



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 6, 1994

Docket No. 50-333

Mr. William A. Josiger, Acting Executive  
Vice President - Nuclear Generation  
Power Authority of the State of New York  
123 Main Street  
White Plains, New York 10601

Dear Mr. Josiger:

SUBJECT: ISSUANCE OF AMENDMENT FOR JAMES A. FITZPATRICK NUCLEAR POWER PLANT  
(TAC NO. M88537)

The Commission has issued the enclosed Amendment No. 209 to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated December 28, 1993.

The amendment clarifies Limiting Condition for Operation (LCO) 3.5.D.4. Amendment No. 179 to the TS added LCO 3.5.D.4 to permit hydrostatic and leakage testing at temperatures up to 300 °F without requiring certain equipment, including the automatic depressurization system (ADS), to be operable. However, LCO 3.5.D.4 can be mistakenly interpreted to require the ADS be operable at temperatures less than 212 °F. Requiring the ADS to be operable during hydrostatic and leakage testing with temperatures below 212 °F was clearly not the intent of Amendment No. 179. The amendment clarifies LCO 3.5.D.4 to resolve this concern and is considered an administrative change.

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. 209 to DPR-59
2. Safety Evaluation

cc w/enclosures:  
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Mr. William A. Josiger  
Power Authority of the State of New York

James A. FitzPatrick Nuclear  
Power Plant

cc:

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Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, Pennsylvania 19406

DATED: April 6, 1994

AMENDMENT NO. 209 TO FACILITY OPERATING LICENSE NO. DPR-59-FITZPATRICK

Docket File

NRC & Local PDRs

PDI-1 Reading

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R. Capra

C. Vogan

J. Menning

OGC

D. Hagan, 3302 MNBB

G. Hill (2), P1-22

C. Grimes, 11/F/23

ACRS (10)

OPA

OC/LFDCB

PD plant-specific file

C. Cowgill, Region I

cc: Plant Service list



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. 209  
License No. DPR-59

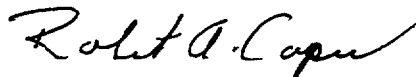
1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Power Authority of the State of New York (the licensee) dated December 28, 1993, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's 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. 209, 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: April 6, 1994

ATTACHMENT TO LICENSE AMENDMENT NO. 209

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Page  
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## JAFNPP

### 3.5 (cont'd)

during such time, the HPCI System is operable.

2. If the requirements of 3.5.D.1 cannot be met, the reactor shall be placed in the cold condition and pressure less than 100 psig, within 24 hr.
3. Low power physics testing and reactor operator training shall be permitted with inoperable components as specified in 3.5.1.a and 3.5.1.b above, provided that reactor coolant temperature is  $\leq 212^{\circ}\text{F}$  and the reactor vessel is vented or reactor vessel head is removed.
4. The ADS is not required to be operable during hydrostatic pressure and leakage testing with reactor coolant temperatures below  $300^{\circ}\text{F}$  and irradiated fuel in the reactor vessel provided all control rods are inserted.

### 4.5 (cont'd)

2. A logic system functional test.
  - a. When it is determined that one valve of the ADS is inoperable, the ADS subsystem actuation logic for the operable ADS valves and the HPCI subsystem shall be verified to be operable immediately and at least weekly thereafter.
  - b. When it is determined that more than one relief/safety valve of the ADS is inoperable, the HPCI System shall be verified to be operable immediately.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 209 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 28, 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 (TSs). The requested changes would clarify Limiting Condition for Operation (LCO) 3.5.D.4. Specifically, Amendment No. 179 to the TS added LCO 3.5.D.4 to permit hydrostatic and leakage testing at temperatures up to 300 °F without requiring certain equipment, including the automatic depressurization system (ADS), to be operable. However, LCO 3.5.D.4 can be mistakenly interpreted to require the ADS be operable at temperatures less than 212 °F. Requiring the ADS to be operable during hydrostatic and leakage testing with temperatures below 212 °F was clearly not the intent of Amendment No. 179. The amendment would clarify LCO 3.5.D.4 to resolve this concern and is considered an administrative change.

2.0 EVALUATION

As outlined in Chapter 6 of the Updated Final Safety Analysis Report (UFSAR), "Emergency Core Cooling System (ECCS)," in the event of a Loss-of-Coolant Accident (LOCA), the ECCS is designed to remove residual heat including stored heat and heat generated due to radioactive decay, such that excessive fuel clad temperature is prevented. The objective of the ECCS is to limit, in conjunction with primary and secondary containments, the release of radioactive materials to the environs following a LOCA so that resulting radiation exposures are kept within the guideline values given in 10 CFR Part 100. Four systems are provided for emergency core cooling:

1. High-pressure Coolant Injection (HPCI) System
2. ADS System
3. Core Spray System
4. Low-pressure Safety Injection (LPCI), an operating mode of the RHR System

The Automatic Depressurization System is provided to automatically reduce reactor coolant system pressure if a break has occurred and vessel water level is not maintained by the HPCI system and other high pressure water addition systems. Rapid depressurization of the reactor coolant system is desirable to permit flow from the Core Spray and LPCI systems to enter the vessel, so that the temperature rise in the core is limited.

On March 9, 1992, the NRC staff issued Amendment No. 179 to the FitzPatrick Technical Specifications. The purpose of this amendment was to allow hydrostatic pressure and leakage testing of the reactor coolant system boundary at temperatures up to 300 °F without requiring certain safety related systems, including ADS, to be operable. However, LCO 3.5.D.4, as approved by Amendment No. 179 could be misinterpreted as requiring ADS to be operable during hydrostatic pressure and leakage testing below 212 °F while exempting the operability requirement between 212 °F and 300 °F. The proposed clarification of LCO 3.5.D.4 to allow hydrostatic pressure and leakage testing below 300 °F without requiring the ADS to be operable corrects the specification to read as originally intended by the associated NRC Safety Evaluation (SE).

The NRC staff has reviewed the licensee's proposed amendment and has determined that the change is administrative in nature. The SE prepared by the NRC staff to support TS Amendment No. 179 found that hydrostatic pressure and leakage testing of the reactor coolant system boundary at temperatures up to 300 °F, without requiring ADS to be operable, had no adverse impact on plant safety and was acceptable. The change made to LCO 3.5.D.4 in the proposed amendment only clarifies the specification to read as originally intended and does not affect the conclusions of the NRC staff safety evaluation prepared for TS Amendment No. 179. In summary, the change is determined to be administrative in nature and is approved.

### 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. 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 (59 FR 10014). 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 Contributor:  
Brian C. McCabe

Date: April 6, 1994

Docket No. 50-333

April 6, 1994

Mr. William A. Josiger, Acting Executive  
Vice President - Nuclear Generation  
Power Authority of the State of New York  
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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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2. Safety Evaluation

cc w/enclosures:

See next page

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NAME	CVogan <i>w</i>	BMcCabe <i>BM</i>		RACapra <i>Ru</i>	
DATE	2/14/94	2/14/94	2/17/94	4/6/94	1/1

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