

July 12, 2001

Mr. J. A. Stall
Senior Vice President, Nuclear and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: ST. LUCIE UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS REGARDING
REMOVAL OF TECHNICAL SPECIFICATIONS BASES FROM TECHNICAL
SPECIFICATIONS INDEX - ADMINISTRATIVE CHANGES (TAC NOS. MA9723
AND MA9724)

Dear Mr. Stall:

The Commission has issued the enclosed Amendment Nos. 176 and 117 to Facility Operating Licenses Nos. DPR-67 and NPF-16 for the St. Lucie Plant, Units Nos. 1 and 2. These amendments consist of changes to the Technical Specifications (TS) in response to your application dated July 26, 2000, as supplemented January 17, 2001, and April 17, 2001.

The purpose of these amendments is to revise the TS Index to delete reference to the BASES since, in accordance with Title 10, *Code of Federal Regulations* (10 CFR), Section 50.36(a), the BASES are not a part of the TS required by 10 CFR 50.36. Future changes to the TS BASES will be evaluated per 10 CFR 50.59 and placed under administrative controls and reviews and in accordance with the proposed TS Bases Control Program. These programmatic controls are identical to TS 5.5.14 of NUREG-1432, Revision 1, "Standard Technical Specifications Combustion Engineering Plants."

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

Brendan T. Moroney, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-335 and 50-389

Enclosures:

1. Amendment No. 176 to DPR-67
2. Amendment No. 117 to NPF-16
3. Safety Evaluation

cc w/encls: See next page

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FLORIDA POWER & LIGHT COMPANY

DOCKET NO. 50-335

ST. LUCIE PLANT UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 176

License No. DPR-67

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power & Light Company (the licensee), dated July 26, 2000, as supplemented January 17, 2001, and April 17, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, Facility Operating License No. DPR-67 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and by amending paragraph 2.C.(2) to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 176, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by Ronald W. Hernan Acting for/

Patrick M. Madden, Chief (Acting), Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: July 12, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 176

TO FACILITY OPERATING LICENSE NO. DPR-67

DOCKET NO. 50-335

Replace the following pages of the Appendix A Technical Specifications with the attached pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Remove Pages

II
IX
X
XI
XII
XV
6-15c

Insert Pages

II
IX
X
XI
XII
XV
6-15c
6-15d

FLORIDA POWER & LIGHT COMPANY
ORLANDO UTILITIES COMMISSION OF
THE CITY OF ORLANDO, FLORIDA
AND
FLORIDA MUNICIPAL POWER AGENCY
DOCKET NO. 50-389
ST. LUCIE PLANT UNIT NO. 2
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 117
License No. NPF-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power & Light Company, et al. (the licensee), dated July 26, 2000, as supplemented January 17, 2001, and April 17, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, Facility Operating License No. NPF-16 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and by amending paragraph 2.C.2 to read as follows:

2. Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 117, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by Ronald W. Hernan Acting for/

Patrick M. Madden, Chief (Acting), Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: July 12, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 117

TO FACILITY OPERATING LICENSE NO. NPF-16

DOCKET NO. 50-389

Replace the following pages of the Appendix A Technical Specifications with the attached pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Remove Pages

III
XI
XII
XIII
XIV
XV
XVI
XXI
XXII
XXV

Insert Pages

III
XI
XII
XIII
XIV
XV
XVI
XXI
XXII
XXV
6-15d

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NOS. 176 AND 117
TO FACILITY OPERATING LICENSES NOS. DPR-67 AND NPF-16
FLORIDA POWER AND LIGHT COMPANY, ET AL.
ST. LUCIE PLANT, UNITS NOS. 1 AND 2
DOCKET NOS. 50-335 AND 50-389

1.0 INTRODUCTION

By letter dated July 26, 2000, as supplemented January 17, 2001, and April 17, 2001, Florida Power and Light Company, et al. (FPL or the licensee), requested amendments to the Technical specifications (TS) appended to Facility Operating Licenses DPR-67 and NPF-16 for St. Lucie Units 1 and 2. The proposed amendment would revise the Indices of the St. Lucie Units 1 and 2 TS to delete references to the BASES, and would add a new "Technical Specification (TS) Bases Control Program" to the Administrative Controls Section of the TS.

The licensee's supplementary submittals dated January 17, 2001, and April 17, 2001, did not affect the original proposed no significant hazards determination, or expand the scope of the request as noticed in the *Federal Register* on October 4, 2000 (65 FR 59222).

2.0 BACKGROUND

Title 10, *Code of Federal Regulations* (10 CFR), Section 50.36, *Technical Specifications*, addresses the categories of TS to be included in each facility's operating license. Section 50.36(a) states, "A summary statement of the bases or reasons for such specifications, other than those covering administrative controls, shall also be included in the application, but shall not become part of the technical specifications." Pursuant to 10 CFR 50.36(a), the licensee proposes that the Index of the St. Lucie Units 1 and 2 TS be revised to delete reference to the BASES.

The licensee also proposes to voluntarily add a BASES control program to Section 6 of the TS. Bases control programs are not required by regulation, but are included in the TS of the majority of licensed plants and appear in the generic improved TS, NUREG-1432, Revision 1, "Standard Technical Specifications, Combustion Engineering Plants." The staff reviewed the licensee's proposal against the model in NUREG-1432, as modified by minor wording changes recently developed under TS Task Force (TSTF) 364 to bring the standard into conformance with the revised 10 CFR 50.59, which was revised with an effective date of March 13, 2001.

Enclosure

3.0 EVALUATION

The following discussion sets forth the Nuclear Regulatory Commission staff's conclusions regarding the proposed new administrative controls in the St. Lucie TS, and the proposed deletions from the TS Index. All of these changes were reviewed against 10 CFR 50.36 and for consistency with the guidance provided in the Standard TS, NUREG-1432, Revision 1, "Standard Technical Specifications Combustion Engineering Plants."

The licensee proposed the following changes to the St. Lucie Unit 1 and 2 TS:

1. DELETE reference to BASES section of Index for Section 2, Safety Limits and Limiting Safety System Settings, on Index page iii.
2. DELETE Index pages that contain Section 3/4 BASES documentation.
3. ADD a new program to Section 6.8.4 of the Administrative Controls section of the TS. The new section will be entitled, "j. Technical Specifications (TS) Bases Control Program" and will read as follows (in **bold**):

j. Technical Specifications (TS) Bases Control Program

This program provides a means for processing changes to the Bases of these Technical Specifications.

- a. **Changes to the Bases of the TS shall be made under appropriate administrative controls and reviews.**
- b. **Licensees may make changes to Bases without prior NRC approval provided the changes do not require either of the following:**

A change in the TS incorporated in the license; or

A change to the updated FSAR or Bases that requires NRC approval pursuant to 10 CFR 50.59.

- c. **The Bases Control Program shall contain provisions to ensure that the Bases are maintained consistent with the UFSAR**
 - d. **Proposed changes that meet the criteria of Specification 6.8.4.j.b., above, shall be reviewed and approved by the NRC prior to implementation. Changes to the Bases implemented without prior NRC approval shall be provided to the NRC on a frequency consistent with 10 CFR 50.71(e).**
4. Index Page XV, TS Section 6.9, REPORTING REQUIREMENTS, and TS Section 6.9.1, ROUTINE REPORTS, requires administrative conforming changes due to the text insertion for the TS Bases Control Program. These result in moving TS Section 6.9, REPORTING REQUIREMENTS, and TS Section 6.9.1,

ROUTINE REPORTS, to a new TS page 6-15d. Since these Sections appear in the Index, a conforming change is required for the Index.

The proposed revisions to the St Lucie Units 1 and 2 TS are administrative in nature. Since the BASES are not a part of the TS required by 10 CFR 50.36, reference to the BASES may be removed from the TS Index. Changes to the TS BASES will be controlled by a plant procedure under administrative controls and reviews. Proposed changes to the TS BASES will be evaluated in accordance with the standards set forth in 10 CFR 50.59 and will be made in accordance with the proposed TS Bases Control Program, which the licensee is voluntarily adopting.

Based on the preceding evaluation, the staff concludes that the proposed TS changes are acceptable. The staff notes that these programmatic controls are identical to TS 5.5.14 of NUREG-1432, Revision 1, "Standard Technical Specifications Combustion Engineering Plants." Moreover, the proposed format and content for the Bases Control Program at 6.8.4.j are consistent with the generic model in NUREG-1432, Rev. 1 and TSTF-364.

3.0 STATE CONSULTATION

Based upon a letter dated March 8, 1991, from Mary E. Clark of the State of Florida, Department of Health and Rehabilitative Services, to Deborah A. Miller, Licensing Assistant, U.S. Nuclear Regulatory Commission, the State of Florida does not desire notification of issuance of license amendments.

4.0 ENVIRONMENTAL CONSIDERATION

These amendments relate to changes in record keeping, administrative procedures or requirements. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: Ram Subbaratnam, NRR
Robert Tjader, NRR

Date: July 12, 2001

Mr. J.A. Stall
Florida Power and Light Company

ST. LUCIE PLANT

cc:
Senior Resident Inspector
St. Lucie Plant
U.S. Nuclear Regulatory Commission
P.O. Box 6090
Jensen Beach, Florida 34957

Mr. R. G. West
Plant General Manager
St. Lucie Nuclear Plant
6351 South Ocean Drive
Jensen Beach, Florida 34957

Joe Myers, Director
Division of Emergency Preparedness
Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100

E. J. Weinkam
Licensing Manager
St. Lucie Nuclear Plant
6351 South Ocean Drive
Jensen Beach, Florida 34957

M. S. Ross, Attorney
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

Mr. Don Mothena
Manager, Administrative Support
and Special Projects
P.O. Box 14000
Juno Beach, FL 33408-0420

Mr. Douglas Anderson
County Administrator
St. Lucie County
2300 Virginia Avenue
Fort Pierce, Florida 34982

Mr. Rajiv S. Kundalkar
Vice President - Nuclear Engineering
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

Mr. William A. Passetti, Chief
Department of Health
Bureau of Radiation Control
2020 Capital Circle, SE, Bin #C21
Tallahassee, Florida 32399-1741

Mr. J. Kammel
Radiological Emergency
Planning Administrator
Department of Public Safety
6000 SE. Tower Drive
Stuart, Florida 34997

Mr. Donald E. Jernigan
Vice President
St. Lucie Nuclear Plant
6351 South Ocean Drive
Jensen Beach, Florida 34957