



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 212 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

1.0 INTRODUCTION

By letter dated December 28, 1993, the Power Authority of the State of New York (the licensee) submitted a request for changes to the James A. FitzPatrick Nuclear Power Plant Technical Specifications (TSs). The requested changes would revise TS Section 6.9(A)1.a. to permit startup reports for cycles subsequent to the initial fuel cycle to address only those startup tests that are actually performed. In addition, the licensee proposed that TS 6.9(A) be revised to clarify requirements for the submission of routine reports. The licensee also proposed a minor page numbering change.

2.0 EVALUATION

2.1 Changes to TS Section 6.9(A)1.a.

TS Section 6.9(A)1.a. requires that startup reports address each of the tests identified in the Final Safety Analysis Report (FSAR). It does not differentiate between the startup report for the initial fuel cycle and startup reports for subsequent fuel cycles. The list of tests provided in the FSAR includes many tests which were required for the initial plant startup but are not performed during subsequent startups. The licensee currently satisfies this requirement of TS Section 6.9(A)1.a. in startup reports for subsequent fuel cycles by identifying tests which are not performed, their purposes, and the reasons for not performing them. The licensee considers the inclusion of such information in startup reports for subsequent fuel cycles to be unnecessary and has proposed that the TSs be revised to permit these startup reports to address only those startup tests that are actually performed.

The licensee has proposed that the desired changes be incorporated by replacing the word "report" with the phrase "Startup Report for the initial fuel cycle" in the second sentence of TS Section 6.9(A)1.a. In addition, a sentence would be added to the end of TS Section 6.9(A)1.a. that would read as follows:

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Startup Reports for subsequent fuel cycles shall address startup tests that are necessary to demonstrate the acceptability of changes and modifications.

The proposed changes to TS Section 6.9(A)1.a. are consistent with Section 5.9.1.1, "Startup Report," of NUREG-1433, "Standard Technical Specifications - General Electric Plants, BWR/4." NUREG-1433 differentiates between initial and subsequent startup reports and the content requirements for these reports delineated in NUREG-1433 are the same as those proposed by the licensee.

The NRC staff has concluded that the proposed changes to TS Section 6.9(A)1.a. are acceptable since they are consistent with NUREG-1433 and will eliminate the inclusion of unnecessary material in startup reports for cycles subsequent to the initial fuel cycle.

## 2.2 Changes to TS Section 6.9(A)

The licensee has proposed that TS Section 6.9(A) be revised to clarify requirements for the submission of routine reports. Specifically, the outdated reference to the Director of the Regional Office of Inspection and Enforcement would be deleted from the first paragraph in TS Section 6.9(A). The paragraph would be modified to read as follows:

The following reports shall be submitted in accordance with 10 CFR 50 unless otherwise noted.

The proposed changes to TS Section 6.9(A) are consistent with Section 5.9.1, "Routine Reports," of NUREG-1433.

The staff finds the proposed changes to TS Section 6.9(A) to be acceptable since they are consistent with NUREG-1433 and will clarify requirements for the submission of routine reports.

## 2.3 Page Number Change

The licensee has proposed that the number for page 254-a be changed to 254a. The staff finds this administrative change to be acceptable since it will improve the consistency of page numbering within the TSs.

## 3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 4.0 ENVIRONMENTAL CONSIDERATION

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

#### 5.0 CONCLUSION

The Commission has 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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Date: June 16, 1994