



**New York Power  
Authority**

July 19, 1983  
JPN-83-67

J. Phillip Bayne  
Executive Vice President  
Nuclear Generation

Director of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Mr. Domenic B. Vassallo, Chief  
Operating Reactors Branch No. 2  
Division of Licensing

Subject: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Request for Exemption from 10 CFR 50.44(c)(3)(ii)  
Interim Requirements Related to Hydrogen Control

- References:
1. Final Interim Hydrogen Control Rule published December 2, 1981 - Federal Register pp. 58484-58486.
  2. BWROG letter, T.J. Dente to D.G. Eisenhower, dated June 21, 1982 - transmittal of owners' group technical position.
  3. NYPA letter, J.P. Bayne to D.B. Vassallo, dated June 29, 1983 (JPN-83-59).

Dear Sir:

The final interim hydrogen control rule (Reference 1) requires that Mark I and II plants which rely on purge/repressurization as the primary means of hydrogen control be provided with either an internal recombiner or the capability to install an external recombiner following an accident.

The BWR Owners' Group submitted, on behalf of the participating utilities, a technical evaluation entitled "Generation and Mitigation of Combustible Gas Mixtures in Inerted BWR Mark I Containments, NEDO-22155" via Reference 2. The Authority has reviewed NEDO-22155, and determined that it is applicable to the James A. FitzPatrick plant.

In Reference 3, the New York Power Authority requested an exemption from the provisions of 10 CFR 50.44(c)(3)(ii) for the James A. FitzPatrick Plant, based on the conclusions of NEDO-22155.

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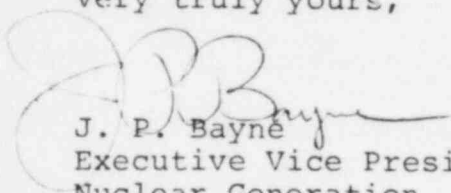
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In conversations with the Project Manager for the FitzPatrick plant, the Authority has been advised that the NRC is in the process of reevaluating the Hydrogen Rule as it applies to Mark I plants. The Authority, therefore, requests a schedular exemption from the provisions of 10 CFR 50.44(c)(3)(ii), in accordance with 10 CFR 50.12, pending the results of the evaluation.

As described Attachment 1, the Authority considers that the existing plant design provides protection to the public health and safety equivalent to that required by 10 CFR 50.44(c)(3)(ii).

If you have any questions regarding this exemption request, please contact Mr. J.A. Gray, Jr. of my staff.

Very truly yours,



J. P. Bayne  
Executive Vice President  
Nuclear Generation

cc: Mr. J. Linville  
Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 136  
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ATTACHMENT 1

NEW YORK POWER AUTHORITY  
JAMES A. FITZPATRICK NUCLEAR POWER PLANT

JPN-83- 67  
DATED July 19, 1983

In the event of a loss-of-coolant accident, the James A. FitzPatrick Nuclear Power Plant can use the existing containment atmosphere control systems, in conjunction with the stand-by gas treatment system, to avoid unacceptable combustible gas concentrations. The containment atmosphere control system maintains an inert atmosphere during normal operation and the Containment Atmosphere Dilution (CAD) system is used to control combustible gas concentrations after an accident. By means of the CAD system, hydrogen and oxygen concentrations are monitored as nitrogen is added to the containment atmosphere to dilute combustible gases. In the unlikely prospect of high containment vessel pressure, the pressure may be relieved by venting through the standby gas treatment system. A detailed procedure has been developed by the licensee, with operating personnel trained to use these systems in the control of combustible gases.