



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 3, 1998

Mr. James Knubel  
Chief Nuclear Officer  
Power Authority of the State of  
New York  
123 Main Street  
White Plains, NY 10601

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - AUTHORIZATION OF  
ALTERNATIVE REACTOR VESSEL WELD EXAMINATIONS (TAC NO. MA1954)

Dear Mr. Knubel:

On May 28, 1998, as supplemented September 10, 1998, and revised on September 29, 1998, the Power Authority of the State of New York (also known as the New York Power Authority or NYPA) proposed an alternative to reactor pressure vessel (RPV) shell weld examination requirements of both the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI, 1989 Edition, and the augmented examination requirements of 10 CFR 50.55a(g)(6)(ii)(A)(2), for the James A. FitzPatrick Nuclear Power Plant. Licensees are required by 10 CFR 50.55a(g)(6)(ii)(A) to perform an expanded RPV shell weld examination as specified in the 1989 Edition of Section XI of the ASME Code on an "expedited" basis. The alternative was proposed pursuant to the provisions of 10 CFR 50.55a(a)(3)(i) and 10 CFR 50.55a(g)(ii)(A)(5).

Pursuant to the requirements of 10 CFR 50.55a(g)(4), ASME Code Class 1, 2 and 3 components must meet the requirements, except the design and access provisions and the preservice examination requirements, set forth in the ASME Code, Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components," to the extent practical within the limitations of design, geometry and materials of construction of the components. This regulation requires that inservice examination of components and system pressure tests conducted during the first 10-year interval and subsequent intervals comply with the requirements in the latest edition and addenda of the ASME Code, Section XI, incorporated by reference in 10 CFR 50.55a(b) on the date twelve months prior to the start of the 120-month interval, subject to the limitations and modifications listed therein.

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NYPA has proposed to defer the examination of the FitzPatrick reactor pressure vessel welds specified by 10 CFR 50.55a(g)(6)(ii)(A)(2) for one operating cycle. NYPA states that this deferral will permit development of methods that will substantially improve its capability to inspect these welds, particularly the vertical welds in the vessel beltline region. NYPA plans to submit information to the NRC by December 31, 1999, describing the improvements in inspection capability which will be applied during the Cycle 15 refueling outage currently scheduled for the fourth quarter of 2000.

In Information Notice 97-63, Supplement 1, "Status of NRC Staff's Review of BWRVIP-05," the NRC staff indicated that it would consider technically justified alternatives to the augmented examination in accordance with 10 CFR 50.55a(a)(3)(i), 10 CFR 50.55a(a)(3)(ii), and 10 CFR 50.55a(g)(6)(ii)(A)(5), for BWR licensees scheduled to perform inspections of the BWR RPV circumferential welds during the fall 1998 or spring 1999 outage seasons. Acceptably justified alternatives would be considered for inspection delays of up to 40-months or 2 operating

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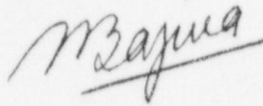
cycles (whichever is longer) for BWR RPV circumferential shell welds only. In the enclosed safety evaluation, the staff concludes that postponing inspections of the FitzPatrick RPV circumferential welds for one operating cycle is acceptable.

The enclosed evaluation also discusses NRC staff approval of the deferral of the inspection of the RPV vertical shell welds on the basis that the staff has determined that the reference temperature for nil ductile transition,  $RT_{NDT}$ , would only increase by less than 5 °F. Since this is a very small increase, the RPV vertical shell welds will have adequate margin to brittle fracture during the additional operating cycle.

Therefore, the proposed postponement of beginning the augmented examination requirements of 10 CFR 50.55a(g)(6)(ii)(A)(2) at FitzPatrick for circumferential and vertical shell welds for a single operating cycle is authorized pursuant to 10 CFR 50.55a(a)(3)(i), because the alternative to the ASME Code requirements provides an acceptable level of quality and safety.

If you have any questions regarding this matter, please contact Joe Williams at (301) 415-1470.

Sincerely,



S. Singh Bajwa, Director  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosure: Safety Evaluation

cc w/encl: See next page

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ORIGINAL SIGNED BY:

S. Singh Bajwa, Director  
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Docket No. 50-333

Enclosure: Safety Evaluation

cc w/encl: See next page

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