

POWER AUTHORITY OF THE STATE OF NEW YORK

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July 27, 1979
JPN-79-45

Director of Nuclear Reactor Regulation
United States Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Mr. Thomas A. Ippolito, Chief
Operating Reactors Branch No. 3
Division of Operating Reactors

Subject: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Reactor Mode Selector Switch Position
During Shutdown

References: 1) Letter H. R. Denton to G. T. Berry (PASNY),
March 13, 1979
2) Letter T. A. Ippolito (NRC) to G. T. Berry
(PASNY), June 12, 1979

Dear Sir:

The Show Cause Order of March 13, 1979 (Reference 1) requires the Authority to place the FitzPatrick Plant "in cold shutdown condition", and to "remain shut down until further order".

In your letter of June 12, 1979 (Reference 2) you indicated that the definitions of the FitzPatrick Plant Technical Specifications regarding "Cold Shutdown" and "Cold Condition" did not apply to the Order. You then defined the required cold shutdown condition as: (1) The Reactor Mode Selector Switch in the Shutdown Mode position and (2) the reactor coolant temperature $\leq 212^{\circ}\text{F}$.

The Authority hereby requests that your definition be revised to allow placing the Reactor Mode Selector Switch in the Refuel Mode and in the Start-up/Hot Standby Mode. The reactor will continue to be maintained subcritical, and the reactor coolant will continue to be maintained $\leq 212^{\circ}\text{F}$.

This change will permit the performance of the activities listed below prior to lifting of the shutdown order, thus allowing a more expeditious start-up.

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These activities are required to be completed prior to start-up of the plant and can be done now without undue risk to the health and safety of the public.

Activities

1. As required by the JAFNPP Technical Specifications (Section 4.2.C), perform surveillance test of the Control Rod Blocks Actuation. It is estimated that this test will take one day to complete. (Reactor Mode Selector Switch must be placed in Start-up/Hot Standby Mode).
2. As required by the JAFNPP Technical Specifications (Section 4.3.B.3), perform surveillance test of the Rod Sequence Control System and the Rod Worth Minimizer. It is estimated that this test will take one day to complete. (Reactor Mode Selector Switch must be placed in the Start-up/Hot Standby Mode).
3. The Authority has completed control rod drive component replacement per the requirements of I&E Bulletin 78-14 and considers it prudent to vent and exercise each of the 137 Control Rods, one at a time, prior to start-up to verify operability of the system. This operation will take 7 to 10 days. (Reactor Mode Selector Switch must be placed in either the Refuel Mode or the Start-up/Hot Standby Mode).

Since the activities listed above have to be done in series, between nine and twelve days will be required, assuming no problems are discovered during the testing.

We request your immediate authorization for placing the Reactor Mode Selector Switch in the Refueling and Start-up/Hot Standby Modes, thereby eliminating at least nine to twelve days of outage time.

The Authority expects that the NRC will be able to modify the Show Cause Order to permit power operations on or about August 15, 1979. If the above described activities are delayed until then by your definition of cold shutdown, the added delay in starting up of nine to twelve days would mean that an additional 288,000 to 384,000 barrels of foreign oil would have to be used for replacement energy.

Very truly yours,

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Paul J. Early
Assistant Chief Engineer-Projects