

**BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION**

In the matter of)
NEW YORK POWER AUTHORITY) Docket No. 50-333
James A. FitzPatrick Nuclear Power Plant)

APPLICATION FOR AMENDMENT TO OPERATING LICENSE

The New York Power Authority requests an amendment to the Technical Specifications contained in Appendix A to Facility Operating License DPR-59 for the James A. FitzPatrick Nuclear Power Plant. This application is filed in accordance with Section 10 CFR 50.90 of the Nuclear Regulatory Commission's regulation.

The proposed Technical Specification changes support adoption of the primary containment leakage rate testing requirements of Option B to 10 CFR 50, Appendix J at the FitzPatrick plant, and clarify the numerical value of the allowable containment leakage rate (L_n) as 1.5 percent per day. Implementation of Option B to 10 CFR 50, Appendix J will be controlled under the Primary Containment Leakage Rate Testing Program. Under this program, primary containment leakage rate testing will be performed in accordance with the requirements of Option B to 10 CFR 50, Appendix J, Regulatory Guide 1.163 with approved exceptions, and exemptions currently approved by the NRC for the FitzPatrick Plant.

Attachments I and III to this application contain the proposed changes to the Technical Specifications and a markup of the current Technical Specification pages, respectively. Attachment II contains the associated Safety Evaluation. Attachment IV contains the plan for implementing the new leakage rate testing requirements as required by Option B of 10 CFR 50 Appendix J Section V.B.2. Attachment V summarizes the commitments made in this submittal.

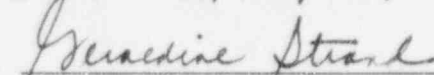
New York Power Authority



William J. Cahill, Jr.
Chief Nuclear Officer

**STATE OF NEW YORK
COUNTY OF WESTCHESTER**

Subscribed and sworn to before me
this 24th day of April, 1996.



Notary Public

GERALDINE STRAND
Notary Public, State of New York
No. 4991272
Qualified in Westchester County,
Commission Expires Jan. 27, 1998