

President, Nuclear Division
 Florida Power and Light Company
 Post Office Box 14000
 Juno Beach, Florida 33408-0420

August 14, 1997

SUBJECT: ISSUANCE OF EXEMPTION FROM THE REQUIREMENTS OF 10 CFR 70.24
 ST. LUCIE, UNITS 1 AND 2 - (TAC NOS. M97997 AND M97998)

Dear Plunkett:

By letter dated February 19, 1997, as supplemented July 10, 1997, Florida Power and Light Company requested an exemption from the requirements of 10 CFR 70.24 concerning criticality monitors.

Based upon the information provided, there is reasonable assurance that irradiated and unirradiated fuel will remain subcritical; furthermore, you maintain radiation monitors in accordance with General Design Criterion (GDC) 63. The low probability of a criticality together with your adherence to GDC 63 constitute good cause for granting an exemption from 10 CFR 70.24.

The U.S. Nuclear Regulatory Commission, pursuant to 10 CFR 70.14, has issued the enclosed exemption for St. Lucie, Units 1 and 2. A copy of the exemption is being forwarded to the Office of Federal Register for publication.

Sincerely,

Original signed by

L. A. Wiens, Senior Project Manager
 Project Directorate II-3
 Division of Reactor Projects-I/II
 Office of Nuclear Reactor Regulation

Docket Nos. 50-335
 and 50-389

Enclosure: Exemption

cc w/enclosure: See next page
Distribution

Docket File PUBLIC
 St. Lucie Rdg. MBoyle
 OGC GHill(4)
 ACRS NDudley, EDO
 JJohnson, RII

Handwritten: Done
 |
 |
 |

DOCUMENT NAME: G:\STLUCIE\7024.EXE

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	PDII-3/PM	<input checked="" type="checkbox"/>	PDII-3/LA	<input checked="" type="checkbox"/>	PDII-3/D	<input checked="" type="checkbox"/>	C	SRXB(A)	<input checked="" type="checkbox"/>	OGC	<input checked="" type="checkbox"/>
NAME	LWiens <i>AW</i>		BClayton <i>BAC</i>		FHebdon <i>H</i>			JLyons			<i>APH</i>
DATE	07/28/97		07/30/97		07/30/97			07/26/97			07/10/97
OFFICE	DRPE:D		AD:ADPR	<i>H</i>	<i>817</i>	<i>1/1</i>					
NAME	BBoger <i>B</i>		RZimmerman		SCollins						
DATE	07/15/97		07/17/97	<i>RZ</i>	08/11/97						

OFFICIAL RECORD COPY

9708250219 970814
 PDR ADOCK 05000335
 P PDR

250021



NRC FILE CENTER COPY



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

August 14, 1997

Mr. Thomas F. Plunkett
President, Nuclear Division
Florida Power and Light Company
Post Office Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: ISSUANCE OF EXEMPTION FROM THE REQUIREMENTS OF 10 CFR 70.24
ST. LUCIE, UNITS 1 AND 2 - (TAC NOS. M97997 AND M97998)

Dear Plunkett:

By letter dated February 19, 1997, as supplemented July 10, 1997, Florida Power and Light Company requested an exemption from the requirements of 10 CFR 70.24 concerning criticality monitors.

Based upon the information provided, there is reasonable assurance that irradiated and unirradiated fuel will remain subcritical; furthermore, you maintain radiation monitors in accordance with General Design Criterion (GDC) 63. The low probability of a criticality together with your adherence to GDC 63 constitute good cause for granting an exemption from 10 CFR 70.24.

The U.S. Nuclear Regulatory Commission, pursuant to 10 CFR 70.14, has issued the enclosed exemption for St. Lucie, Units 1 and 2. A copy of the exemption is being forwarded to the Office of Federal Register for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "L. A. Wiens".

L. A. Wiens, Senior Project Manager
Project Directorate II-3
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-335
and 50-389

Enclosure: Exemption

cc w/enclosure: See next page

Mr. T. F. Plunkett
Florida Power and Light Company

ST. LUCIE PLANT

cc:
Senior Resident Inspector
St. Lucie Plant
U.S. Nuclear Regulatory Commission
7585 S. Hwy A1A
Jensen Beach, Florida 34957

Regional Administrator
Region II
U.S. Nuclear Regulatory Commission
61 Forsyth Street, SW., Suite 23T85
Atlanta, GA 30303-3415

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

H. N. Paduano, Manager
Licensing & Special Programs
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

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

J. A. Stall, Site Vice President
St. Lucie Nuclear Plant
6351 South Ocean Drive
Jensen Beach, Florida 34957

John T. Butler, Esquire
Steel, Hector and Davis
4000 Southeast Financial Center
Miami, Florida 33131-2398

Mr. J. Scarola
Plant General Manager
St. Lucie Nuclear Plant
6351 South Ocean Drive
Jensen Beach, Florida 34957

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

Mr. Kerry Landis
U.S. Nuclear Regulatory Commission
61 Forsyth Street, SW., Suite 23T85
Atlanta, GA 30303-3415

Mr. Bill Passetti
Office of Radiation Control
Department of Health and
Rehabilitative Services
1317 Winewood Blvd.
Tallahassee, Florida 32399-0700

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

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
FLORIDA POWER AND LIGHT)	
COMPANY, ET AL.)	Docket Nos. 50-335
)	and 50-389
(St. Lucie Plant, Units 1 and 2))	

EXEMPTION

I.

The Florida Power and Light Company, et al. (FPL or the licensee) is the holder of Facility Operating License Nos. DPR-67 and NPF-16, which authorize operation of the St. Lucie Plant, Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facility consists of two pressurized-water reactors at the licensee's site located in St. Lucie County, Florida.

II.

Section 70.24 of Title 10 of the CODE OF FEDERAL REGULATIONS, "Criticality Accident Requirements," requires that each licensee authorized to possess special nuclear material (SNM) shall maintain a criticality accident monitoring system in each area where such material is handled, used, or stored. Subsections (a)(1) and (a)(2) of 10 CFR 70.24 specify detection and sensitivity requirements that these monitors must meet. Subsection (a)(1) also specifies that all areas subject to criticality accident monitoring must

be covered by two detectors. Subsection (a)(3) of 10 CFR 70.24 requires licensees to maintain emergency procedures for each area in which this licensed SNM is handled, used, or stored and provides that (1) the procedures ensure that all personnel withdraw to an area of safety upon the sounding of a criticality accident monitor alarm, (2) the procedures must include drills to familiarize personnel with the evacuation plan, and (3) the procedures designate responsible individuals for determining the cause of the alarm and placement of radiation survey instruments in accessible locations for use in such an emergency. Subsection (b)(1) of 10 CFR 70.24 requires licensees to have a means to identify quickly personnel who have received a dose of 10 rads or more. Subsection (b)(2) of 10 CFR 70.24 requires licensees to maintain personnel decontamination facilities, to maintain arrangements for a physician and other medical personnel qualified to handle radiation emergencies, and to maintain arrangements for the transportation of contaminated individuals to treatment facilities outside the site boundary. Paragraph (c) of 10 CFR 70.24 exempts Part 50 licensees from the requirements of paragraph (b) of 10 CFR 70.24 for SNM used or to be used in the reactor. Paragraph (d) of 10 CFR 70.24 states that any licensee who believes that there is good cause why he should be granted an exemption from all or part of 10 CFR 70.24 may apply to the Commission for such an exemption and shall specify the reasons for the relief requested.

III.

The SNM that could be assembled into a critical mass at St. Lucie, Units 1 and 2, is in the form of nuclear fuel; the quantity of SNM other than fuel that is stored on site is small enough to preclude achieving a critical mass.

The Commission's technical staff has evaluated the possibility of an inadvertent criticality of the nuclear fuel at St. Lucie, Units 1 and 2, and has determined that it is extremely unlikely for such an accident to occur if the licensee meets the following seven criteria:

1. Only one fuel assembly is allowed out of a shipping cask or storage rack at one time.
2. The k-effective does not exceed 0.95, at a 95% probability, 95% confidence level in the event that the fresh fuel storage racks are filled with fuel of the maximum permissible U-235 enrichment and flooded with pure water.
3. If optimum moderation occurs at low moderator density, then the k-effective does not exceed 0.98, at a 95% probability, 95% confidence level in the event that the fresh fuel storage racks are filled with fuel of the maximum permissible U-235 enrichment and flooded with a moderator at the density corresponding to optimum moderation.
4. The k-effective does not exceed 0.95, at a 95% probability, 95% confidence level in the event that the spent fuel storage racks are filled with fuel of the maximum permissible U-235 enrichment and flooded with pure water.
5. The quantity of forms of special nuclear material, other than nuclear fuel, that are stored on site in any given area is less than the quantity necessary for a critical mass.
6. Radiation monitors, as required by General Design Criterion 63, are provided in fuel storage and handling areas to detect excessive radiation levels and to initiate appropriate safety actions.
7. The maximum nominal U-235 enrichment is limited to 5.0 weight percent.

By letter dated February 19, 1997, and supplemented July 10, 1997, the licensee requested an exemption from 10 CFR 70.24. In this request the licensee addressed the seven criteria given above. The Commission's technical staff has reviewed the licensee's submittals and has determined that St. Lucie, Units 1 and 2, meets the criteria for prevention of inadvertent criticality; therefore, the staff has determined that it is extremely unlikely for an inadvertent criticality to occur in SNM handling or storage areas at St. Lucie, Units 1 and 2.

The purpose of the criticality monitors required by 10 CFR 70.24 is to ensure that if a criticality were to occur during the handling of SNM, personnel would be alerted to that fact and would take appropriate action. The staff has determined that it is extremely unlikely that such an accident could occur; furthermore, the licensee has radiation monitors, as required by General Design Criterion 63, in fuel storage and handling areas. These monitors will alert personnel to excessive radiation levels and allow them to initiate appropriate safety actions. The low probability of an inadvertent criticality, together with the licensee's adherence to General Design Criterion 63, constitutes good cause for granting an exemption to the requirements of 10 CFR 70.24.

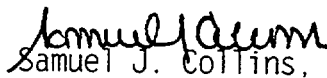
IV.

The Commission has determined that, pursuant to 10 CFR 70.14, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the Florida Power and Light Company, et al., an exemption from the requirements of 10 CFR 70.24.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (62 FR 43363).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,
this 14th day of August 1997