



William J. Cahill, Jr.  
Chief Nuclear Officer

March 27, 1996  
JPN-96-011

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Mail Station P1-137  
Washington, D.C. 20555

**Subject:** James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Proposed Changes to the Technical Specifications to Incorporate  
Option B to 10CFR50, Appendix J (JPTS-96-003)

**Reference:** 1. Regulatory Guide 1.163, Performance-Based Containment  
Leak-Test Program, dated September 1995

Dear Sir:

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 submittal also provides notification of the Authority's intent to implement a performance-based primary containment leakage rate testing program at the FitzPatrick 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 ( $L_a$ ) 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 (Reference 1), and exemptions currently approved by the NRC for the FitzPatrick Plant.

The Authority requests NRC approval of this proposed amendment prior to July 1, 1996 in order to adopt these changes prior to the upcoming refueling outage currently scheduled for fall 1996.

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The signed original of the Application for Amendment to Operating License is enclosed for filing. 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 B.2. Attachment V summarizes the commitment made in this submittal.

A copy of this application and the associated attachments are being provided to the designated New York State official in accordance with 10 CFR 50.91.

If you have any questions, please contact Mr. A. Zaremba.

Very Truly Yours,

  
William J. Cahill, Jr.  
Chief Nuclear Officer

att: as stated

cc: U.S. Nuclear Regulatory Commission  
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