



Entergy Nuclear Northeast
Entergy Nuclear Operations, Inc.

James A. Fitzpatrick NPP
P.O. Box 110
Lycoming, NY 13093

Pete Dietrich
Site Vice President

JAFP-09-0096
August 12, 2009

United States Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

SUBJECT: Withdrawal of Application for Amendment to Modify the Technical Specifications Requirements for Testing of Safety/Relief Valves
James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
License No. DPR-59

REFERENCES: 1. Entergy Letter, Pete Dietrich to USNRC, Application for Amendment to Modify the Technical Specifications Requirements for Testing of Safety/Relief Valves, JAFP-09-0087, dated July 31, 2009.

2. Entergy Letter, Pete Dietrich to USNRC, Proposed Relief Request VRR-06 for the James A. FitzPatrick Nuclear Power Plant Fourth Interval In-Service Testing Program, JAFP-09-0088, dated July 31, 2009.

Dear Sir or Madam:

Pursuant to 10 CFR 50.90, Entergy Nuclear Operations, Inc. (Entergy) submitted an application for an amendment to the Technical Specifications (TS) for the James A. FitzPatrick Nuclear Power Plant (JAF) (Reference 1).

The requested license amendment requires approval of an ASME OM Code Relief Request (Reference 2). It has come to my attention that, in accordance with NRC Office Instruction LIC-109, the amendment application can not be processed in parallel with the Relief Request. Therefore, Entergy is withdrawing the amendment application pending approval of the Relief Request.

There are no new commitments made in this letter.

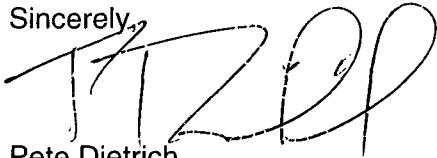
Questions concerning this request may be addressed to Mr. Joseph Pechacek, Licensing Manager, at (315) 349-6766.

A047
NRR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 12th day of August 2009.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Dietrich', written over a horizontal line.

Pete Dietrich
Site Vice President

PD/JP/ed

cc:

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
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Resident Inspector's Office
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