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January 15, 1979

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Director of Nuclear Reactor Regulation  
United States Nuclear Regulatory Commission  
Washington, D. C. 20555

Attention: Mr. Thomas A. Ippolito  
Operating Reactors Branch No. 3  
Division of Operating Reactors

Subject: James A. FitzPatrick Nuclear Power Plant  
Proposed Non-Radiological Environmental  
Technical Specification Changes -  
Aquatic Lake Surveys and Impingement Studies  
Docket No. 50-333

Dear Sir:

Enclosed are proposed changes (Attachment A) to Section 4.0, "Environmental Surveillance and Special Study Programs", of the James A. FitzPatrick Nuclear Power Plant Appendix B Environmental Technical Specifications. The changes would revise the Aquatic Lake Surveys and Impingement Studies of Specification Section 4.1.1, and delete Entrainment Studies, Water Chemistry, and the Lake Temperature Surveys of existing Specification Sections 4.1 and 4.2. Supporting information containing a description of, and justification for, the changes is provided in Attachment B.

The changes proposed are essentially the same as those proposed for Nine Mile Point Unit No. 1 (License No. DPR-63, Docket No. 50-220) with regard to non-radiological biological and water quality surveillance requirements. The Nine Mile Point Unit No. 1 is adjacent to the James A. FitzPatrick Nuclear Power Plant, and the non-radiological surveillance programs for both plants have been similar for the past five years. The currently proposed Environmental Technical Specifications for the FitzPatrick Plant are intended to maintain consistency between the non-radiological surveillance programs of both sites.

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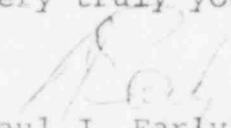
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These proposed Environmental Technical Specification changes supercede previously proposed changes submitted by the Power Authority (in conjunction with Niagara Mohawk Power Company) to the U.S. Nuclear Regulatory Commission on June 3, 1977, as supplemented by the Authority's transmittal to the Commission dated November 10, 1977. However, Attachment A to the November 10, 1977 transmittal contains pertinent supporting information summarizing biological data accumulated from the environmental monitoring program over the past five years, and as such should be considered in your evaluation of the currently proposed changes. Please note that the FitzPatrick Plant 316(a) and 316(b) Demonstrations were also included (as Attachments B and C) with the November 10, 1977 letter, and these documents support the conclusion that the plant has had no significant impact on the aquatic environment.

The Authority has classified this Application for Amendment to the Operating License as Class III, since it involves a single environmental issue deemed not to involve a significant hazards consideration. Enclosed is a check in the amount of \$4,000 as the filing fee per 10 CFR Section 170.22, which the Authority pays under protest pending a final determination of the legality of the fee schedule.

Enclosed for filing are three (3) originals and nineteen (19) copies of a document entitled "Application for Amendment to Operating License", together with forty (40) copies of Attachments A and B thereto.

Very truly yours,

  
Paul J. Early  
Assistant Chief Engineer-  
Projects

Atts.