



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 9, 2012

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
James A. FitzPatrick Nuclear Power Plant  
P.O. Box 110  
Lycoming, NY 13093

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - WITHDRAWAL OF AN  
AMENDMENT REQUEST RE: REVISION OF THE LICENSE CONDITION  
2.C(3), FIRE PROTECTION (TAC NO. ME5323)

Dear Sir or Madam:

By letter dated January 13, 2011 (Agencywide Documents and Management System (ADAMS) Accession No. ML110130436), you applied for an amendment to the James A. FitzPatrick Nuclear Power Plant, Renewed Facility Operating License (FOL) No. DPR-59. The proposed amendment would have modified the Renewed FOL by deleting references to specific Safety Evaluation Reports, Technical Specification Amendments, and Exemptions from License Condition 2.C(3), Fire Protection, and replacing them with the words "as supplemented." Subsequently, by letter dated January 4, 2012 (ADAMS Accession No. ML120050483), you withdrew the amendment request.

The U.S. Nuclear Regulatory Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in black ink that reads "B.K. Vaidya".

Bhalchandra K. Vaidya, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosure:  
Notice of Withdrawal

cc w/encl: Distribution via Listserv

UNITED STATES NUCLEAR REGULATORY COMMISSIONENTERGY NUCLEAR OPERATIONS, INC.DOCKET NO. 50-333NOTICE OF WITHDRAWAL OF APPLICATION FOR  
AMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Entergy Nuclear Operations, Inc. (the licensee) to withdraw its January 13, 2011 (Agencywide Documents and Management System (ADAMS) Accession No. ML110130436), application for the proposed amendment to Renewed Facility Operating License (FOL) No. DPR-59 for the James A. FitzPatrick Nuclear Power Plant, located in Oswego County, New York.

The proposed amendment would have modified the Renewed FOL by deleting references to specific Safety Evaluation Reports, Technical Specification Amendments, and Exemptions from License Condition 2.C(3), Fire Protection, and replacing them with the words "as supplemented."

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the FEDERAL REGISTER on February 22, 2011 (76 FR 9823). However, by letter dated January 4, 2012 (ADAMS Accession No. ML120050483), the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 13, 2011, and the licensee's letter dated January 4, 2012, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File

Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available documents created or received at the NRC are accessible electronically through the ADAMS in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 9<sup>th</sup> day of January 2012.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "B.K. Vaidya", with a horizontal line underneath the name.

Bhalchandra K. Vaidya, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

January 9, 2012

Vice President, Operations  
Entergy Nuclear Operations, Inc.  
James A. FitzPatrick Nuclear Power Plant  
P.O. Box 110  
Lycoming, NY 13093

**SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT - WITHDRAWAL OF AN AMENDMENT REQUEST RE: REVISION OF THE LICENSE CONDITION 2.C(3), FIRE PROTECTION (TAC NO. ME5323)**

Dear Sir or Madam:

By letter dated January 13, 2011 (Agencywide Documents and Management System (ADAMS) Accession No. ML110130436), you applied for an amendment to the James A. FitzPatrick Nuclear Power Plant, Renewed Facility Operating License (FOL) No. DPR-59. The proposed amendment would have modified the Renewed FOL by deleting references to specific Safety Evaluation Reports, Technical Specification Amendments, and Exemptions from License Condition 2.C(3), Fire Protection, and replacing them with the words "as supplemented." Subsequently, by letter dated January 4, 2012 (ADAMS Accession No. ML ML120050483), you withdrew the amendment request.

The U.S. Nuclear Regulatory Commission has filed the enclosed Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication.

Sincerely,  
/RA/

Bhalchandra K. Vaidya, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 50-333

Enclosure:  
Notice of Withdrawal

cc w/enc: Distribution via Listserve

**DISTRIBUTION:**

PUBLIC LPL1-1 R/F RidsNrrDorLPL1-1 RidsOGCMailCenter  
RidsNrrDirsltsb RidsAcrsAcnwMailCenter RidsNrrPMFitzPatrick  
RidsNrrDorDpr Resource RidsNrrLASLittle (paper copy) RidsRgn1MailCenter Resource  
MGray, RI RidsNrrDraAfpb

**ADAMS Accession Nos.:**

**PKG ML12005A215 LTR (NRR-106) ML12005A220 FRN (ADM-012) ML12005A225**

OFFICE	LPL1-1\PM	LPL1-1\LA	LPL1-1\BC	LPL1-1\PM
NAME	BVaidya	SLittle	NSalgado	BVaidya
DATE	01/09/12	1/9/12	01/09/12	01/09/12

Official Record Copy