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June 28, 1993
JPN-93-044

U.S. Nuclear Regulatory Commission
Mail Station P1-137
Washington, D.C. 20555

ATTN: Document Control Desk

Subject: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
**Exemption from 10 CFR 50 Appendix J and
Proposed Technical Specification Changes
Regarding Containment Leak Rate Testing (JPTS-93-007)**

- References:
1. NYPA letter, J. C. Brons to NRC, dated September 28, 1989 (JPN-89-062), "Exemption from 10 CFR 50 Appendix J and Proposed Change to the Technical Specifications Regarding Containment Leak Rate Testing (JPTS-89-025)."
 2. NRC letter, D. E. LaBarge to J. C. Brons, dated October 4, 1989, issuing Amendment 140 to the FitzPatrick Technical Specifications.

In accordance with 10 CFR 50.12 and 50.90, the Authority requests an exemption from 10 CFR 50, Appendix J and an amendment to the James A. FitzPatrick Technical Specifications. This exemption and amendment would allow for the replacement of piping and welds which constitute portions of the Core Spray system minimum flow lines, without having to perform a Type A Integrated Leakage Rate Test (ILRT) as required by the Technical Specifications and 10 CFR 50 Appendix J. The next ILRT is scheduled to be conducted during the 1995 refueling outage. As described in the attachments, these requests satisfy the criteria for exemptions and an amendment to the Technical Specifications.

Augmented erosion / corrosion inspections conducted during the 1992 refueling outage revealed the presence of pipe wall thinning on the Core Spray System minimum flow lines. In accordance with the requirements of ASME Section XI and ANSI B-31.1-1967 (the construction code for the FitzPatrick plant) approximately 5 feet of the "A" and "B" Core Spray System minimum flow piping will be replaced during the fall maintenance outage.

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Compensatory measures consist of an alternate inspection program, including 100% radiography of the new welds, surface examination on new welds that form a portion of the primary containment boundary, and a system leakage test (in accordance with ASME Section XI code, 1980 Edition through winter 1981 Addenda, paragraph IWA-5213) to ensure structural integrity and leak tightness. These non-destructive examinations meet the intent of the Technical Specifications 4.7.A.2.f and Appendix J, which is to assure that modifications to the containment pressure boundary are leak-tight.

This situation is very similar to the 1989 repair of weld 10-14-884A on the Core Spray System test return line. That weld repair required the creation of a new weld which could not be local leak rate tested. The Authority requested an exemption from 10 CFR 50, Appendix J and a change to the Technical Specifications (Reference 1). This request was granted by the NRC in Reference 2.

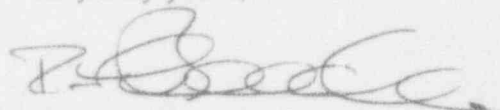
The Authority requests that this exemption request and amendment application be approved prior to startup from the fall 1993 maintenance outage currently scheduled to end in September.

Attachment I to this application contains the request for exemption from 10 CFR 50 Appendix J, Section IV.A. The proposed change to the Technical Specifications is provided as Attachment II. The Safety Evaluation for the proposed change is included as Attachment III. Attachment IV provides a copy of drawing FM-23A, "Flow Diagram - Core Spray System 14."

In accordance with 10 CFR 50.91, a copy of this application and the associated attachments are being provided to the designated New York State Official.

If you have any questions, please contact Mr. J. A. Gray, Jr.

Very truly yours,



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