



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

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-333

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 228
License No. DPR-59

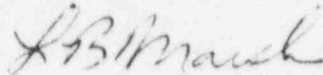
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Power Authority of the State of New York (the licensee) dated July 21, 1995, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-59 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 228, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Ledyard B. Marsh, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: October 13, 1995

ATTACHMENT TO LICENSE AMENDMENT NO. 228

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Revise Appendix A as follows:

Remove Pages

247
247a
248
248a
249
250
251
252a
252b
253
256
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Insert Pages

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247a
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248a
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6.0 ADMINISTRATIVE CONTROLS

Administrative Controls are the means by which plant operations are subject to management control. Measures specified in this section provide for the assignment of responsibilities, plant organization, staffing qualifications and related requirements, review and audit mechanisms, procedural controls and reporting requirements. Each of these measures are necessary to ensure safe and efficient facility operation.

6.1 RESPONSIBILITY

The Site Executive Officer is responsible for safe operation of the plant. During periods when the Site Executive Officer is unavailable, one of the three General Managers will assume this responsibility. In the event all four are unavailable, the Site Executive Officer may delegate this responsibility to other qualified supervisory personnel.

6.2 ORGANIZATION

6.2.1 Facility Management and Technical Support

Onsite and offsite organizations shall be established for plant operation and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities that affect the safety of the nuclear power plant.

1. Lines of authority, responsibility, and communication shall be established and defined for the highest management levels through intermediate levels to and including all operating organization positions. These relationships shall be documented and updated, as appropriate, in the form of organization charts, functional descriptions of department responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the Updated FSAR.
2. The Site Executive Officer shall be responsible for overall plant operation, and shall have control over those onsite activities that are necessary for safe operation and maintenance of the plant.
3. The Chief Nuclear Officer shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.
4. The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

6.2.2 Plant Staff

The plant staff organization shall be as follows:

1. Each shift crew shall be composed of at least the minimum shift crew composition shown in Table 6.2-1;

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2. An SRO or an SRO with a license limited to fuel handling shall directly supervise all Core Alterations. This person shall have no other duties during this time;
3. DELETED
4. In the event of illness or unexpected absence, up to two (2) hours is allowed to restore the shift crew to the minimum complement.
5. The Operations Manager, Assistant Operations Manager, Shift Manager, and Control Room Supervisor shall hold an SRO license and the Senior Nuclear Operator and the Nuclear Control Operator shall hold an RO license or an SRO license.
6. Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safety-related functions; e.g., senior reactor operators, health physicists, auxiliary operators, and maintenance personnel who are working on safety-related systems.

Adequate shift coverage shall be maintained without routine heavy use of overtime. The objective shall be to have operating personnel work a normal 8-hour day, 40-hour week while the plant is operating.

However, in the event that unforeseen problems require substantial amounts of overtime to be used or during extended periods of shutdown for refueling, major maintenance or major modifications, on a temporary basis, the following guidelines shall be followed:

- a. An individual should not be permitted to work more than 16 hours straight, excluding shift turnover time.
- b. An individual should not be permitted to work more than 16 hours in any 24-hour period, nor more than 24 hours in any 48-hour period, nor more than 72 hours in any seven day period, all excluding shift turnover time.
- c. A break of at least eight hours should be allowed between work periods, including shift turnover time.
- d. Except during extended shutdown periods, the use of overtime should be considered on an individual basis and not for the entire staff on a shift.

Any deviation from the above guidelines shall be authorized by the Site Executive Officer or the General Manager - Operations, or higher levels of management, in accordance with established procedures and with documentation of the basis for granting the deviation. Controls shall be included in the procedures such that individual overtime shall be reviewed monthly by the Site Executive Officer or his designee to assure that excessive hours have not been assigned. Routine deviation from the above guidelines is not authorized.

6.3 PLANT STAFF QUALIFICATIONS

- 6.3.1 The minimum qualifications with regard to educational background and experience for plant staff positions shown in FSAR Figure 13.2-7 shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions; except for the Radiological and Environmental Services Manager who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975.
- 6.3.2 The Shift Technical Advisor (STA) shall meet or exceed the minimum requirements of either Option 1 (Combined SRO/STA Position) or Option 2 (Continued use of STA Position), as defined in the Commission Policy Statement on Engineering Expertise on Shift, published in the October 28, 1985 Federal Register (50 FR 43621). When invoking Option 1, the STA role may be filled by the Shift Manager or Control Room Supervisor. (1)
- 6.3.3 Any deviations will be justified to the NRC prior to an individual's filling of one of these positions.

NOTE:

- (1) The 13 individuals who hold SRO licenses, and have completed the FitzPatrick Advanced Technical Training Program prior to the issuance of License Amendment 111, shall be considered qualified as dual-role SRO/STAs.

6.4 RETRAINING AND REPLACEMENT TRAINING

A training program shall be maintained under the direction of the Training Manager to assure overall proficiency of the plant staff organization. It shall consist of both retraining and replacement training and shall meet or exceed the minimum requirements of Section 5.5 of ANSI N18.1-1971.

The retraining program shall not exceed periods two years in length with a curriculum designed to meet or exceed the requalification requirements of 10 CFR 55.59

6.5 REVIEW AND AUDIT

Review requirements are completed by using designated technical reviewers/qualified safety reviewer and two separate review committees. The Plant Operating Review Committee (PORC) is an onsite review group; the Safety Review Committee (SRC) is an independent offsite review and audit group.

6.5.0 REVIEW AND APPROVAL OF PROGRAMS AND PROCEDURES

- 6.5.0.1 The procedure review and approval process shall be controlled and implemented by administrative procedure(s).
- 6.5.0.2 Each program and procedure required by Specification 6.8 and other procedures that affect nuclear safety, and changes thereto, shall be reviewed by a minimum of two designated technical reviewers who are knowledgeable in the affected functional area.

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- 6.5.0.3 Designated technical reviewer(s) shall meet or exceed the qualifications described in Section 4 of ANSI N18.1-1971 for applicable positions, with the exclusion of the positions identified in Sections 4.3.2 and 4.5. Individuals whose positions are described in Sections 4.3.2 and 4.5 may qualify as designated technical reviewers provided they meet the qualifications described in other portions of Section 4.
- 6.5.0.4 The designated technical reviewer shall determine the need for cross-disciplinary reviews. Individuals performing cross-disciplinary reviews shall meet or exceed the qualifications described in Section 4 of ANSI N18.1-1971 for applicable positions.
- 6.5.0.5 Each program and procedure required by Specification 6.8 and other procedures that affect nuclear safety, and changes thereto, shall be reviewed from a safety perspective by a qualified safety reviewer. Safety and/or environmental impact evaluations, when required, shall be reviewed by PORC per Specification 6.5.1.6.a.
- 6.5.0.6 Nuclear safety related procedures and procedure changes shall be reviewed and approved, prior to implementation, by the appropriate member(s) of management.

6.5.1 PLANT OPERATING REVIEW COMMITTEE (PORC)

6.5.1.1 Function

PORC shall function to advise the Site Executive Officer on matters related to nuclear safety and environmental impact.

6.5.1.2 Membership

The Plant Operating Review Committee shall be composed of a Chairman, Vice-Chairmen and members designated in writing by the Site Executive Officer. Members shall collectively have responsibility in at least the areas of Operations, Maintenance, Radiological and Environmental Services, Engineering, Reactor Engineering, Instrumentation and Controls, Nuclear Licensing, and Quality Assurance.

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6.5.1.3 Alternates

Alternative members shall be appointed in writing by the PORC Chairman to serve on a temporary basis.

6.5.1.4 Meeting Frequency

Meetings will be called by the Chairman as the occasions for review or investigation arise. Meetings will be no less frequent than once a month.

6.5.1.5 Quorum

A quorum of the PORC shall consist of the Chairman or a Vice-Chairman and five members including designated alternates. Vice-Chairmen may act as members when not acting as Chairman. A quorum shall contain no more than two alternates.

6.5.1.6 Responsibilities

The PORC shall be responsible for the:

- a. Review of 10 CFR 50.59 safety and environmental impact evaluations associated with procedures and programs required by Specification 6.8, and changes thereto.
- b. Review of proposed tests and experiments that affect nuclear safety.
- c. Review of proposed changes to the Operating License and Technical Specifications.
- d. Review of proposed changes or modifications to plant systems or equipment that affect nuclear safety.
- e. Investigation of violations of the Technical Specifications. The PORC shall prepare and present a report covering the evaluations and recommendations to prevent recurrence to the Site Executive Officer, who will then forward the report to the Chief Nuclear Officer, the Vice President Regulatory Affairs and Special Projects, and to the Chairman of the Safety Review Committee.
- f. Review of plant operations to detect potential safety hazards.
- g. Performance of special reviews and/or investigations at the request of the Site Executive Officer.
- h. Review of all reportable events.
- i. Review of the Process Control Program and the Offsite Dose Calculation Manual (ODCM) and changes thereto.
- j. Review the FitzPatrick Fire Protection Program and implementing procedures and changes thereto.

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6.5.1.7 Authority

The PORC shall:

- a. Recommend to the Site Executive Officer, approval or disapproval of those items reviewed under Specifications 6.5.1.6.a through 6.5.1.6.d.
- b. Render determinations with regard to whether or not items considered under Specification 6.5.1.6.a through 6.5.1.6.e constitute an Unreviewed Safety Question as defined in 10 CFR 50.59.
- c. In the event of a disagreement between the PORC and Site Executive Officer, notify the Chief Nuclear Officer and the SRC Chairman, or their designated alternates, within 24 hours and provide written notification by the next business day. The Site Executive Officer shall have responsibility for resolution of such disagreement pursuant to Section 6.1.

6.5.1.8 Records

Minutes of all meetings of the PORC shall be recorded and numbered. Copies will be retained in file. Copies will be forwarded to the Chairman of the SRC and the Chief Nuclear Officer.

6.5.1.9 Procedures

Conduct of the PORC and the mechanism for implementation of its responsibilities and authority are defined in the pertinent Administrative Procedures.

6.5.2 SAFETY REVIEW COMMITTEE (SRC)

FUNCTION

- 6.5.2.1 The SRC shall function to provide independent review and audit of designated activities in the areas of:
- a. Nuclear power plant operations
 - b. Nuclear engineering
 - c. Chemistry and radiochemistry
 - d. Metallurgy
 - e. Instrumentation and control

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- f. Radiological safety
- g. Mechanical engineering
- h. Electrical engineering
- i. Administrative controls and quality assurance practices
- j. Environment
- k. Civil/Structural Engineering
- l. Nuclear Licensing
- m. Emergency Planning
- n. Other appropriate fields associated with the unique characteristics of a nuclear power plant

CHARTER

6.5.2.2 The conduct of the SRC will be in accordance with a charter approved by the Chief Nuclear Officer. The charter will define the SRC's authority and establish the mechanism for carrying out its responsibilities.

MEMBERSHIP

6.5.2.3 The SRC shall be composed of at least six individuals including a Chairman and a Vice Chairman. Members shall be appointed by the Vice President Regulatory Affairs and Special Projects and approved by the Chief Nuclear Officer. SRC members and alternates shall have an academic degree in engineering or a physical science, or the equivalent, and shall have a minimum of five years technical experience in one or more areas listed in Section 6.5.2.1.

ALTERNATES

6.5.2.4 Alternates for the Chairman, Vice Chairman and members may be appointed in writing by the Vice President Regulatory Affairs and Special Projects and approved by the Chief Nuclear Officer.

CONSULTANTS

6.5.2.5 Consultants may be used as determined by the SRC Chairman and as provided for in the charter.

MEETING FREQUENCY

6.5.2.6 The SRC shall meet at least once per six months.

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- c. The results of actions taken to correct deficiencies occurring in facility equipment, structures, systems or method of operation that affect nuclear safety at least once per 6 months.
- d. The performance of activities required by the Operational Quality Assurance Program to meet the criteria of Appendix "B", 10 CFR 50, at least once per 24 months.
- e. Any other area of facility operation considered appropriate by the SRC or the Chief Nuclear Officer.
- f. The Facility Fire Protection Program and implementing procedures at least once per two years.
- g. An independent fire protection and loss of prevention inspection and audit shall be performed annually utilizing either qualified offsite licensee personnel or an outside fire protection firm.
- h. An inspection and audit of the fire protection and loss prevention program shall be performed by an outside qualified fire consultant at intervals no greater than 3 years.
- i. The Radiological Environmental Monitoring Program and the results thereof at least once per 12 months.
- j. The Offsite Dose Calculation Manual and implementing procedures at least once per 24 months.
- k. The Process Control Program and implementing procedures for processing and packaging of radioactive wastes at least once per 24 months.
- l. The performance of activities required by the Quality Assurance Program to meet the provisions of Regulatory Guide 1.21, Revision 1, June 1974 and Regulatory Guide 4.1, Revision 1, April 1975 at least once per 12 months.

AUTHORITY

- 6.5.2.10 The SRC shall advise the Chief Nuclear Officer on those areas of responsibility specified in Section 6.5.2.8 and 6.5.2.9.

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RECORDS

- 6.5.2.11 Records will be maintained in accordance with ANSI 18.7-1972. The following shall be prepared and distributed as indicated below:
- a. Minutes of each SRC meeting shall be prepared and forwarded to the Chief Nuclear Officer within 30 days after the date of the meeting.
 - b. Reports of reviews encompassed by Section 6.5.2.8 above shall be prepared and forwarded to the Chief Nuclear Officer within 30 days following completion of the review.
 - c. Audit reports encompassed by Section 6.5.2.9 above, shall be forwarded to the Chief Nuclear Officer and to the management positions responsible for the areas audited within 30 days after completion of the audit.

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6.6 REPORTABLE EVENT ACTION

The following actions shall be taken for Reportable Events:

- (A) The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- (B) Each Reportable Event shall be reviewed by the PORC, and the results of this review shall be submitted to the Chief Nuclear Officer, the Vice President Regulatory Affairs and Special Projects, and the Chairman of the SRC.

6.7 SAFETY LIMIT VIOLATION

- (A) If a safety limit is exceeded, the reactor shall be shut down and reactor operation shall only be resumed in accordance with the provisions of 10 CFR 50.36, (c)(1)(i).
- (B) An immediate report of each safety limit violation shall be made to the NRC by the Site Executive Officer. The Chief Nuclear Officer, the Vice President Regulatory Affairs and Special Projects, and the Chairman of the SRC will be notified within 24 hours.
- (C) The PORC shall prepare a complete investigative report of each safety limit violation and include appropriate analysis and evaluation of: (1) applicable circumstances preceding the occurrence, (2) effects of the occurrence upon facility component systems or structures and (3) corrective action required to prevent recurrence. The Site Executive Officer shall forward this report to the Chief Nuclear Officer, the Vice President Regulatory Affairs and Special Projects, the Chairman of the SRC, and the NRC.

6.8 PROCEDURES

- (A) Written procedures and administrative policies shall be established, implemented, and maintained that:
 - 1. meet or exceed the requirements and recommendations of Section 5 of ANSI 18.7-1972 "Facility Administrative Policies and Procedures."
 - 2. are recommended in Appendix A of Regulatory Guide 1.33, November 1972.
 - 3. implement the Fire Protection Program.
 - 4. include programs specified in Appendix B of the Radiological Effluent Technical Specifications, Section 7.2.
- (B) Each procedure of Specification 6.8.(A), and changes thereto, shall be approved prior to implementation by the appropriate responsible member of management as specified in Specification 6.5.0.

6.11 (A) High Radiation Area

1. In lieu of the "control device" or "alarm signal" required by paragraph 20.203(c) (2) of 10 CFR 20, each High Radiation Area (i.e., ≥ 100 mrem/hr) in which the intensity of radiation is 1000 mrem/hr or less shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP).^{*} Any individual or group of individuals permitted to enter such areas shall be provided with or accompanied by one or more of the following:
 - a. A radiation monitoring device which continuously indicates the radiation dose rate in the area.
 - b. A radiation monitoring device which continuously integrates the radiation dose rate in the area and alarms when a preset integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rate level in the area has been established and personnel have been made knowledgeable of them.
 - c. An individual qualified in radiation protection procedures who is equipped with a radiation dose rate monitoring device. This individual shall be responsible for providing positive control over the activities within the area and shall perform periodic radiation surveillance at the frequency specified by the facility health physicist in the Radiation Work Permit.
2. The requirements of 6.11.A.1 above, shall also apply to each high radiation area in which the intensity of radiation is greater than 1000 mrem/hr. In addition, locked doors shall be provided to prevent unauthorized entry into such areas and the keys shall be maintained under the administrative control of the Shift Manager on duty and/or the Radiological and Environmental Services Manager.

^{*}Radiation Protection personnel shall be exempt from the RWP issuance requirement during the performance of their assigned radiation protection duties, provided they comply with approved radiation protection procedures for entry into high radiation areas.

6.12 INDUSTRIAL SECURITY PROGRAM

An industrial security program shall be maintained throughout the life of the plant in accordance with the provisions of the Plant Security Plan.

6.13 EMERGENCY PLAN

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6.14 FIRE PROTECTION PROGRAM

- A. An independent fire protection and loss prevention inspection and audit shall be performed annually utilizing either qualified licensee personnel or an outside fire protection firm.
- B. An inspection and audit by an outside qualified fire consultant shall be performed at intervals no greater than 3 years.