



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

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

DOCKET NO. 50-247

INDIAN POINT NUCLEAR GENERATING UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 202  
License No. DPR-26

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Consolidated Edison Company of New York, Inc. (the licensee) dated March 30, 1999, 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-26 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. 202 , 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



S. Singh Bajwa, Section Chief, Section 1  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the Technical  
Specifications

Date of Issuance: June 25, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 202

FACILITY OPERATING LICENSE NO. DPR-26

DOCKET NO. 50-247

Revise Appendix A as follows:

Remove Pages

-  
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Insert Pages

4.1-1a  
4.1-1b

#### 4.0.2 Inadvertent Surpassing Of Surveillance Intervals

Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.1, shall constitute a noncompliance with the operability requirements for a Limiting Condition for Operation. The time limits of the action requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The action requirements may be delayed up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the action requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

##### Basis

Specification 4.0.2 establishes the failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by the provisions of Specification 4.0.1, as a condition that constitutes a failure to meet the operability requirements for a Limiting Condition for Operation. Under the provisions of this specification, systems and components are assumed to be operable when Surveillance Requirements have been satisfactorily performed within the specified time interval. However, nothing in this provision is to be construed as implying that systems or components are operable when they are found to be inoperable although still meeting the Surveillance Requirements. This specification also clarifies that the action requirements are applicable when Surveillance Requirements have not been completed within the allowed surveillance interval and the time limits of the action requirements apply from the point of time it is identified that a surveillance has not been performed and not at the time that the allowed surveillance interval was exceeded. Completion of the Surveillance Requirement within the allowable outage time limits of the action requirements restores compliance with the requirements of Specification 4.0.2. However, this does not negate the fact that the failure to have performed the surveillance within the allowed surveillance interval, defined by the provisions of Specification 4.0.1, was a violation of the operability requirements of a Limiting Condition for Operation that is subject to enforcement action. Further, the failure to perform a surveillance within the provisions of Specification 4.0.1 is a violation of a Technical Specification requirement and is, therefore, a reportable event under the requirements of 10 CFR 50.73(a)(2)(i)(B) because it is a condition prohibited by the plant's Technical Specifications.

If the allowable outage time limits of the action requirements are less than 24 hours or a shutdown is required to comply with the action requirements, e.g., Specification 3.0.1, a 24-hour allowance is provided to permit delay in implementing the action requirements. This provides an adequate time limit to complete the surveillance before a shutdown is required to comply with action requirements or before other remedial measures would be required that may preclude completion of a surveillance. The basis for this allowance includes consideration for plant conditions, adequate planning, availability of personnel, the time required to perform the surveillance, and the safety significance of the delay in completing the required surveillance. This provision also provides a time limit for the completion of Surveillance Requirements that become applicable as a consequence of reactor operating condition changes imposed by action requirements. If a surveillance is not completed within the 24-hour allowance, the time limits of the action requirements are applicable at that time. When a surveillance is performed within the 24-hour allowance and the Surveillance Requirements are not met, the time limits of the action requirements are applicable at the time the surveillance is terminated.

Surveillance Requirements do not have to be performed on inoperable equipment because the action requirements define the remedial measures that apply. However, the Surveillance Requirements have to be met to demonstrate that inoperable equipment has been restored to operable status.