

BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of
POWER AUTHORITY OF THE STATE OF NEW YORK
Indian Point 3 Nuclear Power Plant

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Docket No. 50-286

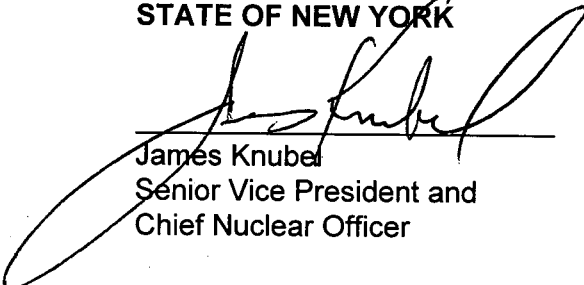
APPLICATION FOR AMENDMENT TO THE OPERATING LICENSE

Pursuant to Section 50.90 of the regulations of the Nuclear Regulatory Commission, the Power Authority of the State of New York, as holder of the Facility Operating License No. DPR-64, hereby applies for an amendment to the Technical Specifications contained in Appendix A of the license.

This application for amendment to the Indian Point 3 Technical Specification proposes to revise sections 6.2.2.g and 6.2.2.i. The proposed revision to section 6.2.2.g deletes the parenthetical "definition" of operating personnel, and makes the specification consistent with the Standard Technical Specifications (NUREG-1431) requirements for working hours and overtime limitations. The revision to section 6.2.2.i is an administrative change to delete a note that provided a relaxation of the requirement for the Operations Manager to have held an SRO license at a Pressurized Water Reactor other than Indian Point Unit 3. This relaxation was for a limited time period, and the time has expired.

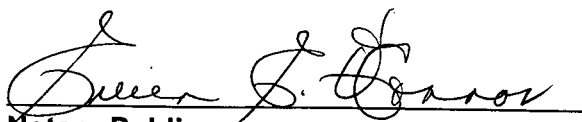
The proposed changes to the Technical Specification are presented in Attachment I to this application. The Safety Evaluation is included in Attachment II. A mark-up of the affected Technical Specification page is provided in Attachment III, for information only.

POWER AUTHORITY OF THE
STATE OF NEW YORK


James Knubel
Senior Vice President and
Chief Nuclear Officer

STATE OF NEW YORK
COUNTY OF WESTCHESTER

Subscribed and sworn to before me
this 4th day of June 1999.


Notary Public

EILEEN E. O'CONNOR
Notary Public, State of New York
No. 4991062
Qualified in Westchester County
Commission Expires January 21, 2000

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ATTACHMENT I TO IPN-99-062

**PROPOSED CHANGES TO THE
ADMINISTRATIVE SECTION OF THE TECHNICAL SPECIFICATIONS**

**NEW YORK POWER AUTHORITY
INDIAN POINT 3 NUCLEAR POWER PLANT
DOCKET NO. 50-286
DPR-64**

- g) Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safety related functions (e.g., licensed SROs, licensed ROs, radiation protection technicians, auxiliary operators and key maintenance personnel).

Adequate shift coverage shall be maintained without routine heavy use of overtime. The objective shall be to have operating personnel work an 8 to 12 hour day, nominal 40 hour week while the unit 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 plant modification, on a temporary basis the following guidelines shall be followed:

1. An individual should not be permitted to work more than 16 hours straight, excluding shift turnover time;
2. 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;
3. A break of at least 8 hours should be allowed between work periods, shift turnover time can be included in the breaktime;
4. 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 his designee, or higher levels of management, in accordance with established procedures.

- h) At least one individual holding a Senior Reactor Operator (SRO) license shall be on duty in the Control Room at all times.
- i) The Assistant Operations Manager and Shift Manager shall hold a Senior Reactor Operator (SRO) license. The Operations Manager shall either hold an SRO license or shall have held an SRO license at Indian Point Unit 3.

ATTACHMENT II TO IPN-99-062

**SAFETY EVALUATION FOR THE PROPOSED CHANGES TO THE
ADMINISTRATIVE SECTION OF THE TECHNICAL SPECIFICATIONS**

**NEW YORK POWER AUTHORITY
INDIAN POINT 3 NUCLEAR POWER PLANT
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Section I - Description of Changes

This application for amendment to the Indian Point 3 Technical Specification (TS) proposes to revise sections 6.2.2.g and 6.2.2.i. The proposed revision to section 6.2.2.g deletes the parenthetical "definition" of operating personnel, and makes the specification consistent with the Standard Technical Specifications (NUREG-1431) requirements for working hours and overtime limitations. The revision to section 6.2.2.i is an administrative change to delete a note that provided a relaxation of the requirement for the Operations Manager to have held an SRO license at a Pressurized Water Reactor other than Indian Point Unit 3. This relaxation was for a limited time period, and the time has expired.

Section II - Evaluation of Changes

Both of the proposed changes are administrative in nature and are further described below.

NRC Generic Letter (GL) 82-12, "Nuclear Power Plant Staff Working Hours," stated that operating plants shall include in their administrative procedures provisions governing required shift staffing and movement of key individuals about the plant. The controls shall apply to the plant staff who perform safety-related functions (e.g., senior reactor operators, reactor operators, health physicists, auxiliary operators, and key maintenance personnel).

Indian Point 3 did not use these exact words in TS section 6.2.2.g, but instead added a definition of "operating personnel." This change removes the definition of operating personnel and replaces it with the exact language of GL 82-12 and Standard Technical Specifications (NUREG-1431). Shift staffing is maintained per TS Table 6.2-1 and NYPA commitments to NUREG-0654.

TS section 6.2.2.i requires that the Operations Manager hold or have held a Senior Reactor Operator license. An asterisked statement reads, "For the period ending three years after restart from the 1993/1994 Performance Improvement Outage, the Operations Manager will be permitted to have held a SRO license at a Pressurized Water Reactor other than Indian Point Unit 3." The Performance Improvement Outage concluded on June 29, 1995 and three years have since passed from that date (June 29, 1998). The requirement of TS 6.2.2.i is met and the relaxation has expired. The asterisked statement is therefore being removed.

Section III - No Significant Hazards Evaluation

In accordance with the requirements of 10 CFR 50.92, the enclosed application is judged to involve no significant hazards based upon the following information:

- 1. Does the proposed license amendment involve a significant increase in the probability or consequences of an accident previously evaluated?**

No, these TS changes are administrative in nature. Removing the statement in section 6.2.2.g that defines on shift operating personnel and adding a new paragraph consistent with the Standard Technical Specifications is an administrative line item change that follows NRC guidance. The current statement is not needed because TS Table 6.2-1

defines the minimum operations shift crew composition and commitments to Table B-1 of NUREG-0654 defines the minimum staffing requirements for each function area.

The change to TS 6.2.2.i is administrative in nature. The statement that reads, "For the period ending three years after restart from the 1993/1994 Performance Improvement Outage, the Operations Manager will be permitted to have held a SRO license at a Pressurized Water Reactor other than Indian Point Unit 3", was a relaxation of the requirements of 6.2.2.i.

Therefore, these changes will not increase the probability or consequences of an accident previously evaluated, because they are administrative and affect neither accident initiation or mitigation.

2. Does the proposed license amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

No, these TS changes are administrative in nature. Removing the statement in section 6.2.2.g that defines on shift operating personnel and adding a new paragraph consistent with the Standard Technical Specifications is an administrative line item change that follows NRC guidance. The current statement is not needed because TS Table 6.2-1 defines the minimum operations shift crew composition and commitments to Table B-1 of NUREG-0654 defines the minimum staffing requirements for each function area.

The change to TS 6.2.2.i is administrative in nature. The statement that reads, "For the period ending three years after restart from the 1993/1994 Performance Improvement Outage, the Operations Manager will be permitted to have held a SRO license at a Pressurized Water Reactor other than Indian Point Unit 3", was a relaxation of the requirements of 6.2.2.i.

These changes are administrative, and do not affect how the plant is operated. Therefore, these changes will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

No, this TS change is administrative in nature. Removing the statement in section 6.2.2.g that defines on shift operating personnel and adding a new paragraph consistent with the Standard Technical Specifications is an administrative line item change that follows NRC guidance. The current statement is not needed because TS Table 6.2-1 defines the minimum operations shift crew composition and commitments to Table B-1 of NUREG-0654 defines the minimum staffing requirements for each function area.

The change to TS 6.2.2.i is administrative in nature. The statement that reads, "For the period ending three years after restart from the 1993/1994 Performance Improvement Outage, the Operations Manager will be permitted to have held a SRO license at a

Pressurized Water Reactor other than Indian Point Unit 3", was a relaxation of the requirements of 6.2.2.i.

These changes are administrative and do not affect how the plant is operated. They also follow the guidance of the Standard Technical Specifications. Therefore, these changes do not involve a significant reduction in a margin of safety.

Section IV - Impact of Changes

The proposed changes will not adversely affect the ALARA Program, the Security and Fire Protection Programs, or the Emergency Plan. This conclusion is based on the type of change being made in comparison to the purpose, scope and content of these programs. There are no physical changes needed to plant systems, equipment, or component set points. The proposed changes also do not affect the FSAR description or the conclusions drawn in the Safety Evaluation Report.

SECTION VI - Conclusions

These TS line item administrative changes:

- a) will not significantly increase the probability nor the consequences of an accident of malfunction of equipment important to safety as previously evaluation in the Final Safety Analysis Report;
- b) will not create the possibility for an accident or malfunction of a different type than any previously evaluation in the Final Safety Analysis Report;
- c) will not significantly reduce the margin of safety as defined in the bases for any Technical Specification.

Section VI - References

1. NUREG 1431 - Westinghouse Standard Technical Specifications.
2. NYPA letter, IPN-98-134, to NRC, "Proposed Technical Specification Change (License Amendment) Conversion to Improved Standard Technical Specifications", dated December 11, 1998.