

**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)

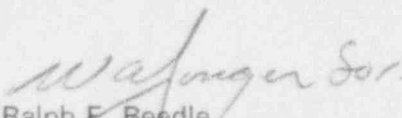
APPLICATION FOR AMENDMENT TO OPERATING LICENSE

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 regulations.

This application for an Amendment to the James A. FitzPatrick Technical Specifications proposes to remove the reference to American Society for Testing and Materials (ASTM) Standard D 270-65 from Surveillance Requirement 4.12.A.1.i. ASTM D 270-65, which specifies procedures to draw a representative fuel oil sample, has been superseded and is no longer in effect. The FitzPatrick Surveillance Procedure currently requires sampling in accordance with ASTM D 270-65 but notes that it has been superseded by ASTM D 4057-88. The proposed change makes Surveillance Requirement 4.12.A.1.i consistent with fuel oil Surveillance Requirement 4.9.C.1, for the emergency diesel generators, by adopting the current industry fuel oil sampling standard. There are no changes to the acceptance criteria for fuel oil quality which are based on ASTM D 975-81.

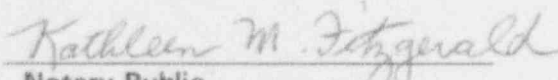
The proposed change to the Technical Specifications is Attachment I to this Application for Amendment to the Operating License. The Safety Evaluation for the proposed change is included as Attachment II. A markup of the affected Technical Specification pages is included as Attachment III.

New York Power Authority


Ralph E. Beedle
Executive Vice President
Nuclear Generation

**STATE OF NEW YORK
COUNTY OF WESTCHESTER**

Subscribed and sworn to before me
this 23 day of December 1993.


Notary Public

KATHLEEN M. FITZGERALD
Notary Public, State of New York
No. 4990017
Qualified in Westchester County
Commission Expires Dec. 23, 1993

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PDR ADOCK 05000333
P PDR