



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 163 TO FACILITY OPERATING LICENSE NO. DPR-59  
POWER AUTHORITY OF THE STATE OF NEW YORK  
JAMES A. FITZPATRICK NUCLEAR POWER PLANT  
DOCKET NO. 50-333

INTRODUCTION

By letter dated March 9, 1990, the Power Authority of the State of New York (PASNY or the licensee) submitted a proposed amendment requesting changes to the Technical Specifications (TS) for the James A. FitzPatrick Nuclear Power Plant. The amendment would clarify Specification 3.9.B.3 on page 217 by removing extraneous and confusing wording which references the number of emergency diesel generators which must be returned to service before the Limiting Condition for Operation (LCO) can be satisfied. In addition, certain editorial TS changes were proposed.

EVALUATION

The emergency AC power distribution system at the FitzPatrick plant consists of two emergency buses, each supplied by a diesel generator system. Each of the two diesel generator systems, in turn, consists of two emergency diesel generators which must operate in parallel to supply the design requirements for its respective emergency bus. Therefore, if either diesel generator is inoperable, the respective "diesel generator system" is considered to be inoperable.

The intent of Specification 3.9.B.3 is to establish the allowable out-of-service time when one of the emergency diesel generator systems is inoperable, as indicated by the opening sentence which states, "From and after the time that one of the Emergency Diesel General [sic] Systems is made or found to be inoperable, continued reactor operation is permissible...provided that ... the remaining Diesel Generator System is operable" (underline added for emphasis). However, the LCO becomes confusing by the wording in the last sentence which states that "...the reactor shall be placed in a cold condition within 24 hours, unless one or both diesel generator systems are made operable sooner" (underline added). If both of the diesel generator systems were inoperable, this LCO would not be applicable since the requirements are contained in the next LCO.

The proposed TS change to Specification 3.9.B.3 would modify the last sentence to read, "...the reactor shall be placed in the cold condition within 24 hours, unless the affected diesel generator system is made operable sooner." Since this statement does not change the requirement of the LCO, it can be classified as editorial in nature which serves to clarify the LCO wording without changing its meaning or intent. It does not result in a change to the analysis presented in the Final Safety Analysis Report (FSAR) or the Safety Evaluation Report (SER). The proposed change is, therefore, acceptable.

Two other changes proposed by the licensee in this amendment are to change the word "General" to "Generator" in Specification 3.9.B.3 (an error indicated above) and to replace the word "and" with "or" in Specification 4.9.B.5. The first change would correct an obvious typographical error. The second change is proposed to more clearly indicate that testing Specification 4.9.B.5 for the operable diesel generator system is required whenever any one of the three LCO conditions of Specifications 3.9.B.1, 3.9.B.2, or 3.9.B.3 are met--not when all three are satisfied. The proposed changes are, therefore, editorial in nature. They do not involve modifications of any plant equipment, systems, or components; nor are any administrative controls or limitations relaxed. The FSAR and SER are not affected. The proposed changes are, therefore, acceptable.

#### ENVIRONMENTAL CONSIDERATION

This amendment involves a change to a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and a change to a surveillance requirement. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Sec 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

#### CONCLUSION

We have concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: July 30, 1990

#### PRINCIPAL CONTRIBUTOR:

D. LaBarge