



William J. Cahill, Jr.  
Chief Nuclear Officer

April 24, 1996  
JPN-96-016

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  
Revision to Proposed Changes to the Technical Specifications to Incorporate  
Option B to 10CFR50, Appendix J (JPTS-96-003)**

- Reference:
1. NYPA letter, W.J. Cahill, Jr. to NRC (JPN-96-011), "Proposed Changes to the Technical Specifications to Incorporate Option B to 10CFR50, Appendix J (JPTS-96-003)," dated March 27, 1996.
  2. Regulatory Guide 1.163, "Performance-Based Containment Leak-Test Program," dated September 1995.
  3. NYPA letter, W.J. Cahill, Jr. to NRC (JPN-96-002), "10CFR50 Appendix J Exemption Request Local Leak Rate Testing of Containment Isolation Valves in the Reverse Direction," dated January 12, 1996.

Dear Sir:

The New York Power Authority is revising a FitzPatrick Technical Specification (TS) amendment application (Reference 1) to include an exception to the guidelines of Regulatory Guide 1.163 (Reference 2) for Type C testing of primary containment isolation valves in the reverse (non-accident) direction. The revised Safety Evaluation provides justification and supporting analysis for this exception as required by Option B of 10CFR50 Appendix J, Section V.B.3. The conclusions and the significant hazards consideration are not altered by these changes.

The proposed TS changes support adoption of the primary containment leakage rate testing requirements of Option B to 10 CFR 50, Appendix J at the FitzPatrick plant, and clarify the numerical value of the allowable containment leakage rate ( $L_a$ ) as 1.5 percent per day. Implementation of Option B to 10 CFR 50, Appendix J will be controlled under

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the Primary Containment Leakage Rate Testing Program. Under this program, primary containment leakage rate testing will be performed in accordance with the requirements of Option B to 10 CFR 50, Appendix J, Regulatory Guide 1.163 (Reference 2) with approved exceptions, and exemptions currently approved by the NRC for the FitzPatrick Plant.

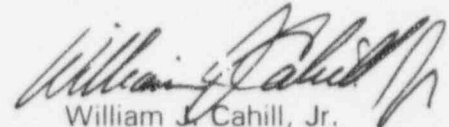
The Authority requests NRC approval of this proposed amendment prior to July 1, 1996 in order to adopt these changes prior to the upcoming refueling outage currently scheduled for Fall 1996. Based on this proposed change, the Authority withdraws the exemption request transmitted to the NRC as JPN-96-002 (Reference 3).

The signed original of the Application for Amendment to Operating License is enclosed for filing. Attachments I and III to this application contain the proposed TS changes and a markup of the current TS pages, respectively. Attachment II contains the revised Safety Evaluation. These attachments supersede and replace those submitted with Reference 1. No changes are made to Attachment IV which contains the plan for implementing the new leakage rate testing requirements as required by Option B of 10 CFR 50 Appendix J Section V.B.2. Attachment V summarizes the commitments made in this submittal.

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

If you have any questions, please contact Mr. A. Zaremba.

Very Truly Yours,



William J. Cahill, Jr.  
Chief Nuclear Officer

att: as stated

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