Maintenance would act as Vice-Chairmen/Members. The Site Engineering Manager, a new position, is also to be included as a PORC member. Specifically, the composition of the PORC would be:

Chairman:	Resident Manager
Vice-Chairman/Member	General Manager-Operations
Vice-Chairman/Member:	General Manager-Support Services
Vice-Chairman/Member:	General Manager-Maintenance
Member:	Operations Manager
Member:	Maintenance Manager
Member:	Technical Services Manager
Member:	Instrument and Controls Manager
Member:	Radiological and Environmental Services Manager
Member:	Site Engineering Manager
Member:	Reactor Analyst Supervisor

The changes to the composition of the PORC result in an increase in Committee membership from eight individuals to eleven individuals. Accordingly, the licensee has revised TS Section 6.5.1(D), "Quorum," to increase the quorum requirement for the PORC from five individuals to six individuals. Specifically TS 6.5.1(D) will be revised to read:

The quorum of the PORC shall consist of a Chairman or one of three Vice-Chairmen and five members including designated alternates. Vice-Chairmen may act as members when not acting as Chairman.

The NRC staff has reviewed the proposed changes to TS Sections 6.5.1(A) and 6.5.1(D). The NRC staff concludes that the level and quality of the PORC's review will not be adversely affected by the proposed changes. Furthermore, the NRC staff finds these changes acceptable as they meet the appropriate acceptance criteria of Section 13.4, "Operational Review," of NUREG-0800, the Standard Review Plan.

In conclusion, the NRC staff finds that the licensee's requested changes to TS Section 6.0, "Administrative Controls," are 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 requirement with respect to Administrative procedures. 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 4493). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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:
F. Allenspach

Date: March 9, 1992

March 9, 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. M82516)

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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,

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

Enclosures:

1. Amendment No.178 to DPR-59
2. Safety Evaluation

cc w/enclosures:

See next page

*See previous concurrence

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Docket No. 50-333

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Executive Vice President - Nuclear Generation
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Brian C. McCabe, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
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- 2. Safety Evaluation

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DATED: March 9, 1992

AMENDMENT NO. 178 TO FACILITY OPERATING LICENSE NO. DPR-59-FITZPATRICK

Docket File

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PD Plant-specific file

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