

JUL 20 1977

Docket No. 50-333

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. This notice relates to your request dated July 7, 1977 concerning a reevaluation of the Emergency Core Cooling System cooling performance in accordance with our Order for Modification of License dated March 11, 1977.

Sincerely,

Robert W. Reid, Chief  
Operating Reactors Branch #4  
Division of Operating Reactors

Enclosure:  
Notice

cc w/enclosure:  
See next page

DISTRIBUTION:

Docket

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*No need  
1/11/77*

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DATE➤	7/14/77	7/14/77	7/ /77	7/29/77		

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Power Authority of the  
State of New York

cc w/enclosure(s):  
Scott B. Lilly, General Counsel  
Power Authority of the State of New York  
10 Columbus Circle  
New York, New York 10019

Lex K. Larson, Esq.  
LeBoeuf, Lamb, Leiby and MacRae  
1757 N Street, N. W.  
Washington, D. C. 20036

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Mr. Robert P. Jones, Supervisor  
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Mr. Alvin L. Krakau  
Chairman, County Legislature  
County Office Building  
46 East Bridge Street  
Oswego, New York 13126

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-333

POWER AUTHORITY OF THE STATE OF NEW YORK

NOTICE OF PROPOSED ISSUANCE OF AMENDMENT  
TO FACILITY OPERATING LICENSE

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-59 issued to the Power Authority of the State of New York (the licensee), for operation of the James A. FitzPatrick Nuclear Power Plant (the facility), located in Oswego County, New York.

In accordance with the licensee's request dated July 7, 1977, the amendment would consider a reevaluation of Emergency Core Cooling System (ECCS) cooling performance submitted in accordance with the Commission's Order for Modification of License dated March 11, 1977. This reevaluation not only corrected the errors noted in the March 11, 1977 Order but also included the effect of certain other recently approved model changes in the ECCS evaluation models. These changes would permit an increase in authorized Maximum Average Planar Linear Heat Generation Rates, and are the aspects of the amendment covered by this notice.

The Commission will act upon the amendment upon: (1) the completion of a Safety Evaluation by the Office of Nuclear Reactor Regulation; and (2) completion of the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By August 22, 1977 , 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 Lex Larson, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, N. W., 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.

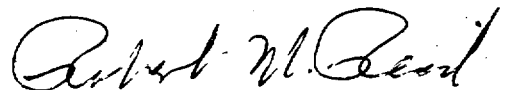
All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the 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 the licensee's request dated July 7, 1977, and General Electric's submittal dated June 29, 1977, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Oswego County Office Building, 46 E. Bridge Street, Oswego, New York.

Dated at Bethesda, Maryland, this 20th day of July 1977.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "Robert W. Reid". The signature is fluid and cursive, with the first name "Robert" being more prominent than the last name "Reid".

Robert W. Reid, Chief  
Operating Reactors Branch #4  
Division of Operating Reactors