



William J. Cahill, Jr.
Chief Nuclear Officer

May 30, 1996
JPN-96-024

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
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Washington, DC 20555

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
**Proposed Change to the Technical Specifications Regarding
Response Time Testing Requirements (JPTS-96-006)**

REFERENCE: 1. BWR Owners' Group Topical Report, NEDO-32291-A, "System Analyses For the Elimination of Selected Response Time Testing Requirements," dated October 1995

2. NRC Letter to BWR Owner's Group Documenting NRC Review of NEDO-32291-A. dated December 28, 1994

3. NYPA letter, W. Fernandez to the NRC, dated July 19, 1990, (JAFP-90-0549) "Response to NRC Bulletin 90-01"

4. NYPA letter, R.E. Beedle to the NRC, dated March 5, 1993, (JPN-93-010) "Response to NRC Bulletin 90-01, Supplement 1"

Dear Sir:

This application for an amendment to the James A. FitzPatrick Technical Specifications proposes to eliminate selected response time testing requirements. The affected Technical Specifications (TS) are TS 4.1.A, "Surveillance Requirements, Reactor Protection System," and TS 4.2.A, "Surveillance Requirements, Instrumentation, Primary Containment Isolation Functions." The proposed changes are supported by analyses performed by the Boiling Water Reactor Owners' Group (BWROG) (Reference 1) which demonstrate that other periodic tests required by TS, such as functional tests and calibrations, in conjunction with the actions taken in response to NRC Bulletin 90-01, "Loss of Fill-Oil in Transmitters Manufactured by Rosemount," and Supplement 1 (References 3 and 4), are adequate to

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ensure that instrument response times are within acceptable limits. By letter (Reference 2), the NRC staff provided their acceptance of NEDO-32291-A, subject to certain conditions, for reference in license amendment applications. The Authority has confirmed the applicability of NEDO-32291-A to the James A. FitzPatrick Nuclear Plant.

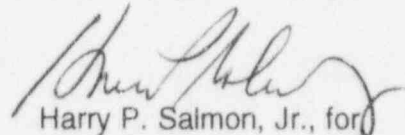
The Authority requests NRC approval of this proposed amendment prior to October 1, 1996 in order to implement these changes prior to the upcoming refuel outage currently scheduled for the Fall of 1996.

The signed original of the Application for Amendment to the Operating License is enclosed for filing. Attachment I contains the proposed new TS pages and Attachment II is the Safety Evaluation for the proposed changes. A markup of the affected TS pages is included as Attachment III. The summary of commitments is contained in Attachment IV.

A copy of this application and the associated attachments is being provided to the Designated New York State Official in accordance with 10 CFR 50.91.

If you have any questions, please contact Ms. C. D. Faison.

Very truly yours,



Harry P. Salmon, Jr., for
W. J. Cahill, Jr.
Chief Nuclear Officer

att: As stated
cc: Next page

cc: Regional Administrator
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