

November 29, 1985

Docket No. 50-333

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Mr. John C. Brons  
Senior Vice President -  
Nuclear Generation  
Power Authority of the State  
of New York  
123 Main Street  
White Plains, New York 10601

Dear Mr. Brons

SUBJECT: SCHEDULE FOR IMPLEMENTATION OF THE ATWS RULE (10 CFR 50.62)

Re: James A. FitzPatrick Nuclear Power Plant

By letters dated June 14 and October 11, 1985, you submitted your proposed schedule, as required by Section (d) of 10 CFR 50.62, for completing the Anticipated Transients Without Scram (ATWS) modifications required for the FitzPatrick facility. You proposed to implement the required modifications by the end of the third refueling outage after the ATWS rule effective date of July 26, 1984. The rule requires that justification be provided for a schedule calling for final implementation later than the second refueling outage after the effective date of the rule.

In your June 14, 1985 letter you delineated the major modifications planned for the second refueling outage following the effective date of the ATWS rule. In particular, you cited the installation of the new Emergency and Plant Information Computer (EPIC), which will include the safety parameter display system (SPDS), as well as the completion of modifications associated with the "type A" variables of Regulatory Guide 1.97 as two major activities. Both of these efforts are necessary to satisfy NUREG-0737, Supplement 1 requirements. Your letter also stated that, because of the total number and scope of modifications planned, and the necessity for the ATWS modifications to be performed during an outage, all modifications could not be completed by the end of this outage. Additionally, your letter of October 11, 1985 indicated that the valves comprising the Alternate Rod Injection (ARI) system, which will be installed to comply with the ATWS rule, are long lead items with a delivery time of about 50 weeks. Taking into consideration the time required for engineering, design, and material procurement, you stated that the ARI system could not be installed before the following (1988) refueling outage.

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We find that the justification provided in you June 14 and October 11, 1985 submittals adequately supports your proposed ATWS schedule. Accordingly, we conclude that your proposal to implement the required ATWS modifications for FitzPatrick by the end of the third refueling outage following the effective ATWS rule date of July 26, 1984 is acceptable.

Sincerely,

Original Signed By:

Robert M. Bernero

Robert M. Bernero, Director  
Division of BWR Licensing  
Office of Nuclear Reactor Regulation


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Power Authority of the State of New York

James A. FitzPatrick Nuclear  
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