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Director of Nuclear Reactor Regulation  
U. S. 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  
Proposed Change to the Technical Specifications  
Accruing from the NRC Staff's Clarification of  
the Term OPERABLE

Dear Sir:

Enclosed for filing are three (3) signed originals and nineteen (19) copies of a document entitled, "Application for Amendment to Operating License", together with forty (40) copies of Attachments I and II thereto, comprising a statement of the proposed changes to the Technical Specifications and the associated Safety Evaluation.

This application seeks to amend Section 1.0 of Appendix A of the Operating License in accordance with the Commission's April 10, 1980 letter which requested implementation of the Model Technical Specification definition of the term OPERABLE.

Since the FitzPatrick Plant does not have Standard Technical Specifications, the proposed change is designed to meet the intent of and differs slightly from the Model Technical Specifications, as follows:

The definition of Model Technical Specification (STS) 1.2 and the clarification of 3.0.5 have been combined into a single definition of operable/operability under JAF Technical Specification Section 1.0.J.

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The STS 3.0.3 requirements are met in the JAF Technical Specification through system by system action statements which address situations where one or more systems, subsystem, or component are inoperable. Therefore STS 3.0.3 need not be incorporated.

JAF procedures currently assure compliance with the proposed changes, and in some cases are more conservative.

A list of the proposed changes to the Technical Specifications is given below, together with information regarding each proposed change:

1. Table of Contents is revised to reflect the addition of Section 3.0 and 4.0. In addition, the page number associated with Sections 3.1 and 4.1 was revised.
2. Paragraph 1.0.I is revised to include the expression "Operational Mode", since it is used in Section 3.
3. Paragraph 1.0.J. was revised to adopt the exact wording provided in the April 10, 1980 NRC letter.
4. Page 30, 30a, 30b, 30c, 30d and 30e were added to adopt the intent of the April 10, 1980 NRC letter.
5. Original Page 30 was changed to Page 30f to reflect the addition of Section 3.0.
6. Paragraph 3.7.A.9 on page 181 has been revised to remove an inconsistency within the Technical Specifications and to provide clarification. The existing Technical Specification in conjunction with proposed Technical Specification 3.0.C. would require shutdown of the plant within 24 hours. This action is not consistent with the philosophy of Technical Specification 3.6.D.3 (radioactivity monitoring). In addition, reliable results can be obtained from grab samples and the installation of certain TMI equipment will enhance grab sample analysis. Further, since Technical Specification 3.7.A.9 is applicable to operation when primary containment integrity is required, the containment is, for the great majority of time, inerted and under positive pressure which effectively precludes intrusion of  $O_2$ .

7. Page 218 was retyped and typographical and editorial errors in Paragraph 4.9.C.1. corrected. Information from Page 219 was also added to this page.
8. Page 219 was retyped and information from Page 220 was moved to this page.
9. Page 220, Section 3.9.C.3. was added for clarification. Technical Specifications are not intended to require a shutdown when the inventory of diesel fuel is decreased to less than 64,000 gallons as a result of diesel generator operation to meet Technical Specification requirements. For example: Specification 4.9.B.5. requires operation of emergency diesels (and thus some consumption of fuel) when one emergency diesel generator system is inoperable as described in Specification 3.9.B.3. Under these circumstances, which are allowed to exist for seven days, the specifications clearly are not intended to require a shutdown in accordance with Specification 3.0.C. if the diesel generator operation should result in the diesel fuel inventory being temporarily less than 64,000 gallons.

The Authority has classified this application for amendment to the operating license as Class III, resulting from the NRC staff's clarification of the term "OPERABLE", contained in the referenced letter. Enclosed is a check in the amount of \$4,000 as the filing fee per 10CFR§170.22, which the Authority pays under protest pending a final determination of the legality of the fee schedule.

Very truly yours,

*C. M. Wilbending*

*for*

J. P. Bayne  
Senior Vice President  
Nuclear Generation

Encs.