

July 24, 1998

Mr. James Knubel
Chief Nuclear Officer
Power Authority of the State of
New York
123 Main Street
White Plains, NY 10601

SUBJECT: ISSUANCE OF AMENDMENT FOR JAMES A. FITZPATRICK NUCLEAR POWER
PLANT (TAC NO. MA0308)

Dear Mr. Knubel:

The Commission has issued the enclosed Amendment No. 244 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 12, 1997.

This amendment revises the Administrative Controls Plant Staff Section 6.2.2.6 of TS to authorize a normal 8 to 12-hour day, nominal 40-hour week. In addition associated changes are made to Sections 4.5.F, 4.5 Bases and 4.7.A.7 for administrative clarification to maintain once per shift surveillance requirements at 8-hour intervals.

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:

Joseph F. Williams, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosures: 1. Amendment No 244 to DPR-59
2. Safety Evaluation

cc w/encls: See next page

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NAME	JWilliams/jc	JCushing		SLittle	SB...	...	RGallo	
DATE	06/19/98	06/19/98		06/19/98	06/24/98	06/12/98	06/19/98	

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EDITORIAL
CHANGES
INCORPORATED.
7/23/98

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PDR ADOCK 05000333
PDR

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DATED: July 24, 1998

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

Docket File

PUBLIC

PDI-1 Reading

J. Zwolinski (A), 0-14A-4

S. Bajwa

S. Little

J. Williams

OGC

G. Hill (2), T-5 C3

W. Beckner, 013/H15

J. Cushing

ACRS

J. Rogge, Region I

T. Harris (e-mail SE only, THL3)

cc: Plant Service list

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Original Signed by:

Joseph F. Williams, Project Manager
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NAME	JWilliams/jc	JCushing		SLittle	SE		RGallo	
DATE	06/19/98 7/6/98	06/19/98		06/24/98	06/24/98	06/24/98	06/24/98	

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EDITORIAL
CHANGES
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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

July 24, 1998

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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,

A handwritten signature in black ink, appearing to read "Joseph F. Williams".

Joseph F. Williams, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosures: 1. Amendment No. 244 to DPR-59
2. Safety Evaluation

cc w/encls: See next page

James Knubel
Power Authority of the State
of New York

James A. FitzPatrick Nuclear
Power Plant

cc:

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3 Empire State Plaza, 10th Floor
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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.244
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 12, 1997, 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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P PDR

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 244 and the Environmental Protection Plan contained in Appendix B are incorporated into Facility License No. DPR-59. PASNY shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

2. This license amendment is effective as of the date of its issuance, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



S. Singh Bajwa, 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: July 24, 1998

ATTACHMENT TO LICENSE AMENDMENT NO. 244

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Pages

122
133
180
247a

Insert Pages

122
133
180
247a

JAFNPP

3.5 (cont'd)

F. ECCS-Cold Condition

1. A minimum of two low pressure Emergency Core Cooling subsystems shall be operable whenever irradiated fuel is in the reactor, the reactor is in the cold condition, and work is being performed with the potential for draining the reactor vessel.
2. A minimum of one low pressure Emergency Core Cooling subsystem shall be operable whenever irradiated fuel is in the reactor, the reactor is in the cold condition, and no work is being performed with the potential for draining the reactor vessel.
3. Emergency Core Cooling subsystems are not required to be operable provided that the reactor vessel head is removed, the cavity is flooded, the spent fuel pool gates are removed, and the water level above the fuel is in accordance with Specification 3.10.C.
4. With the requirements of 3.5.F.1, 3.5.F.2, or 3.5.F.3 not satisfied, suspend core alterations and all operations with the potential for draining the reactor vessel. Restore at least one system to operable status within 4 hours or establish Secondary Containment Integrity within the next 8 hours.

4.5 (cont'd)

F. ECCS-Cold Condition

Surveillance of the low pressure ECCS systems required by 3.5.F.1 and 3.5.F.2 shall be as follows:

1. In accordance with the Inservice Testing Program, perform a flowrate test on the required Core Spray pump(s) and/or the RHR pump(s). Each Core Spray pump shall deliver at least 4,265 gpm against a system head corresponding to a reactor vessel pressure greater than or equal to 113 psi above primary containment pressure. Each RHR pump shall deliver at least 8910 gpm against a system head corresponding to a reactor vessel to primary containment differential pressure of ≥ 20 psid.
2. In accordance with the Inservice Testing Program, perform an operability test on the required Core Spray and/or LPCI motor operated valves.
3. Once per 8 hours verify the suppression pool water level is greater than or equal to 10.33 ft. whenever the low pressure ECCS subsystems are aligned to the suppression pool.
4. Once per 8 hours verify a minimum of 324 inches of water is available in the Condensate Storage Tanks (CST) whenever the Core Spray System(s) is aligned to the tanks.
5. Once per 31 days, verify that each valve (manual, power operated, or automatic) in the flowpath that is not locked, sealed, or otherwise secured in position, is in the correct position for the required RHR and/or core spray system(s).

4.5 BASES (cont'd)

The surveillance requirements to ensure that the discharge piping of the core spray, LPCI mode of the RHR, HPCI, and RCIC Systems are filled provides for a visual observation that water flows from a high point vent. This ensures that the line is in a full condition. Instrumentation has been provided in the Core Spray System and LPCI System to monitor the presence of water in the discharge piping. This instrumentation is functionally tested monthly to ensure that during the interval between the monthly checks the status of the discharge piping is monitored on a continuous basis.

Normally the low pressure ECCS subsystems required by Specification 3.5.F.1 are demonstrated operable by the surveillance tests in Specifications 4.5.A.1 and 4.5.A.3. Section 4.5.F specifies periodic surveillance tests for the low pressure ECCS subsystems which are applicable when the reactor is in the cold condition. These tests in conjunction with the requirements on filled discharge piping (Specification 3.5.G), and the requirements on ECCS actuation instrumentation (Specification 3.2.B), assure adequate ECCS capability in the cold condition. The water level in the suppression pool, or the Condensate Storage Tanks (CST) when the suppression pool is inoperable, is checked once per 8 hours to ensure that sufficient water is available for core cooling.

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3.7 (cont'd)

6. Oxygen Concentration

The primary containment oxygen concentration shall be maintained less than 4.0 volume percent while in the Run mode, except as specified in 3.7.A.6.a and 3.7.A.6.b below:

- a. Primary containment oxygen concentration shall be less than 4.0 volume percent within 24 hours of exceeding 15% of rated thermal power during startup.
- b. De-inerting may commence up to 24 hours prior to reducing thermal power to less than 15% of rated before a plant shutdown.
- c. If oxygen concentration is greater than or equal to 4.0 volume percent at any time while in the Run mode, except as specified in 3.7.A.6.a or 3.7.A.6.b above, restore oxygen concentration to less than 4.0 volume percent within 24 hours, otherwise reduce thermal power to less than or equal to 15% of rated within the next 8 hours.

7. Drywell-Torus Differential Pressure

- a. Differential pressure between the drywell and torus shall be maintained at equal to or greater than 1.7 psid except as specified in (1) and (2) below:

4.7 (cont'd)

6. Oxygen Concentration

- a. The primary containment oxygen concentration shall be verified to be within limits once each week. Instrument surveillances shall be performed as specified in Table 4.2-8.

7. Drywell-Torus Differential Pressure

- a. The pressure differential between the drywell and torus shall be verified to be within limits once per 8 hours. Instrument surveillances shall be performed as specified in Table 4.2-8.

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2. An SRO or an SRO with a license limited to fuel handling shall directly supervise all Core Alterations. This person shall have no other duties during this time;
3. DELETED
4. In the event of illness or unexpected absence, up to two (2) hours is allowed to restore the shift crew to the minimum complement.
5. The Operations Manager, Assistant Operations Manager, Shift Manager, and Control Room Supervisor shall hold an SRO license and the Senior Nuclear Operator and the Nuclear Control Operator shall hold an 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 to 12 hours a day, nominal 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 168 hour period, all excluding shift turnover time.
- c. A break of at least eight hours should be allowed between work periods, shift turnover time can be included in the breaktime.
- 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 Site Executive Officer 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 Site Executive Officer or his designee to assure that excessive hours have not been assigned. Routine deviation from the above guidelines is not authorized.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO.244 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 12, 1997, The Power Authority of the State of New York (the licensee) requested a revision to Technical Specifications (TSs) regarding normal working hours of plant staff to provide for shift duration of 12 hours. It would also revise the TSs to maintain existing once per shift surveillance requirements at 8 hours.

2.0 BACKGROUND AND EVALUATION

In its December 12, 1997, letter the licensee stated that establishing operating personnel work hours at a normal 8 to 12-hour day, nominal 40-hour week allows normal plant operations to be managed more effectively. Plant evolutions that normally require more than 8 hours can be completed without the interruption/loss of continuity created by shift turnovers. This can result in increased productivity and effectiveness of operating personnel and the personnel of other departments that require operations support.

The proposed amendment revises the Administrative Controls Plant Staff Section 6.2.2.6 of TS to authorize a normal 8 to 12-hour day, nominal 40-hour week. This proposed change is consistent with the guidelines provided in the Commission's "Policy on Factors Causing Fatigue of Operating Personnel at Nuclear Power Plants" promulgated by Generic Letter 82-12. The intent of the policy is to assure "to the extent practicable, personnel are not assigned to shift duties while in a fatigued condition that would significantly reduce their mental alertness or their decision making ability." The proposed change is consistent with the policy because although the length of the work day may increase, by maintaining the work week at a nominal 40 hours, the number of days worked will be less. The workers will have more days off to rest and therefore, maintain their mental alertness. Also for shift workers if 12 hour shifts are used, there will be fewer shift changes for which they will have to adjust their sleep pattern, thereby reducing the fatigue caused by shift work. The staff finds this proposed change acceptable. A change was proposed to TS Section 6.2.2.6.b that replaced 7 days with 168 hours. The licensee proposed this change to allow better administrative control of the 72-hour work limit in any 7-day period since operating personnel are on a rolling schedule. Since 168 hours equals 7 days, the intent and meaning of the guidance in GL 82-12 is not changed. The staff finds this proposed change acceptable.

An editorial change was also proposed to TS Section 6.2.2.c to clarify that shift turnover can be included in the break period between shifts. The previous wording also allowed shift turnover to be included in the break period between work shifts. Therefore, since there is no change in

meaning and the statement meets the guidance provided in GL 82-12, the staff finds this proposed change acceptable.

In addition associated changes are proposed to Sections 4.5.F, 4.5 Bases and 4.7.A.7 for administrative clarification to maintain "once per shift" surveillance requirements at 8-hour intervals. The amendment will allow shifts to be up to 12 hours. By changing the surveillance requirements from "once per shift" to "once per 8 hours" the frequency of the surveillance will not change. Therefore, since there is no change in surveillance frequency, the staff finds this proposed change acceptable.

Based on its review, the staff concludes that the proposed amendment to the James A. FitzPatrick Nuclear Power Plant is consistent with the working hour policy as indicated in GL 82-12 and is, therefore 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

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. 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 this 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: John S. Cushing

Date: July 24, 1998