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October 18, 1985  
JPN-85-75

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  
Technical Specifications Related to NUREG-0737

References: 1. NRC Generic Letter, No. 83-36, dated  
November 1, 1983.  
2. NYPA letter, C. A. McNeill to D. B. Vassallo,  
dated December 6, 1984.

Dear Sir:

In Reference 1 the Nuclear Regulatory Commission (NRC) Staff provided guidance for a number of NUREG-0737 items for which Technical Specifications are required.

In Reference 2 the New York Power Authority submitted proposed changes to the FitzPatrick Technical Specifications relating to NUREG-0737 items.

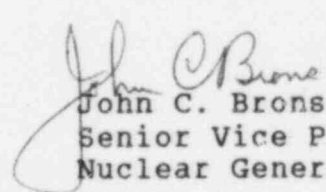
This letter responds to questions from the NRC Staff in regard to Reference 2 as discussed in a telephone conversation on September 5, 1985. The NRC Staff requested justification for those areas where the Technical Specifications proposed in Reference 2 differ from those suggested in Reference 1.

Attachment 1 addresses each item which was discussed, providing our response. The numbers used are the item numbers from NUREG-0737.

If you have any questions, please call Mr. J. A. Gray, Jr. of my staff.

Very truly yours,

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ATTACHMENT 1

JPN-85-75

Technical Specifications Related to  
NUREG-0737 Items

New York Power Authority  
James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333

October 18, 1985

Reference 1 contained guidance on the scope of Technical Specifications (TS) which the Staff would find acceptable.

The following is a discussion of those areas where the TS proposed in Reference 2 differ from those suggested in Reference 1.

#### Postaccident Sampling Capability (II.B.3)

Enclosure 1 of Reference 1 provided Staff guidance on TS for this item. It stated that, "Licensees should ensure that their plant has the capability to obtain and analyze reactor coolant and containment atmosphere samples under accident conditions." It stated further that an administrative program should be established, implemented, and maintained to ensure this capability.

Enclosure 3 of Reference 1 contained a sample TS for this item. The sample TS stated that a postaccident sampling program would be established, implemented and maintained and that it would include training, procedures, and maintenance provisions.

The TS suggested by the Authority in Reference 2 differs from this sample in that the administrative program is not mentioned, but a Limiting Condition for Operability (LCO) is given instead. Providing a definite LCO and specific Action Statement for the operability of the postaccident sampling system makes the TS provided in our Reference 2 more conservative than the Staff sample. Having an LCO provides greater assurance of proper training and maintenance than would a simple inclusion of the administrative programs in the TS.

Furthermore, including the requirement to have a postaccident sampling program in the TS is neither necessary for the increased safety of the plant, nor desirable, for the following reasons:

- (a) It is not consistent for the TS to require a training program for this equipment, when TS do not require training programs for other equipment.
- (b) It is not consistent with the simplification goals of the Nuclear Regulatory Commission (NRC) TS Improvement Project.

Following our discussion with the NRC Staff, the Action Statement for Post-Accident Containment and Reactor Coolant Radioactivity Sampling Components included in Reference 2 is undergoing an internal review and will be addressed in a separate letter.

#### Noble Gas Effluent Monitors (II.F.1.1)

In Reference 2, we specified that 2 channels were provided and that 1 channel be operable. The sample TS suggested by the NRC Staff would specify that only 1 channel be provided. Our proposed TS is more conservative in this respect.

According to the TS proposed by the Power Authority an inoperable channel would have to be restored within 30 days. Otherwise, either an alternate monitoring method would be initiated or the plant would be shut down. According to the TS proposed by the Staff, only a report would have to be submitted if the component were not operable within 7 days. Our Action Statement is, therefore, more stringent.

#### Sampling and Analysis of Plant Effluents (II.F.1.2)

Enclosure 3 of Reference 1 provided a sample TS which describes a post accident sampling program including radioactive iodines and particulates in plant gaseous effluents. The Authority is currently preparing TS for iodines and particulates which will provide specific LCOs and Action Statements. This will provide a more conservative TS to ensure sampling capability. Including an administrative program for this equipment in the TS would not contribute to the safety of the plant and would unnecessarily add to the complexity of the TS.

#### Containment High-Range Radiation Monitor (II.F.1.3)

The TS proposed by the Staff requires that 2 out of 2 channels remain operable, compared to 1 out of 2 in the Authority's proposal. The Staff's suggestion would be more restrictive than TS for some accident mitigating systems. The Authority's approach is consistent with the fact that plant equipment could be divided into three categories: (1) equipment necessary to prevent an accident; (2) equipment used to mitigate an accident; and, (3) equipment used for monitoring during and following an accident. The Authority's TS is consistent with a "defense in depth" approach and is appropriate for monitoring equipment to be used following a low probability accident.

#### Containment Pressure Monitor (II.F.1.4)

The Authority proposed TS requires that the inoperable channel be restored within 30 days. Otherwise, either an alternate monitoring method would be initiated, or the plant would be shut down. According to the Staff's proposal, the plant would have to shut down in 48 hours.

As for Item II.F.1.3, the Authority's approach is consistent with the fact that there are three levels of importance for plant equipment could be divided into three categories: (1) equipment necessary to prevent an accident, (2) equipment necessary to mitigate an accident, (3) equipment used for monitoring an accident.

The Authority's proposed Action Statement for this item is consistent with those for other accident monitoring instrumentation, and adequate for a monitoring system.

#### Containment Water Level Monitor (II.F.1.5)

Our response is the same as for Item II.F.1.4.

#### Containment Hydrogen Monitor (II.F.1.6)

The NYPA proposed TS requires that the inoperable channel be restored within 30 days. Otherwise, either an alternate monitoring method would be initiated, or the plant would be shut down. According to the Staff's proposal, the plant would have to be shut down within 7 days.

Our proposed Action Statement for this item is consistent with those provided for other accident monitoring instrumentation.

Furthermore, it should be noted that in addition to hydrogen concentration monitors FitzPatrick has redundant oxygen monitoring equipment, and a TS requirement that oxygen concentration in containment be less than 4%.

#### Control Room Habitability Requirements (III.D.3.4)

Technical Specifications related to this item are being submitted under separate cover.