

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

February 25, 1999

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING
 UNIT NO. 3 (TAC NO. MA2154)

Dear Mr. Knubel:

The Commission has issued the enclosed Amendment No. 188 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3 (IP3). The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated June 16, 1998. The amendment allows you to relocate the requirements of TS 6.5.2.8, "Safety Review Committee (SRC) Reviews," TS 6.5.2.9, "SRC Audits," and TS 6.5.2.11, "SRC Records," from the TSs to Chapter 17 of the IP3 Final Safety Analysis Report (FSAR).

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

Original signed by:

George F. Wunder, Project Manager
 Project Directorate I-1
 Division of Reactor Projects - I/II
 Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosures: 1. Amendment No. 188 to DPR-64
 2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:
 See next page

000100

DF01

DOCUMENT NAME: G:\IP3\AMD02154.WPD

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PM:PD-1	E	LA:PD1-1	D:PD1-1	OGC NLE, with comment
NAME	GWunder/rsl	SLittle	SBajwa	RWeisman	
DATE	02/07/99	02/09/99	02/23/99	02/11/99	

Official Record Copy

9903030105 990225
 PDR ADOCK 05000286
 P PDR

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

February 25, 1999

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING
 UNIT NO. 3 (TAC NO. MA2154)

Dear Mr. Knubel:

The Commission has issued the enclosed Amendment No. 188 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3 (IP3). The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated June 16, 1998. The amendment allows you to relocate the requirements of TS 6.5.2.8, "Safety Review Committee (SRC) Reviews," TS 6.5.2.9, "SRC Audits," and TS 6.5.2.11, "SRC Records," from the TSs to Chapter 17 of the IP3 Final Safety Analysis Report (FSAR).

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

Original signed by:

George F. Wunder, Project Manager
 Project Directorate I-1
 Division of Reactor Projects - I/II
 Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosures: 1. Amendment No. 188 to DPR-64
 2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION:

See next page

DOCUMENT NAME: G:\IP3VAMD02154.WPD

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PM: PDI-1	E	LA: PDI-1	D: PDI-1	OGC <i>WLC, with comment</i>
NAME	<i>GWunder/rsl</i>		<i>SLittle</i>	<i>SBajwa</i>	<i>RWeigman</i>
DATE	<i>02/09/99</i>		<i>02/09/99</i>	<i>02/15/99</i>	<i>02/11/99</i>

Official Record Copy



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

February 25, 1999

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

SUBJECT: ISSUANCE OF AMENDMENT FOR INDIAN POINT NUCLEAR GENERATING
UNIT NO. 3 (TAC NO. MA2154)

Dear Mr. Knubel:

The Commission has issued the enclosed Amendment No. 188 to Facility Operating License No. DPR-64 for the Indian Point Nuclear Generating Unit No. 3 (IP3). The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated June 16, 1998. The amendment allows you to relocate the requirements of TS 6.5.2.8, "Safety Review Committee (SRC) Reviews," TS 6.5.2.9, "SRC Audits," and TS 6.5.2.11, "SRC Records," from the TSs to Chapter 17 of the IP3 Final Safety Analysis Report (FSAR).

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

A handwritten signature in cursive script, appearing to read "George F. Wunder".

George F. Wunder, Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-286

Enclosures: 1. Amendment No. 188 to DPR-64
2. Safety Evaluation

cc w/encs: See next page

DATED: February 25, 1999

AMENDMENT NO. 188 TO FACILITY OPERATING LICENSE NO. DPR-64-INDIAN POINT
UNIT 3

Docket File

PUBLIC

PDI-1 R/F

J. Zwolinski

S. Bajwa

S. Little

G. Wunder

OGC

G. Hill (2), T-5 C3

W. Beckner, 013/H15

J. Peralta

ACRS

R. Blough, Region I

T. Harris (e-mail SE only to TLH3)

cc: Plant Service list

DATED: February 25, 1999

AMENDMENT NO. 188 TO FACILITY OPERATING LICENSE NO. DPR-64-INDIAN POINT
UNIT 3

Docket File

PUBLIC

PDI-1 R/F

J. Zwolinski

S. Bajwa

S. Little

G. Wunder

OGC

G. Hill (2), T-5 C3

W. Beckner, 013/H15

J. Peralta

ACRS

R. Blough, Region I

T. Harris (e-mail SE only to TLH3)

cc: Plant Service list

James Knubel
Power Authority of the State
of New York

Indian Point Nuclear Generating
Unit No. 3

cc:

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

Resident Inspector
Indian Point 3 Nuclear Power Plant
U.S. Nuclear Regulatory Commission
P.O. Box 337
Buchanan, NY 10511

Mr. Gerald C. Goldstein
Assistant General Counsel
Power Authority of the State
of New York
1633 Broadway
New York, NY 10019

Mr. Charles W. Jackson, Manager
Nuclear Safety and Licensing
Consolidated Edison Company
of New York, Inc.
Broadway and Bleakley Avenues
Buchanan, NY 10511

Mr. Eugene W. Zeltmann, President
and Chief Operating Officer
Power Authority of the State
of New York
99 Washington Ave., Suite # 2005
Albany, NY 12210-2820

Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, NY 10511

Mr. Robert J. Barrett
Site Executive Officer
Indian Point 3 Nuclear Power Plant
P.O. Box 215
Buchanan, NY 10511

Mr. Richard L. Patch, Director
Quality Assurance
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Ms. Charlene D. Faison
Director Nuclear Licensing
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Mr. Paul Eddy
New York State Dept. of
Public Service
3 Empire State Plaza, 10th Floor
Albany, NY 12223

Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
Corporate Plaza West
286 Washington Ave. Extension
Albany, NY 12203-6399

Mr. Harry P. Salmon, Jr.
Vice President - Engineering
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271



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

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-286

INDIAN POINT NUCLEAR GENERATING UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 188
License No. DPR-64

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Power Authority of the State of New York (the licensee) dated June 16, 1998, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. This license is amended to approve the relocation of certain Technical Specification requirements to licensee-controlled documents, as described in the licensee's application dated June 16, 1998, and reviewed in the staff's Safety Evaluation dated 1999. The license is also hereby amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-64 is hereby amended to read as follows:

9903030110 990225
PDR ADOCK 05000286
P PDR

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 188 , are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days. Implementation shall consist of the relocation of the TS requirements to the Final Safety Analysis Report.

FOR THE NUCLEAR REGULATORY COMMISSION



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

Attachment:
Changes to the Technical
Specifications

Date of Issuance: February 25, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 188

FACILITY OPERATING LICENSE NO. DPR-64

DOCKET NO. 50-286

Revise Appendix A as follows:

Remove Pages

6-10

6-11

6-12

Insert Pages

6-10

6-11

6-12

QUORUM

6.5.2.7 A quorum shall consist of at least a majority of the appointed individuals (or their alternates) and the Chairman (or the designated alternate). No more than two alternates may participate as SRC voting members at any one time. No more than a minority of the quorum shall have direct line responsibility for the operation of the plant.

REVIEW

6.5.2.8 The SRC shall review facility activities in accordance with the Quality Assurance Program, as described in Chapter 17 of the Indian Point 3 FSAR.

AUDITS

6.5.2.9 Audits of facility activities shall be performed under the cognizance of the SRC and in accordance with the Quality Assurance Program, as described in Chapter 17 of the Indian Point 3 FSAR.

AUTHORITY

- 6.5.2.10 The SRC shall advise the Chief Nuclear Officer on those areas of responsibility specified in Sections 6.5.2.8 and 6.5.2.9.

RECORDS

- 6.5.2.11 Records will be maintained in accordance with ANSI 18.7-1972. The following shall be prepared and distributed as indicated below:
- a. Minutes of each SRC meeting shall be prepared and forwarded to the Chief Nuclear Officer within 30 days after the date of the meeting.
 - b. Reports of reviews encompassed by Section 6.5.2.8 above shall be processed in accordance with the Quality Assurance Program, as described in Chapter 17 of the Indian Point 3 FSAR.
 - c. Audit reports encompassed by Section 6.5.2.9 above, shall be processed in accordance with the Quality Assurance Program, as described in Chapter 17 of the Indian Point 3 FSAR.

6.6 REPORTABLE EVENT ACTION

- 6.6.1 The following actions shall be taken for REPORTABLE EVENTS:
- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 188 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 June 16, 1998, the Power Authority of the State of New York (the licensee) submitted a request for a license amendment to revise the administrative controls section of the Indian Point Nuclear Generating Unit No. 3 (IP3) Technical Specifications (TSs) in accordance with NRC Administrative Letter (AL) 95-06, "Relocation of Technical Specifications Administrative Controls Related to Quality Assurance," dated December 12, 1995. The specific TS revision involves relocating the requirements of TS 6.5.2.8, "Safety Review Committee (SRC) Reviews," TS 6.5.2.9, "SRC Audits," and TS 6.5.2.11, "SRC Records," from TS to Chapter 17, "Quality Assurance Program" (QAP) of the IP3 Final Safety Analysis Report (FSAR). Guidance on the proposed changes was developed by the NRC and provided in NUREG-1431, "Standard Technical Specifications - Westinghouse Plants," Revision 1.

This evaluation addresses (1) the conformance of the proposed administrative controls section of the IP3 TS (Section 6.5) to the format and content specified in NUREG-1431, Revision 1, and to the requirements of 10 CFR 50.36(c)(5), and (2) the proposed relocation of specific quality assurance-related administrative control provisions from the current TS to the IP3 QAP in accordance with 10 CFR 50.36 which, once relocated to the QAP and controlled pursuant to 10 CFR 50.54(a), would constitute the bases for the licensee's continued compliance with the requirements of Appendix B to 10 CFR Part 50.

2.0 BACKGROUND

Section 182.a of the Atomic Energy Act of 1954, as amended (the "Act"), requires applicants for nuclear power plant operating licenses to include TS as part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TS.

With respect to limiting conditions for operations (LCOs), Section 50.36 provides four criteria be used in determining whether particular safety functions are required to be included in the

TS. While the four criteria specifically apply to LCOs, in adopting the revision to the rule the Commission indicated that the intent of these criteria can be used to identify the optimum set of administrative controls in the TSs (60 FR 36957). In referring to administrative controls 10 CFR 50.36 states that they "are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner." The specific content of the administrative controls section of the TS is, therefore, that information which the Commission deems essential for the safe operation of the facility and which is not already adequately covered by other regulations. Accordingly, the staff has determined that requirements that are not specifically required under 10 CFR 50.36(c)(5) and which are not otherwise necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to public health and safety, can be removed from administrative controls. Existing TS requirements, therefore, may be relocated to more appropriate documents (e.g. Security Plan, QA Plan, and Emergency Plan) and controlled by the applicable regulatory requirement. Similarly, while the required content of TS administrative controls is specified in 10 CFR 50.36(c)(5), particular details of administrative controls may be relocated to licensee-controlled documents where 10 CFR 50.54, 10 CFR 50.59, or other regulations provide adequate regulatory control.

3.0 EVALUATION

The licensee proposed that the SRC review, audit and related recordkeeping functions specified in existing TS 6.5.2.8, TS 6.5.2.9, and TS 6.5.2.11 be relocated from the IP3 TS to the QAP description in Chapter 17 of the IP3 FSAR such that future changes could be made pursuant to 10 CFR 50.54(a). Section 13.4, "Operational Review", of NUREG-0800, the "Standard Review Plan" (SRP), provides the acceptance criteria used by the staff to evaluate provisions related to the plant staff review of operational activities performed by licensee organizational units fulfilling the review and audit function. These acceptance criteria are based on meeting the relevant requirements of 10 CFR Part 50, 10 CFR 50.40(b) as it relates to the licensee being technically qualified to engage in licensed activities, and Appendix B to 10 CFR Part 50 as it relates to the review and audit functions required by the licensee's quality assurance program. Therefore, TS provisions associated with the review and audit function satisfy the criteria in both 10 CFR 50.36(c)(5) and Appendix B to 10 CFR Part 50. As stated above, however, these provisions do not satisfy the current criteria for inclusion in TS and can be relocated to the licensee's QA program description. Additionally, the licensee has proposed that the IP3 SRC review and audit scope, and associated record requirements be relocated, verbatim, to a newly created appendix (Appendix E, "QA Reviews and Audits") in Chapter 17 of the IP3 FSAR. Accordingly, subsequent changes associated with these SRC requirements will be controlled under 10 CFR 50.54(a).

This approach is consistent with NRC AL 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995, which provides guidance for relocating TS administrative requirements. This approach would also result in an equivalent level of regulatory authority while providing for a more appropriate change control process. On this basis, the staff has concluded that the review and audit functions identified above are not required to be included in the TS to protect the public health and safety, and may be relocated to the IP3 QAP.

The NRC staff has evaluated the licensee's proposal related to the revision of certain TS administrative controls to conform to NUREG-1431, Revision 1, including the relocation of such administrative controls to the QAP. Based on this evaluation, the staff has concluded that (1) the proposed revision to the IP3 TS is consistent with the format and content specified in NUREG-1431, Revision 1, and satisfies the requirements of 10 CFR 50.36(c)(5), and (2) the proposed relocation of quality assurance-related administrative control provisions (TS 6.5.2.8, TS 6.5.2.9, and TS 6.5.2.11) from the IP-3 TS to the QAP satisfies AL 95-06 provisions and 10 CFR 50.36 requirements and, once relocated to the QAP and controlled pursuant to 10 CFR 50.54(a), will constitute the bases for the licensee's continued compliance with the requirements of Appendix B to 10 CFR Part 50 in accordance with NUREG-0800 (SRP Sections 13.4 and 17.2).

The staff has determined that the requirements related to the administrative controls described above which the licensee proposes be relocated are not required to be in the TS under 10 CFR 50.36 or Section 182.a of the Atomic Energy Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to public health and safety. In addition, such requirements, once relocated to the QAP, will be controlled pursuant to 10 CFR 50.54(a). The changes are, therefore, 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

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). 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.

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.

Principal Contributor: J. Peralta

Date: February 25, 1999