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JPN-94-001

U.S. Nuclear Regulatory Commission
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SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
**Exemption from 10 CFR 50 Appendix J and
Proposed Technical Specification Change
Regarding Containment Leak Rate Testing (JPTS-93-022)**

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 temporarily waive the two year maximum surveillance interval for the Type C test (local leak rate test) of the shutdown cooling isolation valves (10MOV-17 and 10MOV-18). The waiver would permit deferring this test until the next refueling outage, currently scheduled for the end of November 1994.

10 CFR 50 Appendix J and Technical Specification 4.7.A.2.e(5) require the containment isolation valves to be leak-rate tested during each refueling outage, but at intervals of not greater than two years. As a result of the extended 1991-1993 outage, and the length of the current operating cycle, tests of all containment isolation valves are due prior to the start of the next refueling outage. Two mid-cycle outages were scheduled, in part, to accommodate the testing of these valves, except for the shutdown cooling isolation valves. The shutdown cooling isolation valves cannot be removed from service during a non-refueling outage to accommodate a leak-rate test since its associated system is needed to remove reactor decay heat. The reliability of the isolation valve design, and the very low probability that the shutdown cooling system penetration would result in a pathway for leakage to the reactor building, as discussed in this application, provides justification for this one-time schedular exemption.

The Authority requests that this exemption request and amendment application be approved prior to the spring 1994 surveillance / maintenance outage, currently scheduled to begin on April 2, 1994.

The signed original of the Application for Amendment to Operating License is enclosed for filing. Attachment I to this application contains the request for exemption from 10 CFR 50, Appendix J, Section III.D.3. Attachments II and III of this application contain the proposed change to the Technical Specifications, and the associated Safety Evaluation.

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A copy of this application and the associated attachments is being provided to the designated New York State official in accordance with 10 CFR 50.91.

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

Very truly yours,


Ralph E. Beedle

cc: Regional Administrator
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