

January 11, 1995

DISTRIBUTION

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Mr. J. H. Goldberg
President-Nuclear Division
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

Dear Mr. Goldberg:

SUBJECT: TURKEY POINT UNITS 3 AND 4 - ISSUANCE OF AMENDMENTS RE:
SURVEILLANCE REQUIREMENTS FOR INSERVICE INSPECTION AND TESTING
PROGRAMS (TAC NOS. M89321 AND M89322)

Dear Mr. Goldberg:

The Commission has issued the enclosed Amendment No. 171 to Facility Operating License No. DPR-31 and Amendment No. 165 to Facility Operating License No. DPR-41 for the Turkey Point Plant, Unit Nos. 3 and 4, respectively. The amendments consist of changes to the Technical Specifications (TS) in response to your application dated April 19, 1994, relating to the Turkey Point surveillance requirements for inservice inspection and testing programs.

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,

(Original Signed By)

Richard P. Croteau, Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-250
and 50-251

Enclosures:

1. Amendment No. 171 to DPR-31
2. Amendment No. 165 to DPR-41
3. Safety Evaluation

cc w/enclosures: See next page

Document Name: G:\TP89321.AMD

OFFICE	LA:PDII-2	PM:PDII-2	AD:PDII-2	OGC	
NAME	Dunnington ^{ETD}	Croteau	MATTHEWS Thadant	HOLLER	
DATE	11/9/94	11/9/94	11/9/94	11/6/94 ⁹⁵	
COPY	Yes/No	Yes/No	Yes/No	Yes/No	

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Mr. J. H. Goldberg
Florida Power and Light Company

Turkey Point Plant

cc:

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DATED: January 11, 1995

AMENDMENT NO. 171 TO FACILITY OPERATING LICENSE NO. DPR-31-TURKEY POINT UNIT 3
AMENDMENT NO. 165 TO FACILITY OPERATING LICENSE NO. DPR-41-TURKEY POINT UNIT 4

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Docket File

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S. Varga, 14/E/4

D. Hagan, 3302 MNBB

G. Hill (4), P-137

C. Grimes, 11/F/23

ACRS (10)

OPA

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

FLORIDA POWER AND LIGHT COMPANY
DOCKET NO. 50-250
TURKEY POINT PLANT UNIT NO. 3
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.171
License No. DPR-31

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated April 19, 1994, 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.

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2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-31 is hereby amended to read as follows:

(B) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 171, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



David B. Matthews, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 11, 1995



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

FLORIDA POWER AND LIGHT COMPANY
DOCKET NO. 50-251
TURKEY POINT PLANT UNIT NO. 4
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 165
License No. DPR-41

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated April 19, 1994, 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, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Facility Operating License No. DPR-41 is hereby amended to read as follows:

(B) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 165, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



David B. Matthews, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 11, 1995

ATTACHMENT TO LICENSE AMENDMENT

AMENDMENT NO. 171 FACILITY OPERATING LICENSE NO. DPR-31

AMENDMENT NO. 165 FACILITY OPERATING LICENSE NO. DPR-41

DOCKET NOS. 50-250 AND 50-251

Revise Appendix A as follows:

Remove pages

3/4 0-3

B 3/4 0-6

Insert pages

3/4 0-3

B 3/4 0-6

APPLICABILITY

SURVEILLANCE REQUIREMENTS

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

4.0.2 Each Surveillance Requirement shall be performed within the specified time interval with a maximum allowable extension not to exceed 25% of the surveillance interval.

4.0.3 Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.2, shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when the allowable outage time limits of the ACTION requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with a Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

3/4.0 APPLICABILITY

BASES

Surveillance Requirements do not have to be performed on inoperable equipment because the ACTION requirements define the remedial measures that apply. However, the Surveillance Requirements have to be met to demonstrate that inoperable equipment has been restored to OPERABLE status.

Specification 4.0.4 establishes the requirement that all applicable surveillances must be met before entry into an OPERATIONAL MODE or other condition of operation specified in the Applicability statement. The purpose of this specification is to ensure that system and component OPERABILITY requirements or parameter limits are met before entry into a MODE or condition for which these systems and components ensure safe operation of the facility. This provision applies to changes in OPERATIONAL MODES or other specified conditions associated with plant shutdown as well as startup.

Under the provisions of this specification, the applicable Surveillance Requirements must be performed within the specified surveillance interval to ensure that the Limiting Conditions for Operation are met during initial plant startup or following a plant outage.

When a shutdown is required to comply with ACTION requirements, the provisions of Specification 4.0.4 do not apply because this would delay placing the facility in a lower MODE of operation.

Specification 4.0.5 establishes the requirement that inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with a periodically updated version of Section XI of the ASME Boiler and Pressure Vessel Code and Addenda as required by 10 CFR 50.55a.

This specification includes a clarification of the frequencies for performing the inservice inspection and testing activities required by Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda. This clarification is provided to ensure consistency in surveillance intervals throughout the Technical Specifications and to remove any ambiguities relative to the frequencies for performing the required inservice inspection and testing activities.

Under the terms of this specification, the more restrictive requirements of the Technical Specifications take precedence over the ASME Boiler and Pressure Vessel Code and applicable Addenda. The requirements of Specification 4.0.4 to perform surveillance activities before entry into an OPERATIONAL MODE or other specified condition takes precedence over the ASME Boiler and Pressure



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 171 TO FACILITY OPERATING LICENSE NO. DPR-31
AND AMENDMENT NO. 165 TO FACILITY OPERATING LICENSE NO. DPR-41
FLORIDA POWER AND LIGHT COMPANY
TURKEY POINT UNIT NOS. 3 AND 4
DOCKET NOS. 50-250 AND 50-251

1.0 INTRODUCTION

In its letter dated April 19, 1994, Florida Power and Light Company, the licensee, proposed that Appendix A of Facility Operating Licenses DPR-31 and DPR-41 be amended to revise the Turkey Point Units 3 and 4 Technical Specifications (TS). Specifically, the proposed amendment would change TS 4.0.5.a, "Applicability - Surveillance Requirements," which specifies the surveillance requirements for implementation of the regulations for inservice inspection (ISI) and inservice testing (IST) in accordance with 10 CFR 50.55a. The proposed change is administrative and is intended to remove an inconsistency between the specifications and the referenced regulations, and is consistent with the revised standard technical specifications for Westinghouse plants (NUREG-1431).

2.0 EVALUATION

The regulations for nuclear industry codes and standards are stated in 10 CFR 50.55a. By rulemaking published June 12, 1971, effective July 12, 1971, 10 CFR 50.55a was issued to establish minimum quality standards for the design, fabrication, erection, construction, testing, and inspection of certain systems and components of boiling and pressurized water-cooled nuclear power reactor plants by requiring conformance with appropriate industry codes and standards. The regulations have been revised a number of times since first promulgated, including adding design requirements for assuring access for inspection and testing. Before March 15, 1976, the regulations contained no requirements for IST of pumps and valves. The ASME Code first included Subsections IWP and IWV to Section XI in the Summer 1973 Addenda. The rules effective March 15, 1976 (41 Federal Register 6256, published February 12, 1976), required that an operating license for a utilization facility be subject to the conditions specified in 10 CFR 50.55a(g), which included requirements for the ISI of components and the new IST of pumps and valves. The regulations provide for alternatives to the requirements if compliance would result in hardship without a compensating increase in the level of quality and safety, or if the proposed alternatives would give an acceptable level of quality and safety. Also, because a number of plants were designed prior to the inservice inspection and testing requirements were imposed, and

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therefore may not have included all the necessary access provisions, the regulations provide for relief from Code requirements if a licensee determines that conformance is impractical for its facility. These provisions are stated in 10 CFR 50.55a, paragraphs (a)(3)(i), (a)(3)(ii), (f)(6)(i), and (g)(6)(i).

After publishing the rules that took effect March 15, 1976, the NRC issued letters to licensees informing them of the rule change and recommending that they propose technical specification changes for both ISI and IST with the following standard statements:

The following language should be substituted, as appropriate, into the Technical Specifications where existing surveillance requirements are superseded by ASME Section XI inservice inspection and testing requirements:

- a. Inservice inspection of ASME Code Class 1, Class 2, and Class 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a(g), except where specific written relief has been granted by the NRC pursuant to 10 CFR 50, Section 50.55a(g)(6)(i).
- b. Inservice testing of ASME Code Class 1, Class 2, and Class 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a(g), except where specific written relief has been granted by the NRC pursuant to 10 CFR 50, Section 50.55a(g)(6)(i).

In the letters issued to then current-operating plants, the NRC further discussed the regulation which, at that time, required updates of the inservice inspection programs at 40-month intervals and the IST programs at 20-month intervals. The NRC suggested that licensees submit requests for relief from ASME Code requirements as far in advance as possible of the start of any 20-month period for testing pumps and valves but at least 90 days before that period (these inspection and testing periods were later changed to 120-month intervals for both ISI and IST). The NRC stressed the need to incorporate 10 CFR 50.55a(g) by reference in technical specifications (1) to avoid duplication of requirements, (2) to alleviate the need for technical specification changes whenever a testing program is updated, and (3) to simplify the process for obtaining relief from impractical ASME Code requirements.

The NRC discussed relief requests as follows in the letters to licensees:

Generally, the licensee will know well in advance of the beginning of any inspection period, whether or not a particular ASME Code requirement will be impractical for his facility. Thus, the licensee should request relief from ASME Code requirements as far as possible in advance of, but not less than 90 days before, the start

of the inspection period. Early submittals are particularly important for the first 40-month inservice and 20-month pump and valve testing period because they will enable the NRC staff to evaluate the information received from all licensees and determine which ASME Code requirements may be generally impractical for various classes of plants. Early submittals will thereby facilitate earlier feedback to licensees regarding the acceptability of their requests.

The NRC Staff recognizes that it will not be possible in all cases for a licensee to determine in advance that any particular ASME Code requirement will be impractical for his facility. In cases where, during the process of inservice testing, certain requirements are found to be impractical due to unforeseen circumstances, the licensee may request relief at that time. These occurrences are not expected to be many and are expected to result in only minor changes to an inservice testing program.

All relief from ASME Code requirements that are determined to be impractical for a facility will be granted in the form of a letter within the provisions of §50.55a(g)(6)(i). This written relief should be incorporated into the document describing the inservice inspection and testing program retained by the licensee. . . the written relief itself will not become an explicit part of the facility license . . .

During development of the revised standard technical specifications, the NRC approved a change from the ISI and IST surveillance requirements originally proposed in the 1976 letters to licensees. The standard technical specification change corrected what appeared to be a more restrictive limitation than the regulatory requirements of 10 CFR 50.55a in prohibiting the licensee from implementing relief for impractical Code requirements before obtaining approval from the NRC. The administrative section of the revised standard technical specifications includes the following applicable requirements for the ISI and IST programs:

5.7.2.11 Inservice Inspection Program

This program provides controls for inservice inspection of ASME Code Class 1, 2, and 3 components, including applicable supports. The program shall include the following:

- a. Provisions that inservice inspection of ASME Code Class 1, 2, and 3 components shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a; . . .

5.7.2.12 Inservice Testing Program

This program provides controls for inservice testing of ASME Code Class 1, 2, and 3 components including applicable supports. The program shall include the following:

- a. Provisions that inservice testing of ASME Code Class 1, 2, and 3 pumps, valves, and snubbers shall be performed

in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a; .

The revised standard technical specifications reflect the position that the licensee must establish and implement the program in accord with 10 CFR 50.55a. For preparing an updated ISI or IST program, the regulations allow a licensee up to a full year after the beginning of the updated interval to obtain NRC approval of relief from those Code requirements that the licensee has determined are impractical for its facility and are not included in the revised ISI or IST program. The regulations state that the need for relief be demonstrated to the satisfaction of the Commission no later than 12 months from the interval start date. If later in the interval a licensee finds a specific need for relief, the request should be submitted for NRC approval after identification of the impractical requirement.

The licensee proposes to delete the phrase "except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(i)." The revised technical specification will also eliminate the reference to "Section 50.55a(g)" and reference "Section 50.55a" to reflect the separation between ISI and IST that was effective in the most recent rulemaking to Section 50.55a. Requirements for IST are now addressed in Section 50.55a(f) while requirements for ISI remain in Section 50.55a(g). The bases for the technical specification have been changed accordingly. Turkey Point Units 3 and 4 Technical Specification 4.0.5 will read as follows:

Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a.

For 120-month updated programs, relief requests should be submitted prior to the interval start date to allow a period for NRC review 12 months after the interval start date (i.e., submit the updated program 3 to 6 months prior to the start date, or earlier). Upon determining an impractical requirement and not including that requirement in the revised inservice test or inspection program, the licensee must follow the requirements of 10 CFR 50.55a (f)(5)(iv) or (g)(5)(iv), as applicable. The change to the specification does not allow the licensee to implement alternative testing under 10 CFR 50.55a, paragraphs (a)(3)(i) and (a)(3)(ii), until the NRC has determined that such alternatives are authorized and has issued a safety evaluation to the licensee. However, this technical specification change will enable licensees to avoid situations where compliance with the technical specifications cannot be achieved for the period between the time of preparation and submittal of a relief request as part of a revised inservice test or inspection program during the first 12 months of the program and when the NRC has issued a safety evaluation and granted the relief. This situation could occur at the beginning of a new interval.

Following implementation of the TS change, when a Code requirement is practical but an alternate method is requested, approval from the NRC is required before implementing the alternative method of testing (1) proposed to achieve levels of quality and safety equivalent to those of the Code method or (2) proposed to avoid an undue hardship without yielding a compensating increase in the level of quality and safety. Additionally, for IST, the licensee may use the guidance in Generic Letter (GL) 89-04, "Guidance on Developing Acceptable Inservice Testing Programs," for alternatives that the staff has determined are acceptable for implementation.

In the letter dated April 19, 1994, accompanying the amendment application, the licensee discussed the guidance in draft NUREG-1482, "Guidelines for Inservice Testing at Nuclear Power Plants." Draft NUREG-1482 was published for comment in consideration of publishing the report in final form to give guidance on IST issues. The staff is evaluating the comments received and has not published the report in the final form yet. Additional staff guidance, if any, on IST and ISI issues will be published in an appropriate document at such time as such guidance or recommendations are available. However, notwithstanding any guidance or recommendations published by the staff or statement made in the licensee's April 19, 1994 letter, NRC requirements regarding the ASME Boiler and Pressure Vessel Code are as set out in the regulations at 10 CFR Section 50.55a.

3.0 CONCLUSION

The proposed changes to the Turkey Point Units 3 and 4 Technical Specification 4.0.5.a. and the associated bases are acceptable since the licensee must continue to meet the requirements of 10 CFR Section 50.55a.

4.0 STATE CONSULTATION

Based upon the written notice of the proposed amendments, the Florida State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

These amendments involve a change in the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (59 FR 27054). Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

Principal Reviewer: P. Campbell, NRR/DE/EMEB

Date: January 11, 1995