



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 138 TO FACILITY OPERATING LICENSE NO. DPR-59  
POWER AUTHORITY OF THE STATE OF NEW YORK  
JAMES A. FITZPATRICK NUCLEAR POWER PLANT  
DOCKET NO. 50-333

1.0 INTRODUCTION

By letter dated April 24, 1989 the New York Power Authority (the licensee) requested an amendment to the Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. The requested amendment would change the technical specifications contained in Appendix A of this license to delete a requirement to perturb the reactor vessel water level and monitor the corresponding level indicator responses as part of the monthly functional test for the reactor water level scram instrumentation.

2.0 DESCRIPTION OF THE PROPOSED CHANGES

The proposed changes to the James A. FitzPatrick technical specifications revise Technical Specification 4.1, Table 4.1-1 on pages 44 and 45a. The changes delete the requirement to perturb the reactor vessel water level following the monthly functional test of reactor water level scram instruments. Textual changes are as follows:

Page 44; Table 4.1-1

Delete "(5)" following "Reactor Low Level."

Page 45a; Table 4.1-1

Delete text associated with Note 5 and replace with "Deleted."

3.0 DISCUSSION/EVALUATION

During a monthly functional test, the water level instrumentation is taken out of service and put back in service after its completion. Presently, the requirement is to perturb the water level instrumentation and monitor the level indicator responses after the test is completed. This is to verify that the level instrumentation valves are properly positioned and also to verify the operability of the reactor water level sensors following the test. The staff has evaluated the licensee's request of deleting the subject requirement and has found no similar requirement in the current BWR Standard Technical Specifications. In addition, the level instruments under test are compared with numerous other water level instruments to verify proper operation when

they are returned to service. The operability of the level sensors and trip channels are also adequately verified by other surveillance requirements, such as the instrument channel check in which the level sensors are being cross checked with each other on a daily basis. This daily instrument channel check is consistent with the RPS design basis, the Standard Technical Specifications, and the vendor's recommendations.

To further support this request for the subject technical specification change, the licensee also stated, and we agree, that by deleting the requirement the probability of an accidental plant transient is decreased. Implementation of the proposed change does not involve modification of any existing equipment, system or component.

#### 4.0 CONCLUSION

Based on our review of the licensee's submittal, the staff concludes that this technical specification change will have no significant impact upon the safe operation of the plant and is, therefore, acceptable.

#### ENVIRONMENTAL CONSIDERATION

This amendment involves a change in a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR Sec 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

#### CONCLUSION

We have concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: September 25, 1989

#### PRINCIPAL CONTRIBUTORS:

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