



William J. Cahill, Jr.  
Chief Nuclear Officer

December 8, 1995  
JPN-95-052

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Mail Station P1-137  
Washington, D.C. 20555

Subject: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
**Withdrawal of Commitments Regarding Modification  
and Testing of the Average Power Range Monitor  
(APRM) Downscale Scram Function**

- References:
1. NRC letter, C. E. Carpenter, Jr. to W. J. Cahill, Jr., dated September 11, 1995, regarding "Issuance of Amendment for James A. FitzPatrick Nuclear Power Plant (TAC NO. M90657)"
  2. NYPA letter, W. J. Cahill, Jr. to NRC, dated October 3, 1994 (JPN-94-050), regarding "Proposed Changes to the Technical Specifications Regarding Instrument Surveillance Test Intervals, Allowable Out-of-Service Times, and Other Changes (JPTS-90-010)"

Dear Sir:

The purpose of this letter is to withdraw commitments regarding testing and modification of the APRM downscale scram function at the James A. FitzPatrick Nuclear Power Plant. The Authority does not intend to modify or continue testing of this scram function. The scram function was removed from the James A. FitzPatrick Technical Specifications by issuance of Amendment 227 (Reference 1). The bases for removal of this function from the Technical Specifications were that it is not relied upon to mitigate any accident or transient, is not included in Standard Technical Specifications, and compliance with existing Technical Specifications could result in plant operation in a half-scram condition.

In the Authority's application for Amendment 227 (Reference 2, Attachment II, page 30), the following commitments were made regarding the APRM downscale scram function: (1) a modification will be implemented during the next refueling outage to remove the scram function, and (2) surveillance requirements specified prior to the issuance of Amendment 227 will remain in effect until the modification is complete.

140067

9512140154 951208  
PDR ADDCK 05000333  
P PDR

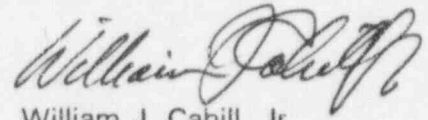
ADD 1/0

Elimination of the APRM downscale scram function from the Technical Specifications does not require the physical removal of the function from the Reactor Protection System (RPS). The physical existence of this scram function does not introduce any failure mechanism which could prevent the RPS from performing its intended function and thus does not have an adverse affect on safety. Testing of this scram function is not required to assure the operability of the RPS and continued surveillance would increase the potential for test-related reactor scrams. Furthermore, withdrawal of these commitments does not affect the NRC Safety Evaluation for Amendment 227.

Accordingly, the Authority is withdrawing the commitments for modification and testing of the APRM downscale scram function. The Authority will evaluate any future modification to remove this scram function from the Reactor Protection System under the provisions of 10 CFR 50.59. Surveillance testing of this scram function will be discontinued following implementation of Technical Specification Amendment 227. Withdrawal of these commitments has been discussed with the NRC Project Manager and Resident Inspector.

If you have any questions, please contact Ms. C. D. Faison.

Very Truly Yours,



William J. Cahill, Jr.  
Chief Nuclear Officer

cc: Regional Administrator  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA. 19406

Office of the Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 136  
Lycoming, New York 13093

Mr. C.E. Carpenter  
Project Directorate 1-1  
Division of Reactor Projects 1/11  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555