

Docket

AUGUST 1 1979

Pocket No. 59-333

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

REGULATORY DOCKET FILE COPY

Dear Mr. Berry:

The Commission has issued the enclosed Amendment No. 47 to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. This amendment adds license conditions relating to the completion of facility modifications for fire protection in response to your letters of October 23, October 27 and December 21, 1978 and February 8, March 7 and May 7, 1979.

We have discussed the contents and conditions of this license amendment with members of your staff and we understand that you have agreed to this license amendment. Nevertheless, you understand that by the provisions of 10 CFR Part 2 paragraph 2.204, you may demand a hearing with respect to all or any part of the amendment within twenty (20) days from the date of this letter. If you do not demand a hearing, this amendment will become effective on the expiration of that twenty (20) day period.

You are requested to propose revised Technical Specifications related to facility modifications described herein and submit them for our review no later than 90 days before the modifications are implemented. Certain items listed in Section 3.1 of the enclosed Safety Evaluation are marked with an asterisk or otherwise stated to require additional information in the form of design parameters, test results, or acceptance criteria to assure that the design is acceptable prior to actual implementation of these modifications. We request that you submit this information to meet the schedule provided in Tables 3.1 and 3.2.

We have determined that no license amendment fee is required to accompany your response to the aforementioned request. This determination is limited to those applications or requests to incorporate our recommended Technical Specifications and those to add surveillance and other requirements for operable systems that have been added at our request. Any other unrelated changes or requests that you might choose to include in the fire protection requests would be subject to amendment fees in accordance with section 170.22 of 10 CFR Part 170.

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Copies of the related Safety Evaluation and Notice of Issuance are also enclosed.

Sincerely,

Original signed by

Thomas A. Ippolito, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosures:

- 1. Amendment No. 47 to DPR-59
- 2. Safety Evaluation
- 3. Notice

(see reports for encl 1+2+3)

cc w/enclosures:
see next page

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