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September 26, 1996
JAFP-96-0379

Michael J. Colomb
Plant Manager

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
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Washington, D.C. 20555

Subject: Additional Information Regarding Proposed Change to the Technical Specifications Regarding Inservice Leak and Hydrostatic Testing Operation (JPTS-95-004)

Reference: 1. NYPA Letter, W. J. Cahill, Jr. to NRC, "Proposed Change to the Technical Specifications Regarding Inservice Leak and Hydrostatic Testing Operation (JPTS-95-004)," JPN-96-005, dated February 1, 1996

Dear Sir:

NYPA requested amendment of the James A. FitzPatrick Technical Specifications to allow reactor coolant system pressure tests to be performed while remaining in the Cold Shutdown Mode in reference 1. The NRC staff, in recent telephone conversations between the NRC Project Manager and the JAF Licensing Manager, verbally requested that NYPA provide additional information regarding the proposed amendment. This information is provided in Attachment I to this letter.

If you have any questions, please contact Mr. R. Plasse at (315) 349-6793.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Michael J. Colomb'.

MICHAEL J. COLOMB

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Attachment

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Notice of Enforcement Discretion (NOED) to Facilitate Performance of Hydrostatic and System Leakage Testing of the Reactor Coolant System During March, 1995

As discussed in References 1 through 3, NYPA requested and the NRC granted a NOED to permit hydrostatic and system leakage testing of the Reactor Coolant System while repairs were being completed on one control room emergency ventilation air supply fan. Technical Specification 3.11.A.1 requires both Control Room Emergency Vent Supply Fans to be operable when reactor coolant temperature is above 212°F and Technical Specification 3.0.D does not allow entry into an Operational Condition unless the Limiting Conditions for Operation are met (when the associated Action statements require shutdown). Performance of the RCS hydrostatic test requires raising reactor coolant temperature above 212°F to meet reactor pressure vessel pressure and temperature limits.

70FN-6A, Control Room Emergency Vent Supply Fan A had failed on March 7, 1995 and was removed from the plant for motor rewinding on March 8, 1995. The fan was not expected to be returned to service before March 12, 1995, while testing was scheduled to begin on March 11, 1995. NYPA verbally requested and was verbally granted a NOED on March 10, 1995. The verbal request was followed by a written request for NOED on March 13, 1995 (Reference 1). Written confirmation that a NOED had been granted was provided by the NRC in Reference 2. NYPA transmitted LER-95-007 describing this event by Reference 3. Each of these references stated that NYPA planned to review the special conditions involving hydrostatic testing and submit a Technical Specification change request prior to the next scheduled reactor vessel hydrostatic test.

Exceptions to Standard Technical Specifications (NUREG-1433, Rev. 1)

Standard Technical Specifications (STS) define Mode 4 by the title, "Cold Shutdown" and require the Reactor Mode Switch to be in the Shutdown Position, with Average Reactor Coolant Temperature \leq [200]°F and all reactor vessel head closure bolts fully tensioned. JAF Technical Specifications (JAF TS) define the cold shutdown mode by the Reactor Mode Switch in the Shutdown Mode position, with reactor coolant temperature \leq 212°F and the reactor head vented. STS Limiting Conditions for Operation (LCO) are generally based on Mode, JAF TS generally establish the conditions under which a LCO is applicable with statements such as, "... shall be operable whenever there is irradiated fuel in the reactor vessel, prior to startup from a cold condition, and reactor coolant temperature \geq 212°F ..." (LCO 3.5.B). Therefore it is necessary to state that "The reactor may be considered to be in COLD SHUTDOWN with reactor coolant temperature between 212°F and 300°F and the reactor vessel not vented" in JAF TS to accomplish the same function as stating "The average reactor coolant temperature specified in Table 1.1-1 for MODE 4 may be changed to "NA," and operation considered to not be in MODE 3" in STS.

Attachment I

JAF TS 1.0.S defines Secondary Containment Integrity as:

"Secondary Containment Integrity - Secondary containment integrity means that the reactor building is intact and the following conditions are met:

1. At least one door in each access opening is closed.
2. The Standby Gas Treatment System is operable.
3. All automatic ventilation system isolation valves are operable or secured in the isolated position."

JAF TS 1.0.J defines Operable as:

"Operable - A system, subsystem train, component or device shall be OPERABLE or have OPERABILITY when it is capable of performing its specified function(s). Implicit in this definition shall be the assumption that all necessary attendant instrumentation, controls, normal and emergency electrical power sources, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component or device to perform its function(s) are also capable of performing their related support function(s)."

Therefore, the implicit requirement that Secondary Containment Isolation Valves and Secondary Containment Isolation Instrumentation be operable is established by requiring Secondary Containment integrity be maintained and then following the applicable JAF TS definitions.

References

1. NYPA letter, Harry P. Salmon, Jr. to NRC, "Request Enforcement Discretion for Technical Specification Requirements Pertaining to Main Control Room Ventilation," JAFP-95-0131, dated March 13, 1995
2. NRC letter, Ledyard B. Marsh to William J. Cahill, Jr., dated March 16, 1995, "Notice of Enforcement Discretion (NOED) for the New York Power Authority Regarding James A. FitzPatrick Nuclear Power Plant (TAC No. M91737)"
3. NYPA letter, Harry P. Salmon, Jr. to NRC, "Enforcement Discretion Required for Control Room Ventilation Operability Requirements," JAFP-95-0190, dated April 20, 1995