

Previous copy concurred on by:

ORB#2	ORB#2	ORB#2	AD:OR	OELD
SNorris	PPolk	Tippolito	TNovak	Goddard (Amendments & FR
12/30/81	12/30/81	12/30/81	12/30/81	12/30/81 notice Only)
	(J. Van Vliet for P. Polk)	(V. Rooney for Ippolito)		

Docket No. 50-333

December 31, 1981

Mr. George T. Berry  
 President & Chief Operating Officer  
 Power Authority of the State  
 of New York  
 10 Columbus Circle  
 New York, New York 10019



Dear Mr. Berry:

The Commission has issued the enclosed Amendment No. 61 to Facility Operating License No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant. This amendment consists of emergency planning Technical Specification revisions in response to your request dated September 18, 1981 as modified by your December 31, 1981 submittal.

The enclosed license amendment deletes the emergency planning requirements set forth in your Technical Specifications since these requirements are already specified as a condition of your license as set forth in paragraphs (q) and (t) of Section 50.54 to 10 CFR Part 50.

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

Sincerely,

*Thomas A. Ippolito*

Thomas A. Ippolito, Chief  
 Operating Reactors Branch #2  
 Division of Licensing

Enclosures:

1. Amendment No. 61 to DPR-59
2. Safety Evaluation
3. Notice

cc: w/enclosures  
 See next page

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SURNAME	SNorris	PPolk	Ippolito	TNovak			
DATE	12/30/81	12/30/81	12/30/81	12/30/81	12/30/81		

Mr. George T. Berry  
Power Authority of the State  
of New York

cc:

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

POWER AUTHORITY OF THE STATE OF NEW YORK

DOCKET NO. 50-333

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 61  
License No. DPR-59

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by the Power Authority of the State of New York (the licensee) dated September 18, 1981 as modified by submittal dated December 31, 1981, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

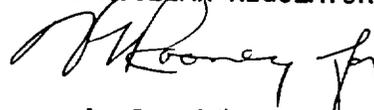
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-59 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 61, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas A. Ippolito, Chief  
Operating Reactors Branch #2  
Division of Operating Reactors

Attachment:  
Changes to the Technical  
Specifications

Date of Issuance: December 31, 1981

ATTACHMENT TO LICENSE AMENDMENT NO. 61

FACILITY OPERATING LICENSE NO. DPR-59

DOCKET NO. 50-333

Replace the following page of the Appendix "A" Technical Specifications  
with the enclosed page :

Remove

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Insert

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6.12 INDUSTRIAL SECURITY PROGRAM

(A) An industrial security program shall be maintained throughout the life of the plant in accordance with the provisions of the Plant Security Plan. Annual review of the Plant Security Plan shall be performed by the Plant Operating Review Committee and the Safety Review Committee.

6.13 EMERGENCY PLAN

THIS SECTION PURPOSELY BLANK

6.14 FIRE PROTECTION PROGRAM

6.14.A An independent fire protection and loss prevention inspection and audit shall be performed annually utilizing either qualified licensee personnel or an outside fire protection firm.

6.14.B An inspection and audit by an outside qualified fire consultant shall be performed at intervals no greater than 3 years.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING AMENDMENT NO. 61 TO FACILITY OPERATING LICENSE NO. DPR-59

POWER AUTHORITY OF THE STATE OF NEW YORK

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

DOCKET NO. 50-333

1.0 INTRODUCTION

By letter dated September 18, 1981 the Power Authority of the State of New York (PASNY) requested interim relief from the Technical Specification requirement for annual performance of site evacuation exercises. This proposed interim relief would have postponed the initial evacuation drill from 1981 to 1982. PASNY did not, however, propose to change the requirement to conduct a drill each year subsequent to the initial drill. Justification for postponing the initial drill to 1982 was based upon the fact that James A. FitzPatrick and Nine Mile Point (Unit 1) Nuclear Power Plants are located at the same site and that an exercise was conducted at that site by the Niagara Mohawk Power Corporation on September 18, 1981. By subsequent submittal, dated December 31, 1981, PASNY requested deletion of the emergency planning Technical Specification requirements, based on redundancy with Section 50.54 to 10 CFR Part 50.

2.0 EVALUATION

The existing Technical Specifications require that PASNY conduct a site evacuation exercise on an annual basis. However, this requirement is also specified as a license condition as set forth in paragraphs (q) and (t) of Section 50.54 to 10 CFR Part 50. Therefore, we find that the emergency planning Technical Specification section can be deleted without effecting emergency planning requirements. Additionally, the deletion of this Technical Specification section will place James A. FitzPatrick Nuclear Power Plant on a performance schedule of April 1, 1982; which is consistent with the schedule required of other operating nuclear power plants.

3.0 ENVIRONMENTAL CONSIDERATION

We have determined that the amendment does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendment involves an action which is insignificant from the standpoint of environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

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#### 4.0 CONCLUSION

We have concluded, based on the considerations discussed above, that: (1) because the amendment does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant decrease in a safety margin, the amendment does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will be conducted in compliance with the Commission's regulations and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: December 31, 1981

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-333POWER AUTHORITY OF THE STATE OF NEW YORKNOTICE OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 61 to Operating License No. DPR-59 issued to the Power Authority of the State of New York which revises the Technical Specifications for operation of the James A. FitzPatrick Nuclear Plant (the facility) located in Oswego County, New York. The amendment is effective as of the date of its issuance.

The amendment is administrative in nature in that it deletes redundant emergency planning Technical Specification requirements already set forth by Section 50.54 to 10 CFR Part 50.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of the amendment.

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For further details with respect to this action, see (1) the application for amendment dated September 18, 1981, (2) the supplemental submittal dated December 31, 1981, (3) Amendment No. 61 to License No. DPR-59, and (4) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Penfield Library, State University College at Oswego, Oswego, New York 13126. A copy of items (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 31st day of December 1981.

FOR THE NUCLEAR REGULATORY COMMISSION



Vernon L. Rooney, Acting Chief  
Operating Reactors Branch #2  
Division of Licensing