



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 18, 1993

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. M85880)

The Commission has issued the enclosed Amendment No. 188 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 February 22, 1993.

The amendment revises Technical Specification (TS) 4.0.B and associated Bases to remove the 3.5 limit on extending surveillance intervals consistent with the recommendations provided in Generic Letter 89-14, "Line-Item Improvements in Technical Specifications - Removal of the 3.25 Limit on Extending Surveillance Intervals." The amendment also deletes the definition of "Surveillance Frequency" in TS 1.0.T for consistency.

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, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 188 to DPR-59
2. Safety Evaluation

cc w/enclosures:
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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DATED: May 18, 1993

AMENDMENT NO. 188 TO FACILITY OPERATING LICENSE NO. DPR-59-FITZPATRICK

Docket File
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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. 188
License No. DPR-59

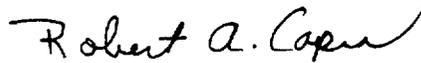
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Power Authority of the State of New York (the licensee) dated February 22, 1993, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's 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. 188, 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: May 18, 1993

ATTACHMENT TO LICENSE AMENDMENT NO. 188

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Pages

5
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Insert Pages

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1.0 (cont'd)

- opened to perform necessary operational activities.
2. At least one door in each airlock is closed and sealed.
 3. All automatic containment isolation valves are operable or de-activated in the isolated position.
 4. All blind flanges and manways are closed.
- N. **Rated Power** - Rated power refers to operation at a reactor power of 2,436 MWt. This is also termed 100 percent power and is the maximum power level authorized by the operating license. Rated steam flow, rated coolant flow, rated nuclear system pressure, refer to the values of these parameters when the reactor is at rated power.
- O. **Reactor Power Operation** - Reactor power operation is any operation with the Mode Switch in the Startup/Hot Standby or Run position with the reactor critical and above 1 percent rated thermal power.
- P. **Reactor Vessel Pressure** - Unless otherwise indicated, reactor vessel pressures listed in the Technical Specifications are those measured by the reactor vessel steam space sensor.
- Q. **Refueling Outage** - Refueling outage is the period of time between the shutdown of the unit prior to refueling and the startup of the Plant subsequent to that refueling.
- R. **Safety Limits** - The safety limits are limits within which the reasonable maintenance of the fuel cladding integrity and the reactor coolant system integrity are assured. Violation of such a limit is cause for unit shutdown and review by the Atomic Energy Commission before resumption of unit operation. Operation beyond such a limit may not in itself result in serious consequences but it indicates an operational deficiency subject to regulatory review.
- S. **Secondary Containment Integrity** - Secondary containment integrity means that the reactor building is intact and the following conditions are met:
1. At least one door in each access opening is closed.
 2. The Standby Gas Treatment System is operable.
 3. All automatic ventilation system isolation valves are operable or secured in the isolated position.
- T. **Deleted**

1.0 (cont'd)

U. Thermal Parameters

1. **Minimum critical power ratio (MCPR)**- Minimum value of the ratio of that power in a fuel assembly which is calculated to cause some point in that fuel assembly to experience boiling transition to the actual assembly operating power for all fuel assemblies in the core.
2. **Fraction of Limiting Power Density** - The ratio of the linear heat generation rate (LHGR) existing at a given location to the design LHGR.
3. **Maximum Fraction of Limiting Power Density** - The Maximum Fraction of Limiting Power Density (MFLPD) is the highest value existing in the core of the Fraction of Limiting Power Density (FLPD).
4. **Transition Boiling** - Transition boiling means the boiling region between nucleate and film boiling. Transition boiling is the region in which both nucleate and film boiling occur intermittently with neither type being completely stable.

V. Electrically Disarmed Control Rod

To disarm a rod drive electrically, the four amphenol type plug connectors are removed from the drive insert and withdrawal solenoids rendering the rod incapable of withdrawal. This procedure is equivalent to valving out the drive and is preferred. Electrical disarming does not eliminate position indication.

W. High Pressure Water Fire Protection System

The High Pressure Water Fire Protection System consists of: a water source and pumps; and distribution system piping with associated post indicator valves (isolation valves). Such valves include the yard hydrant curb valves and the first valve ahead of the water flow alarm device on each sprinkler or water spray subsystem.

X. Staggered Test Basis

A Staggered Test Basis shall consist of:

- a. A test schedule for "n" systems, subsystems, trains or other designated components obtained by dividing the specified test interval into "n" equal subintervals.
- b. The testing of one system, subsystem, train or other designated component at the beginning of each subinterval.

Y. Rated Recirculation Flow

That drive flow which produces a core flow of 77.0×10^6 lb/hr.

3. Limiting Conditions for Operation

3.0 General

Applicability:

Applies to the general LCO requirements of Section 3.

Objective:

To specify the general requirements applicable to each Limiting Condition for Operation listed in Section 3.

Specification:

- A. Limiting Conditions for Operation and ACTION requirements shall be applicable during the OPERATIONAL CONDITIONS (modes) specified for each specification.
- B. Adherence to the requirements of the Limiting Condition for Operation and associated ACTION within the specified time interval shall constitute compliance with the specification. In the event the Limiting Condition for Operation is restored prior to expiration of the specified time interval, completion of the ACTION statement is not required.
- C. In the event a Limiting Condition for Operation and/or associated ACTION requirements cannot be satisfied because of circumstances in excess of those addressed in the specification, the unit shall be placed in COLD SHUTDOWN within the following 24 hours unless corrective measures are completed that permit operation under the permissible ACTION or until the reactor is placed in an OPERATIONAL CONDITION (mode) in which the specification is not applicable. Exceptions to these requirements shall be stated in the individual specifications.

JAFNPP

4. Surveillance Requirements

4.0 General

Applicability:

Applies to the general surveillance requirements of Section 4.

Objective:

To specify the general requirements applicable to each surveillance requirement in Section 4.

Specification:

- A. Surveillance Requirements shall be applicable during the OPERATIONAL CONDITIONS (modes) specified for individual Limiting Condition for Operation unless otherwise stated in the individual Surveillance Requirements.
- B. Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval.
- C. Performance of a Surveillance Requirement within the specified time interval shall constitute compliance with OPERABILITY requirements for a Limiting Condition for Operation and associated ACTION statements unless otherwise required by the specification. Surveillance requirements do not have to be performed on inoperable equipment.

4.0 BASES

- A. This specification provides that surveillance activities necessary to insure the Limiting Conditions for Operation are met and will be performed during the OPERATIONAL CONDITIONS (modes) for which the Limiting Conditions for Operation are applicable. Provisions for additional surveillance activities to be performed without regard to the applicable OPERATIONAL CONDITIONS (modes) are provided in the individual Surveillance Requirements.
- B. Specification 4.0.B establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the normal surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance (e.g., transient conditions or other ongoing surveillance or maintenance activities). It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with an 18 month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of this specification is based on engineering judgement and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. The limit on extension of the normal surveillance interval ensures that the reliability confirmed by surveillance activities is not significantly reduced below that obtained from the specified surveillance interval.
- C. The provisions of this specification set forth the criteria for determination of compliance with the OPERABILITY requirements of the Limiting Conditions for Operation.

Under this criteria, equipment, systems or components are assumed to be OPERABLE if the associated surveillance activities have been satisfactorily performed within the specified time interval. Nothing in this provision is to be construed as defining equipment, systems or components OPERABLE, when such items are found or known to be inoperable although still meeting the Surveillance Requirements.

- D. This specification ensures that surveillance activities associated with a Limiting Condition for Operation have been performed within the specified time interval prior to entry into an applicable OPERATIONAL CONDITION (mode). The intent of this provision is to ensure that surveillance activities have been satisfactorily demonstrated on a current basis as required to meet the OPERABILITY requirements of the Limiting Condition for Operation.

Under the terms of this specification, for example, during initial plant start-up or following extended plant outage, the applicable surveillance activities must be performed within the stated surveillance interval prior to placing or returning the system or equipment into OPERABLE status.



UNITED STATES
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WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 188 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 February 22, 1993, 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 proposed changes remove the provision of Specification 4.0.B that limits the combined time interval for three consecutive surveillances to less than 3.5 times the specified interval. The limitation for plants with Standard TS is slightly lower at 3.25 times the specified interval. Guidance on this proposed change to the TS was provided to all power reactor licensees and applicants in Generic Letter (GL) 89-14, "Line-Item Improvements in Technical Specifications - Removal of the 3.25 Limit on Extending Surveillance Intervals," dated August 21, 1989. Although GL 89-14 discussed removal of the 3.25 limit of the Standard TS, guidance in the GL also applies to the 3.5 limit specified in the licensee's TS. The licensee also proposed to delete the definition of "Surveillance Frequency" in TS 1.0.T for consistency.

2.0 EVALUATION

Specification 4.0.B includes the provision that allows a surveillance interval to be extended by 25 percent of the specified time interval. This extension provides flexibility for scheduling the performance of surveillances and to permit consideration of plant operating conditions that may not be suitable for conducting a surveillance at the specified time interval. Such operating conditions include transient plant operation or ongoing surveillance or maintenance activities. Specification 4.0.B further limits the allowance for extending surveillance intervals by requiring that the combined time interval for any three consecutive surveillances not exceed 3.5 times the specified time interval. The purpose of this provision is to assure that surveillances are not extended repeatedly as an operational convenience to provide an overall increase in the surveillance interval.

Experience has shown that the 18-month surveillance interval, with the provision to extend it by 25 percent, is usually sufficient to accommodate normal variations in the length of a fuel cycle. However, the NRC staff has routinely granted requests for one-time exceptions to the combined time interval limit for three consecutive refueling surveillances because the risk

to safety is low in contrast to the alternative of a forced shutdown to perform these surveillances. Therefore, the limitation on extending three consecutive refueling surveillances has not been a practical limit on the use of the 25-percent allowance for extending surveillances that are performed on a refueling outage basis.

Extending surveillance intervals during plant operation can also result in a benefit to safety when a scheduled surveillance is due at a time that is not suitable for conducting the surveillance. This may occur when transient plant operating conditions exist or when safety systems are out of service for maintenance or surveillance activities. In such cases, the benefit to safety of extending a surveillance interval would exceed any safety benefit derived by limiting the use of the 25-percent allowance to extend a surveillance. Furthermore, there is the administrative burden associated with tracking the use of the 25-percent allowance to ensure compliance with the limit on the combined time interval for three consecutive surveillances.

In view of these findings, the staff concluded that Specification 4.0.B should be changed to remove the 3.5 limit for all surveillances because its removal will have an overall positive effect on safety. The guidance provided in GL 89-14 included the following change to this specification and removes the 3.5 limit on three consecutive surveillances with the following statement:

"4.0.B. Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval."

In addition, the Bases of this specification were updated to reflect this change and noted that it is not the intent of the allowance for extending surveillance intervals that it be used repeatedly merely as an operational convenience to extend surveillance intervals beyond that specified.

The staff has concluded that the proposed changes to Specification 4.0.B are consistent with the guidance provided in GL 89-14 and are, therefore, acceptable. The proposed changes to the associated Bases are also consistent with the guidance of GL 89-14, and the staff has no objections to these changes.

The licensee has also proposed to delete the definition of "Surveillance Frequency" in TS 1.0.T. The licensee has stated that the definition is generally repetitive of other TS and inconsistent with the proposed changes to TS 4.0.B. The staff has reviewed this proposed change and finds it to be acceptable since deletion of the definition will eliminate inconsistency with the changes to TS 4.0.B and the requirements in the definition that remain applicable are stated in other TS.

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 installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC 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 the amendment involves no significant hazards consideration, and there has been no public comment on such finding (58 FR 16870). 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 Contributors:
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John E. Menning

Date: May 18, 1993

May 18, 1993

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. M85880)

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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,

Original signed by:

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

Enclosures:

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See next page

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