

James A. FitzPatrick
Nuclear Power Plant
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Harold A. Glovier
Resident Manager



February 21, 1985
JPN-85-13

Director of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 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
Proposed Changes To Technical Specifications
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, (50PR4949-4931).
 4. NYPA letter, C. A. McNeill, Jr. to D.B. Vassallo, dated February 8, 1985 (JPN-85-09)

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 via 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 began on February 16, 1985.

The Commission published a notice in the Federal Register (Reference 3) concerning the proposed issuance of this amendment. This notice provided for a 30-day comment period prior to NRC issuance of the amendment. In Reference 4 the Authority requested that the application be granted without waiting for the comment period to

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expire, pursuant to 10CFR50.91 in order to prevent avoidable delays in returning the FitzPatrick Plant to service.

In telephone conversations today between Mr. H. Abelson of the NRC and Mr. J. A. Gray, Jr., the Authority was asked to provide additional information to support this request. Specifically, the Authority was asked to describe the changes in circumstances which have taken place since Reference 3 was published and which have made this request necessary.

Since Reference 3 was published, two changes in the refueling outage schedule have taken place. The duration of the outage has been shortened by approximately 5 days, because the scheduled completion time for a critical path modification has also been reduced.

Additionally, the commencement of refueling operations has been advanced because refueling preparations (vessel disassembly, cavity flood-up, and the achievement of satisfactory water clarity) have been completed earlier than scheduled or normally anticipated. Therefore, a delay in issuance of this amendment will preclude simultaneous installation of the Analog Transmitter Trip System and refueling operations. This in turn would result in an unnecessary and avoidable extension of the refueling outage.

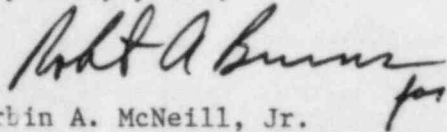
The Authority considers these changes in circumstances sufficient to warrant issuance of the amendment without allowing for a full 30 day comment period to expire.

The Authority would also like to correct a typographical error in Reference 4. That letter stated that if the amendment were not approved by March 20, the outage would be extended by one day for every day after March 20 that the amendment is granted. The letter should have said February 22, rather than March 20.

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

Very truly yours,



Corbin A. McNeill, Jr.
Senior Vice President
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