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Senior Vice President  
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February 8, 1985  
JPN-85-09

Director of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Mr. Domenic B. Vassallo, Chief  
Operating Reactors Branch No. 2  
Division of Licensing

Subject: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Refuel Interlocks and Control Rod Blocks (JPTS-84-21)

- References:
1. NYPA letter, C. A. McNeill, Jr. to D. B. Vassallo, dated December 6, 1984 (JPN-84-81).
  2. NYPA letter, C. A. McNeill, Jr. to D. B. Vassallo, dated January 10, 1985 (JPN-85-01).
  3. Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing, Federal Register dated February 4, 1985 (50FR 4929-4931).

Dear Sir:

The New York Power Authority submitted an application for amendment of the FitzPatrick operating license in Reference 1. This application was subsequently amended to provide additional information requested by the NRC (Reference 2).

The proposed amendment would revise the Technical Specifications to permit refueling with the Reactor Protection System (RPS) inoperable. These revisions would facilitate installation of the Analog Trip Transmitter System and avoid delay in completion of the Reload 6/Cycle 7 refueling outage which begins on February 16, 1985.

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The Commission published a notice in the Federal Register (Reference 3) concerning the proposed issuance of this amendment. This notice provides for a 30 day comment period prior to NRC issuance of the amendment.

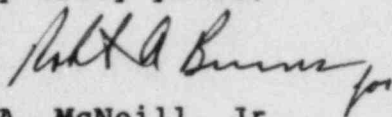
The Authority requests that the application be granted, without waiting for the comment period to expire, pursuant to 10 CFR 50.91. The purpose of the proposed Technical Specification Amendment is to allow refueling and the installation of the Analog Trip Transmitter System to proceed in parallel instead of in series. If this amendment is not approved by March 20, the outage will be extended approximately one day for every day after March 20 that the amendment is granted. The maximum potential delay is three (3) weeks .

The Authority made a good faith effort to allow sufficient time for publishing a notice. The original application was submitted nearly 11 weeks prior to the needed date, and the NRC request for additional information was answered as quickly as possible while ensuring accuracy and satisfying Authority internal review requirements.

A prompt, affirmative response to this request will be greatly appreciated, since it will prevent avoidable delays in returning the FitzPatrick Plant to service.

If you have any questions, please contact Mr. J. A. Gray, Jr. of my staff.

Very truly yours,



C. A. McNeill, Jr.  
Senior Vice President  
Nuclear Generation

cc: Office of the Resident Inspector  
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