



**New York Power  
Authority**

October 3, 1988  
JPN-88-053

John C. Brons  
Executive Vice President  
Nuclear Generation

U. S. Nuclear Regulatory Commission  
Mail Station Pl-137  
Washington, D.C. 20555

Attn: Document Control Desk

Subject: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Response to Generic Safety Evaluation Report on  
Resolution of Unresolved Safety Issue (USI) A-46  
Generic Letter (GL) 87-02

Reference: 1. NRC Letter, L. C. Shao to N. P. Smith (Seismic  
Qualification Utility Group), dated July 29,  
1988.

Dear Sir:

In Reference 1, the NRC issued a Safety Evaluation Report (SER) for Revision 0 of the Generic Implementation Procedure (GIP) developed by the Seismic Qualification Utility Group (SQUG). The NRC also requested that SQUG members provide a schedule for implementation of the seismic verification program at their plants within 60 days of receipt of the SER. The purpose of this letter is to provide the Authority's response to that request for the FitzPatrick plant.

According to the generic schedule submitted by SQUG in its October 9, 1987 letter, the GIP was to be completed by the end of 1988, followed by NRC review in the first quarter of 1989. This objective is no longer achievable. Based on the current schedule, the GIP will be completed in the first quarter of 1989 contingent upon: (1) satisfactory and timely resolution of all outstanding issues, (2) accomplishment of all interim milestones as set forth in the schedule and (3) continued agreement between SQUG and the NRC on major technical and licensing issues.

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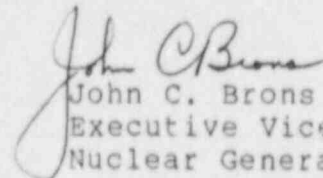
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The Authority endorses Revision subject to satisfactory resolution of all outstanding items. However, the Authority requests that the NRC issue a plant-specific SER upon completion of GL 87-02 implementation and allow use of SQUG methodology for replacement equipment outside the scope of A-46. The Authority will spend a significant amount of funds and manpower resources to complete this verification program, and considers a plant-specific SER mandatory for close-out of this issue. Upon completion of the final revision of the GIP, the Authority will conduct a full review, and may take exceptions to certain items of the GIP. The Authority also reserves the right to pursue all available appeal options under 10 CFR 50.109, particularly if early walkdowns at similar plants demonstrate that the benefits, associated with all or parts of the generic resolution of USI A-46, have been substantially overestimated, or costs substantially underestimated.

As the SER acknowledged, the GIP is not yet complete. Several technical areas have not been fully included in the GIP. Moreover, the SER does not resolve certain licensing issues raised in Part 1 of the GIP which are important for its completion. Until the GIP is completed and all licensing issues resolved, the Authority cannot definitively establish the scope of its A-46 commitment. Given the magnitude of the effort required to achieve resolution of USI A-46 and other related issues, final implementation must be integrated into outage schedules. Assuming no significant changes in the scope of work currently envisioned for resolution of this issue, the FitzPatrick plant walkdown can be completed by the end of the second refueling outage after the final SER is issued and open items are resolved. If the GIP is completed during the first quarter of 1989, and a final SER is issued in the second quarter of 1989, with no open items or significant change in workscope, this walkdown will commence during Reload 10/Cycle 11 outage, scheduled to begin in October 1991. Identification of safe shutdown equipment and other tasks necessary to prepare for the walkdown, will be completed prior to this outage. If the schedule for completion of GIP and the NRC review slips further, the walkdown and other activities may have to be delayed. The Authority will conduct only one walkdown, and may revise the schedule, as required, to combine walkdowns for other related issues such as seismic margins or other regulatory requirements.

If you have any questions regarding this matter, please contact Mr. J. A. Gray, Jr. of my staff.

Very truly yours,

  
John C. Brons  
Executive Vice President  
Nuclear Generation

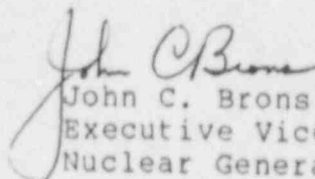
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