UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 198 TO FACILITY OPERATING LICENSE NO. DPR-64

POWER AUTHORITY OF THE STATE OF NEW YORK

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

DOCKET NO. 50-286

1.0 INTRODUCTION

By letter dated April 6, 1999, the Power Authority of the State of New York (the licensee) requested an amendment to the Technical Specifications (TSs) for the Indian Point Nuclear Generating Unit No. 3 (IP3). The amendment would revise Sections 3.7.A.5 and TS 3.7.F.4 to remove the words "three individual underground" and "underground" from these limiting conditions for operation (LCO) when addressing the emergency diesel generator (EDG) fuel oil storage tanks (FOSTs). In addition, the licensee has proposed to revise the associated TS Bases for LCO Specification 3.7. Also, the licensee proposed an editorial change consisting of a consolidation of LCO Specification 3.7.A.5 in its entirety to Page 3.7-1.

IP3 TS 3.7.A.5 requires that the FOSTs for the EDGs are to be "...three individual underground..." storage tanks. TS 3.7.F.4 includes the description of "underground" about the EDG FOSTs. These descriptions address the design features that reflect the fact that after installation these storage tanks are covered with backfill to provide tornado protection. As such, these FOSTs can withstand design tornado winds and tornado driven missiles. There is one FOST associated with each EDG. These descriptors are consistent with the Standard Technical Specifications (STS) Bases for LCO Specification 3.8.3 that identifies design features by stating that "all outside tanks, pumps, and piping are underground" and that "each diesel generator is provided with a storage tank." However, neither the LCO nor the Surveillance Requirements (SR) of the STS specifically mention "underground" or "individual" in reference to the FOSTs.

2.0 SAFETY EVALUATION

The proposed change removes the reference to "underground" from TS 3.7.A.5 when referring to the FOSTs since these qualifications could restrict future modifications to the EDG fuel oil system. In addition, the licensee proposed to reword TS 3.7.A.5 to state that there is to be a dedicated onsite supply of at least 6671 gallons for each of the three diesel generators. The licensee also proposed to remove the word "underground" from the description in TS 3.7.F.4. The licensee states that the current licensing basis would continue to indicate the required design features that the installed EDG FOSTs must meet. The licensee is requesting this revision as a line item TS improvement to provide operational flexibility and cost benefit to accommodate potential future repair of an EDG FOST. The proposed change will allow the licensee to evaluate potential changes using the 10 CFR 50.59 change process should a need

arise concerning designing and installing temporary FOSTs to do maintenance on the present underground EDG FOSTs.

Standard Review Plan (SRP), NUREG-0800, Section 9.5.4, "Emergency Diesel Engine Fuel Oil Storage and Transfer System" does not specifically require EDG FOSTs to be underground. The STS states that the EDGs are designed to provide sufficient capacity, capability, redundancy, and reliability to ensure the availability of necessary power to engineered safeguards features systems so that fuel, reactor coolant system, and containment design limits are not exceeded. Since, the diesel fuel oil storage system, which includes the FOSTs, is required to support the operation of the EDGs, this system is seismic Class 1 and is protected from tornado missile and wind loads. Additionally, ANSI N195-1976, "American National Standard Fuel Oil Systems for Standby Diesel generators," which is referenced in the above SRP, says that in physical arrangement, fuel oil supply tanks may be located above or below ground. However, for above or below ground arrangement, the FOSTs are to be designed to meet the necessary design requirements. There are no specific requirements that the FOSTs have to be located underground as long as it is protected from tornado missile and wind loads.

Based on the above considerations, the staff finds that the proposed amendment to Sections 3.7.A.5 and 3.7.F.4 is acceptable. The staff also finds that the consolidation of TS 3.7.A.5 has no safety significance and is acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes 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 NRC 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 the amendment involves no significant hazards consideration, and there has been no public comment on such finding (64 FR 29713). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 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 the amendment.

5.0 CONCLUSION

The Commission has 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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Date: December 7, 1999