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Harry P. Salmon, Jr.
Vice President Engineering

November 24, 1999
JPN-99-040

United States Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Station P1-137
Washington, DC 20555

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT
Docket No. 50-333
Proposed Change to the Technical Specifications to Eliminate Main Steam Isolation Valve Twice Per Week Exercise Surveillance Testing Requirement (JPTS-99-007)

Dear Sir:

This application for an amendment to the James A. FitzPatrick Technical Specifications (TS) proposes a change to the Surveillance Requirements (SR) for the Main Steam Isolation Valves (MSIVs). Currently, TS SR 4.7.D.1.e requires the MSIVs to be partially stroked twice per week. Twice per week exercising of the MSIVs is not required to demonstrate operability. The exercising of the MSIVs was originally specified in order to detect binding of the pilot valve. The type of pilot valve that was susceptible to binding was replaced and there is no longer need for frequent exercising of the MSIVs and their pilot valve. The MSIVs will continue to be full stroke tested with a frequency that is in accordance with the In-Service Testing Program (IST) per TS SR 4.7.D.1.d, which is consistent with BWR Standard Technical Specifications and the ASME Boiler and Pressure Vessel Code. The full closure test of the MSIVs adequately demonstrates that the MSIVs and their pilot valves are not binding and that the MSIVs will perform their safety function.

A similar TS change request has been approved by the NRC for the Duane Arnold Energy Center and Quad Cities Station Units 1 and 2.


The signed original of the application for amendment to the Operating License is enclosed for filing. Attachment I contains the proposed new TS pages. Attachment II contains the Safety Evaluation and No Hazards Consideration. Attachment III contains a markup of the affected TS pages. The James A. FitzPatrick's Plant Operations Review Committee and Safety Review Committee have reviewed this application. A copy of this application and associated attachments is being forwarded to the designated New York State official in accordance with 10 CFR 50.91.

ADD1

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There are no commitments made by the Authority in this letter. If you have any questions, please contact Mr. George Tasick at (315) 349-6572.

Very truly yours,


Harry F. Salmon, Jr.
Vice President Engineering

att: as stated

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

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BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)
NEW YORK POWER AUTHORITY) Docket No. 50-333
James A. FitzPatrick Nuclear Power Plant)

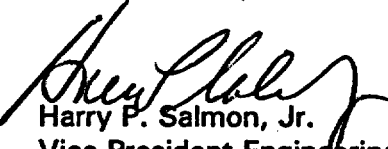
APPLICATION FOR AMENDMENT TO OPERATING LICENSE

The New York Power Authority requests an amendment to the Technical Specifications (TS) contained in Appendix A to Facility Operating License DPR-59 for the James A. FitzPatrick Nuclear Power Plant. This application is filed in accordance with Section 10 CFR 50.90 of the Nuclear Regulatory Commission's regulations.

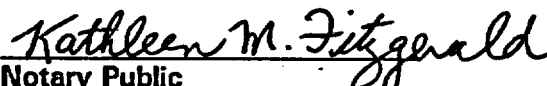
This application for an amendment to the James A. FitzPatrick Technical Specifications (TS) proposes a change to the Surveillance Requirements (SR) for the Main Steam Isolation Valves (MSIVs). Currently, TS SR 4.7.D.1.e requires the MSIVs to be partially stroked twice per week. Twice per week exercising of the MSIVs is not required to demonstrate operability. The exercising of the MSIVs was originally specified in order to detect binding of the pilot valve. The type of pilot valve that was susceptible to binding was replaced and there is no longer need for frequent exercising of the MSIVs and their pilot valve. The MSIVs will continue to be full stroke tested at a frequency in accordance with the In-Service Testing Program (IST) per TS SR 4.7.D.1.d, which is consistent with BWR Standard Technical Specifications and the ASME Boiler and Pressure Vessel Code. The full closure test of the MSIVs adequately demonstrates that the MSIVs and their pilot valves are not binding and that the MSIVs will perform their safety function.

The signed original of the Application for Amendment to the Operating License is enclosed for filing. Attachment I contains the proposed new TS pages and Attachment II is the Safety Evaluation for the proposed changes. A markup of the affected TS pages is included as Attachment III.

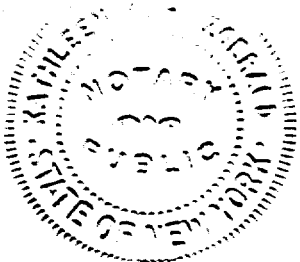
New York Power Authority


Harry P. Salmon, Jr.
Vice President Engineering

STATE OF NEW YORK
COUNTY OF WESTCHESTER
Subscribed and sworn to before me
this 24 day of Nov. 1999.


Kathleen M. Fitzgerald
Notary Public

KATHLEEN M. FITZGERALD
Notary Public, State of New York
No. 4990017
Qualified in Westchester County
Commission Expires Dec. 23, 1999



Attachment I to JPN-99-040

REVISED TECHNICAL SPECIFICATION PAGES

**Proposed Change to the TSs to Remove Main Steam
Isolation Valve Bi-Weekly Surveillance Testing Requirement**

(JPTS-99-007)

**New York Power Authority
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
Docket No. 50-333
DPR-59**

JAFNPP

3.7 (cont'd)

2. With one or more of the containment isolation valves inoperable, maintain at least one isolation valve operable in each affected penetration that is open and:
 - a. Restore the inoperable valve(s) to operable status within 4 hours; or
 - b. Isolate each affected penetration within 4 hours by use of at least one deactivated automatic valve secured in the closed position. Isolation valves closed to satisfy these requirements may be reopened on an intermittent basis under administrative control; or
 - c. Isolate each affected penetration within 4 hours by use of at least one closed manual valve or a blind flange.
3. If Specifications 3.7.D.1 or 3.7.D.2 cannot be met the reactor shall be in the cold condition within 24 hrs.

4.7 (cont'd)

<u>Item</u>	<u>Frequency</u>
d. Fast close each main steam isolation valve, and verify closure time.	In accordance with the Inservice Testing Program
2. Whenever a containment isolation valve is inoperable, the position of at least one other valve in each line having an inoperable valve shall be recorded daily.	

4.7 BASES (cont'd)

The primary containment is penetrated by several small diameter instrument lines connected to the reactor coolant system. Each instrument line contains a 0.25 in. restricting orifice inside the primary containment and an excess flow check valve outside the primary containment.

A list of containment isolation valves, including a brief description of each valve is included in Section 7.3 of the updated FSAR.

Attachment II to JPN-99-040

SAFETY EVALUATION

**Proposed Change to the TSs to Remove Main Steam
Isolation Valve Bi-Weekly Surveillance Testing Requirement**

(JPTS-99-007)

**New York Power Authority
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
Docket No. 50-333
DPR-59**

I. PURPOSE OF THE PROPOSED CHANGES

The James A. FitzPatrick Technical Specification (TS) Surveillance Requirement (SR) 4.7.D 1.e currently requires that Main Steam Isolation Valves (MSIVs) be exercised by partial closure and subsequent reopening at a frequency of twice per week. The proposed change is to delete this Surveillance Requirement. This proposal is consistent with guidance provided by the NRC in NUREG-0737, item II.K.3.16, reducing challenges to relief valves due to MSIV testing, ASME boiler and Pressure Vessel Code, BWR Standard Technical Specifications, and previously approved amendments for the Duane Arnold Energy Center (July 12, 1991) and Quad Cities Nuclear Power Station (February 20, 1987).

Also, a change is requested to TS SR 4.7.D.1.d to eliminate the wording "With the reactor at a reduced power level," and ", one at a time,". This will change the wording of this SR to be consistent with NUREG-1433, Rev. 1, "Standard Technical Specifications - General Electric Plants, BWR/4," dated April 1995.

II. DESCRIPTION OF THE PROPOSED CHANGES

This application for amendment to the James A. FitzPatrick Nuclear Power Plant TS deletes the SR 4.7.D.1.e, which requires the MSIVs to be exercised by partial closure and subsequent reopening twice per week.

The specific changes to the TS are:

Page 186, Surveillance Requirement 4.7.D, "Primary Containment Isolation Valves," item 1.d

Delete:

"With the reactor at a reduced power level,"

and,

", one at a time,"

Page 186, Surveillance Requirement 4.7.D, "Primary Containment Isolation Valves," item 1.e

Delete:

"Main steam isolation valves shall be exercised by partial closure and subsequent reopening. Twice per Week."

Page 197, Bases 4.7.D, "Primary Containment Isolation Valves"

Delete:

"The main steam isolation valves are functionally tested on a more frequent interval to establish a high degree of reliability."

III. SAFETY IMPLICATIONS OF THE PROPOSED CHANGES

The James A. FitzPatrick TS SR requires the MSIVs to be exercised twice per week by partial closure and re-opening. When partial closure of the MSIV is performed, a test solenoid is manually energized. Energizing this solenoid causes a three way test pilot valve to change position, allowing a slow exhaust of the pneumatic pressure which maintains the MSIV open. The compressed springs in the MSIV exert a force on the stem which closes the MSIV. When movement of the MSIV is indicated (i.e., change in full open position indication in the control room) the test solenoid is then de-energized by releasing the test push button, allowing the effected MSIV to return to the full open position.

Deletion of the requirement for weekly exercising of the MSIVs will decrease the probability of inadvertent scrams and transients and challenges to relief valves and, therefore, increase safety. The NRC has suggested in NUREG-0737, item II,K,3,16, that challenges to relief valves can be reduced by reducing the testing frequency of MSIVs. Elimination of the requirement to exercise the MSIVs twice per week is consistent with the guidance provided by the NRC in NUREG-0737, item II,K,3,16.

A review of the BWR Standard Technical Specifications, NUREG-1433, Revision 1, and the ASME Boiler and Pressure Vessel Code determined that neither of these documents require twice per week exercising of MSIVs. The purpose of the twice per week exercise of the MSIVs is to ensure that the MSIVs and their pilots are not binding. However, this is adequately demonstrated per TS SR 4.7.D.1.d, MSIV fast closure test in accordance with the In-Service Testing Program.

IV. EVALUATION OF SIGNIFICANT HAZARDS CONSIDERATION

The Commission has provided standards (10 CFR Section 50.92(c)) for determining whether a significant hazards consideration exists. A proposed amendment to an operating license for a facility involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

After reviewing this proposed change, we have concluded:

1. The proposed change will not significant increase the probability or consequences of any previously evaluated accidents.

This proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated. This proposed change deletes the requirement to exercise the MSIVs twice per week. The twice per week exercise involves partial closure of each individual MSIV and subsequent reopening to the full open position.

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SAFETY EVALUATION
Page 3 of 5

The safety function of the MSIV is to isolate the main steam line in case of a steam line break, Control Rod Drop Accident or Loss of Coolant Accident in order to limit the loss of reactor coolant and/or the release of radioactive materials. The MSIVs perform a safety function which mitigates the consequences of accidents: however, an event can be initiated by the inadvertent closure of MSIVs. Therefore, eliminating excessive operation of the MSIVs reduces the probability of an inadvertent closure. Also, the surveillance which is being deleted does not test the safety function of the MSIVs. The safety function is tested during the full stroke fast closure test.

Since deleting the twice per week exercise of the valves is not considered to have any effect on the reliability of the MSIVs to perform their safety function, there is no increase in the consequences of any postulated accidents. Therefore, deleting the requirement for twice per week exercising of the MSIVs does not significantly increase the probability or consequences of any previously evaluated accidents.

2. The proposed change will not create the possibility of a new or different kind of accident.

The safety function of the MSIV is to isolate the main steam line in case of a steam line break, Control Rod Drop Accident, or Loss of Coolant Accident in order to limit the loss of reactor coolant and/or the release of radioactive materials. The MSIVs perform a safety function which mitigates the consequences of accidents: however, an event can be initiated by the inadvertent closure of MSIVs. The inadvertent closure of the MSIVs event has been previously evaluated in Chapter 14 of the James A. FitzPatrick Final Safety Evaluation Report (FSAR). The surveillance which is being deleted does not test the safety function of the MSIVs. The safety function is tested during the full stroke fast closure test. Since the MSIVs perform a mitigating safety function, and the MSIV full stroke fast closure test adequately tests the safety function, elimination of the twice per week exercise will not create any new or different kind of accident.

3. The proposed change will not involve a significant reduction in a margin of safety.

The safety function of the MSIV is not tested during the twice per week exercise. The ability of the MSIVs to perform their safety function is tested during the MSIV full stroke fast closure test in accordance with the IST Program. Therefore, deletion of the requirement does not reduce the margin of safety. The exercising of the MSIVs was originally specified in order to detect binding of the pilot valve. The type of pilot valve that was susceptible to binding were replaced and there is no longer any need for frequent exercising of the MSIVs. The full closure test of the MSIVs in accordance with the IST Program adequately demonstrates that the MSIVs and their pilot valves are not binding and that the MSIVs will perform their safety function. Additionally, reducing the frequency of MSIV operation reduces the probability of inadvertent scrams and transients, and challenges to relief valves, providing a net addition to the margin of safety. The full stroke fast closure test is considered to be sufficient. It is the only test required by the

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SAFETY EVALUATION
Page 4 of 5

ASME Boiler and Pressure Vessel Code and the BWR Standard Technical Specifications. Therefore, eliminating the twice per week exercise of the MSIVs does not significantly reduce any margin of safety.

The proposed change will not increase the probability or consequences of any previously analyzed accident, introduce any new or different kind of accident previously evaluated, or reduce existing margin to safety. Therefore, the proposed license amendment will not involve a significant hazards consideration.

V. IMPLEMENTATION OF THE PROPOSED CHANGES

This amendment request meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) as follows:

- (i) the amendment involves no significant hazards determination.

As described in Section IV of this evaluation, the proposed change involves no significant hazards consideration.

- (ii) there are no significant change in the types or significant increase in amounts of any effluent that may be released offsite.

The proposed amendment does not involve any physical alterations to the plant configuration. The proposed change does not effect the safety function of the MSIVs. Nor does the amendment affect the operation of the MSIVs in a way that could change the types or significantly increase the amounts of any effluent that may be released offsite.

- (iii) there is no significant increase in individual or cumulative occupational radiation exposure.

The MSIVs mitigate the consequences of an accident. The proposed amendment does not involve any physical alterations to the plant configuration. The proposed change does not effect the safety function of the MSIVs. The deletion of the twice per week exercise of the MSIVs will not increase individual or cumulative occupational radiation exposure.

Based on the above, the Authority concludes that the proposed change meet the criteria specified in 10 CFR 51.22 for categorical exclusion from the requirements of 10 CFR 51.21 relative to requiring an environmental assessment by the Commission.

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SAFETY EVALUATION
Page 5 of 5

VI. CONCLUSION

The deletion of the surveillance requirement to exercise the MSIVs will eliminate unnecessary cycling of the MSIVs and reduce the probability of a scram and transient and possible challenge to the Safety Relief Valves. The safety function of the MSIVs is adequately demonstrated during the full stroke fast closure test in accordance with the IST Program. The proposed amendment involves no significant hazards considerations as defined in 10 CFR 50.92. Therefore, operation of the FitzPatrick plant in accordance with the proposed change will not endanger the health and safety of the public.

The Plant Operating Review Committee (PORC) and Safety Review Committee (SRC) have reviewed this proposed change to the TS and agree with this conclusion.

VII. REFERENCES

1. NRC Letter, Clyde Y. Shiraki, to Mr. Lee Liu, Iowa Electric Light and Power Company, "Amendment No. 171 to Facility Operating License No. DPR-49," dated July 12, 1991.
2. NRC Letter, Rajender Auluck, to Mr. Dennis L. Farrer, Commonwealth Edison Company, "Containment Pressure Setpoints and MSIV Surveillance," dated February 20, 1987.
3. NUREG-1433, Rev. 1, "Standard Technical Specifications - General Electric Plants, BWR/4," dated April 1995.

Attachment III to JPN-99-040

MARKED-UP TECHNICAL SPECIFICATION PAGES

**Proposed Change to the TSs to Remove Main Steam
Isolation Valve Bi-Weekly Surveillance Testing Requirement**

(JPTS-99-007)

New York Power Authority

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

Docket No. 50-333

DPR-59

JAFNPP

3.7 (cont'd)

2. With one or more of the containment isolation valves inoperable, maintain at least one isolation valve operable in each affected penetration that is open and:
 - a. Restore the inoperable valve(s) to operable status within 4 hours; or
 - b. Isolate each affected penetration within 4 hours by use of at least one deactivated automatic valve secured in the closed position. Isolation valves closed to satisfy these requirements may be reopened on an intermittent basis under administrative control; or
 - c. Isolate each affected penetration within 4 hours by use of at least one closed manual valve or a blind flange.
3. If Specifications 3.7.D.1 or 3.7.D.2 cannot be met the reactor shall be in the cold condition within 24 hrs.

4.7 (cont'd)

Item	Frequency
d. With the reactor at a reduced power level, fast close each main steam isolation valve, one at a time, and verify closure time.	In accordance with the Inservice Testing Program
e. Main steam isolation valves shall be exercised by partial closure and subsequent reopening.	Twice per Week

2. Whenever a containment isolation valve is inoperable, the position of at least one other valve in each line having an inoperable valve shall be recorded daily.

4.7 BASES (cont'd)

~~The main steam line isolation valves are functionally tested on a more frequent interval to establish a high degree of reliability.~~

The primary containment is penetrated by several small diameter instrument lines connected to the reactor coolant system. Each instrument line contains a 0.25 in. restricting orifice inside the primary containment and an excess flow check valve outside the primary containment.

A list of containment isolation valves, including a brief description of each valve is included in Section 7.3 of the updated FSAR.