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September 18, 1981  
JPN-81-72

Director of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Mr. Thomas A. Ippolito, Chief  
Operating Reactors Branch No. 2  
Division of Licensing

Subject: James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
Proposed Changes to the Technical Specifications  
Related to Site Evacuation Exercise Schedule

Reference: D.P. Dise (Niagara Mohawk) and J.P. Bayne (PASNY)  
to H.R. Denton (NRC) dated May 20, 1981

Dear Sir:

Enclosed for filing are three (3) signed originals and nineteen (19) copies of a document entitled, "Application for Amendment to Operating License", together with forty (40) copies of Attachments I and II thereto, comprising a statement of the proposed changes to the Technical Specifications and the associated Safety Evaluation.

This application seeks to amend on 6.13(B), "Emergency Plan", on page 258 of Appendix A. The change adds a note which would postpone the site evacuation exercise until 1982.

The Authority had scheduled an on-site emergency drill for September 28, 1981 which would have included a communications check with state, county and local authorities. This drill would not, however, include the participation of these organizations beyond the communications check.

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Niagara Mohawk Power Corporation has scheduled an exercise on September 15, 1981 for its Nine Mile Point Nuclear Power Plant, located on a site adjacent to the James A. FitzPatrick plant. This exercise will include the full participation of state, county and local authorities. The Power Authority had planned to observe Niagara Mohawk's full-scale exercise and to use these experiences to improve the full-scale drill scheduled for 1982 at James A. FitzPatrick. During this 1982 exercise, Nine Mile Point personnel would observe and conduct a separate, limited drill. These plans to conduct drills on a rotational schedule with each licensee performing a full scale exercise every other year, were detailed in the reference letter. In this manner, the need for two, similar exercises for the same site by state, county and local authorities would be eliminated.

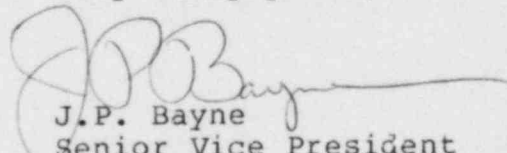
The NRC Inspection and Enforcement Office has recently informed us that these plans do not meet their interpretation of the requirements of 10CFR50 Appendix E and that both the Authority and Niagara Mohawk must each conduct an annual emergency exercise with state, county and local authorities participating.

Because of an upcoming refueling outage, inadequate time is available to expand the September 28th drill to include state, county and local participation. Therefore, the the Authority is proposing to delay this exercise until 1982. This postponement will also permit state, county and local authorities time to incorporate the experiences of the Niagara Mohawk drill into their respective plans. This application for amendment incorporates this revised schedule into Appendix A. The Authority has discussed this change with both the Office of Inspection and Enforcement, and NRR - Division of Licensing.

The proposed page change is Attachment I to the Application for Amendment to the Operating License enclosed with this letter. The Safety Evaluation for the proposed changes to the Technical Specifications is Attachment II to the Application for Amendment.

The Authority has classified this application for amendment to the operating license as Class II as it is administrative in nature. Enclosed is a check in the amount of \$1,200 as the filing fee per 10CFR 170.22, which the Authority pays under protest pending a final determination of the legality of the fee schedule.

Very truly yours,

  
J.P. Bayne  
Senior Vice President  
Nuclear Generation