

Docket No. 50-333

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JUL 30 1975

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Power Authority of the State of New York  
 ATTN: Mr. George T. Berry  
 General Manager and  
 Chief Engineer  
 10 Columbus Circle  
 New York, New York 10019

Gentlemen:

The Commission has filed the enclosed "Notice of Proposed Issuance of Amendment to Facility Operating License" with the Office of the Federal Register for publication. The notice relates to your request dated July 9, 1975, for approval to amend License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant to incorporate operating limits in the Technical Specifications based on an acceptable evaluation model that conforms with the requirements of Section 50.46 of 10 CFR Part 50.

A copy of our related Safety Evaluation will be sent to you when it is completed and will be placed in the public record.

Sincerely,

Original signed by  
 R. A. Purple

Robert A. Purple, Chief  
 Operating Reactors Branch #1  
 Division of Reactor Licensing

Enclosure:  
 Federal Register Notice

cc w/enclosure:  
 See next page

*W/P*  
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OFFICE ➤	RL:ORB#1 <i>MBJ</i>	OELD	RL:ORB#1 <i>[Signature]</i>			
SURNAME ➤	MFairtile:dc	<i>W.D. Paton</i>	RAPurple			
DATE ➤	7/18/75	7/28/75	7/30/75			<i>BN</i>

JUL 30 1975

cc: Scott B. Lilly, General Counsel  
Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

Arvin E. Upton, Esquire  
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Washington, D. C. 20036

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Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

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New York State Department of  
Commerce and Counsel to the  
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Syracuse University  
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E. I. White Hall Campus  
Syracuse, New York 13210

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Oswego City Library  
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Oswego, New York 13126

Dr. William E. Seymour  
Staff Coordinator  
New York State Atomic Energy  
Council  
New York State Department of  
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Berlin, Roisman & Kessler  
1712 N Street, NW  
Washington, D.C. 20036

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-333

POWER AUTHORITY OF THE STATE OF NEW YORK  
(James A. FitzPatrick Plant)

NOTICE OF PROPOSED ISSUANCE OF AMENDMENT  
TO FACILITY OPERATING LICENSE

The Nuclear Regulatory Commission (the Commission) is considering the issuance of an amendment to Facility Operating License No. DPR-59 issued to the Power Authority of the State of New York and Niagara Mohawk Power Corporation (the licensee) for operation of the James A. FitzPatrick Nuclear Power Plant (the facility), a boiling-water reactor located in Scriba, Oswego County, New York, and currently authorized for operation at power levels up to 2436 Mwt.

In accordance with the licensee's application for a license amendment dated July 9, 1975, the amendment would modify operating limits in the Technical Specifications based upon an evaluation of ECCS performance calculated in accordance with an acceptable evaluation model that conforms to the requirements of the Commission's regulations in 10 CFR Section 50.46. The amendment would modify various limits established in accordance with the Commission's Interim Acceptance Criteria, and would, with respect to the facility, terminate the further restrictions imposed by the Commission's December 27, 1974 Order for Modification of License, and would impose instead, limitations established in

accordance with the Commission's Acceptance Criteria for Emergency Core Cooling Systems for Light Water Nuclear Power Reactors, 10 CFR Section 50.46.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By SEP 8 1975 the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and Section 2.714, and must be filed with

the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Arvin E. Upton, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see (1) the application for amendment dated July 9, 1975, and (2) the Commission's Order for Modification of License and the documents referred to in the Order dated December 27, 1974 published in the FEDERAL REGISTER on January 9, 1975 (40 FR 1774) , which are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Oswego City Library, 120 East Second Street, Oswego, New York. The license amendment and the Safety Evaluation, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this JUL 30 1975

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by

R. A. Purple  
Robert A. Purple, Chief  
Operating Reactors Branch #1  
Division of Reactor Licensing