

FEB 3 1982

Docket No.: 50-389

Dr. Robert E. Uhrig, Vice President
Advanced Systems and Technology
Florida Power and Light Company
Post Office Box 14000
Juno Beach, Florida 33408

Dear Dr. Uhrig:

Subject: Issuance of Amendment No. 4 to Construction Permit for St. Lucie
Plant, Unit 2

By letter dated June 14, 1982, you filed an application for an amendment to
the Construction Permit (CPPR-144) for the St. Lucie Plant, Unit 2 to add
Florida Municipal Power Agency as a co-owner.

Along with your application for transfer of ownership, you submitted antitrust
information. At our request, the Attorney General of the United States has
reviewed your antitrust submittal. The Attorney General found that no anti-
trust hearing is necessary with respect to the transfer of ownership interest.
Notice of the receipt of the Attorney General's advice was published in the
Federal Register on November 29, 1982 (47 F.R. 53806). No petitions to
intervene on this ownership transfer have been received by the Commission.

We have reviewed your application for transfer of ownership interest and have
concluded that this action is not inimical to the common defense and security
or to the health and safety of the public, and does not involve a significant
hazards consideration. The bases for these conclusions are set forth in the
enclosed safety evaluation.

We have also concluded that the amendment involves actions which are insignif-
icant from the standpoint of environmental impact and that, pursuant to 10 CFR
Section 51.5(d)(4), an environmental impact statement or negative declaration
and an environmental impact appraisal need not be prepared in connection with
the issuance of the amendment.

OFFICE							
SU	B302240003	B30203					
	PDR	ADOCK	05000389				
	A		PDR				

Amendment No. 4 to CPPR-144, and a related notice which has been forwarded to the Office of the Federal Register for publication, are enclosed.

Sincerely,

Original signed by
Darrell G. Eisenhut
Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 4 to CPPR-144
- 2. Safety Evaluation
- 3. Federal Register Notice

cc w/enclosures:

See next page

Distribution:

See attached sheet

OFFICE	DL:DB#3	DL:LB#3	DE:AEAB	DL:LB#3	OELD	DL:AD:L	DL:DIR
SURNAME	Uhrig:ph	VNeyses	AToalston	GKnighton	BPaton B Vogler	TNovak	DE:Eisenhut
DATE	1/19/83	1/19/83	1/20/83	1/27/83	1/26/83	1/20/83	1/27/83

See correction

OK by phone

Dr. Robert E. Uhrig, Vice President
Advanced Systems and Technology
Florida Power & Light Company
P. O. Box 14000
Juno Beach, Florida 33408

Harold F. Reis, Esq.,
Lowenstein, Newman, Reis, Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington, D. C. 20036

Norman A. Coll, Esq.
Steel Hector & Davis
1400 Southeast First National
Bank Building
Miami, Florida 33131

Mr. Martin H. Hodder
1131 N. E. 86th Street
Miami, Florida 33138

Resident Inspector
St. Lucie Nuclear Power Station
c/o U. S. Nuclear Regulatory Commission
7900 South A1A
Jensen Beach, Florida 33457

Regional Administrator - Region II
U. S. Nuclear Regulatory Commission
101 Marietta Street
Suite 3100
Atlanta, Georgia 30303

Bureau of Intergovernmental Relations
660 Apalachee Parkway
Tallahassee, Florida 32304

Administrator
Department of Environmental Regulation
Power Plant Siting Section
State of Florida
2600 Blair Stone Road
Tallahassee, Florida 32301

Chairman
Florida Public Service Commission
700 South Adams Street
Tallahassee, Florida 32304

County Administration
St. Lucie County
2300 Virginia Avenue - Room 104
Ft. Pierce, Florida 33450

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

Amendment No. 4
 Construction Permit No. CPPR-144

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for amendment filed by Florida Power and Light Company, on behalf of itself and the other applicant, Orlando Utilities Commission of the City of Orlando, by letter dated June 14, 1982, to add Florida Municipal Power Agency as an applicant for the St. Lucie Plant, Unit 2, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in 10 CFR Chapter I:
 - B. 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
 - C. Issuance of this amendment will not result in any environmental impacts not previously considered.
2. Accordingly, Construction Permit No. CPPR-144 is amended to reflect a change in ownership of the facility as follows:

 All references to applicants shall include Florida Municipal Power Agency.
3. This amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
 Darrell G. Eisenhut

8302240004 830203
 PDR ADOCK 05000389
 A PDR

Darrell G. Eisenhut, Director
 Division of Licensing
 Office of Nuclear Reactor Regulation

Date of Issuance: FEB 3 1983

	OFFICE → DL:LB#3	DL:LB#3	DE:AEAB	OELD ^{OK by phone}	DL:LB#3	DL:AD:L	DL:RIB
	SURNAME → JLee-ph	VNerses	ATOalston	BPaton Bvogler	GKnighton	TNovak	DEisenhut
	DATE → 1/19/83	1/19/83	1/20/83	1/26/83	1/ /83	1/20/83	1/31/83

SAFETY EVALUATION

SUPPORTING AMENDMENT NO. 4 TO

CONSTRUCTION PERMIT NO. CPPR-144

ST. LUCIE PLANT, UNIT 2 (ST. LUCIE 2)

INTRODUCTION

Florida Power & Light Company (FP&L) is a holder of NRC Construction Permit No. CPPR-144 for Unit 2 of the St. Lucie Plant. On September 18, 1980, the NRC issued Amendment No. 1 to the permit to include conditions to alleviate effects of the loss of AC power in the event of a station blackout. Amendment No. 2 was issued on November 14, 1980 to provide for the transfer of an ownership interest in St. Lucie 2 to the Orlando Utilities Commission of the City of Orlando (Orlando). Amendment No. 3 was issued on May 26, 1981 to add certain antitrust conditions based on a settlement agreement and an April 24, 1981 Atomic Safety and Licensing Board Memorandum and Order in the then ongoing construction permit antitrust proceeding. By application dated June 14, 1982, the Florida Power and Light Company FP&L, as Project Manager and Operating Agent of the St. Lucie 2, submitted a request for an amendment to Construction Permit No. CPPR-144 to add Florida Municipal Power Agency (FMPA) as a co-owner and co-applicant and to secure approval of a transfer of the current ownership percentage to FMPA. FMPA ownership share amounts to 8.806 percent of the facility. Also FP&L filed antitrust information on June 14, 1982, regarding FMPA. At our request, the Attorney General reviewed the antitrust information submitted by FP&L with regard to ownership by FMPA. The Attorney General determined that an antitrust hearing was not required.

ANALYSIS

The transfer of partial ownership to FMPA does not involve any change in the exclusive responsibility and control to be exercised by FP&L over the physical construction, operation and maintenance of St. Lucie 2. Therefore, the proposed amendment to the Unit 2 construction permit does not involve either an unreviewed safety question or a significant hazards consideration.

FMPA was organized in February 1978 by twenty-six Florida municipalities and was created to plan, finance, acquire, construct, own, lease, operate, maintain, repair, improve, extend or otherwise participate jointly in one or more electric projects for the benefit of its members.

8302240005 830203
PDR ADOCK 05000389
A PDR

OFFICE ▶	.....	.....	.....	.....	.....	.....	.....
SURNAME ▶	.....	.....	.....	.....	.....	.....	.....
DATE ▶	.....	.....	.....	.....	.....	.....	.....

The NRC regulations relating to the determination of an applicant's financial qualifications are in Section 50.33(f) of 10 CFR Part 50. These regulations, as amended on March 31, 1982, state that a financial review of an applicant to construct a production or utilization facility (commercial nuclear power plant) shall not be conducted if the applicant is an electric utility. Since St. Lucie 2 is a utilization facility and since FMPA is an electric utility within the meaning of Section 50.33 (f) of 10 CFR Part 50, a financial review of the proposed transfer of ownership shares is not required.

CONCLUSION

On the basis of the above evaluation, the staff finds that the issuance of the requested amendment transferring ownership of 8.806 percent of St. Lucie 2 will not be inimical to the common defense and security or to the health and safety of the public. The staff finds that the requested amendment does not involve a significant hazards consideration because this action will not involve any significant increase in the probability or consequences of any accident, and this action will not involve any significant decrease in safety margin.

Date Issued: FEB 3 1983

HL for

OFFICE	DL:LB#3	DL:LB#3					
SURNAME	VNerses:ph	Gknighton					
DATE	1/26/83	1/27/83					

January 25, 1983

WC
Note to J. Lee

SUBJECT: ST. LUCIE 2 - ISSUANCE OF AMDT 4 to C.P. (ELD # 830 226)

The amendment and the F.R. Notice are okay but the SER has a legal error which must be corrected. On the second page of the SER, 50.33f is discussed in terms of "production" facilities and St. Lucie 2 is called a "production" facility. That is incorrect. 50.33f relates to "production and utilization" facilities and St. Lucie 2 is a "utilization" facility, not a production facility. That should be corrected before this is dispatched.

Ann Bennette
for Joseph F. Scinto

cc: B.Vogler

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-389,

FLORIDA POWER AND LIGHT COMPANY, ET AL

ST. LUCIE PLANT, UNIT 2

NOTICE OF ISSUANCE OF AMENDMENT TO CONSTRUCTION PERMITS

Notice is hereby given that the U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Construction Permit No. CPPR-144, to add Florida Municipal Power Agency as an applicant for the St. Lucie Plant, Unit 2 (the facility), located on Hutchinson Island in St. Lucie County, Florida. The amendment is effective as of the date of issuance. Florida Power and Light Company and Orlando Utilities Commission of the City of Orlando are the present applicants.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CFR Chapter I, which are set forth in the amendment. The Commission has also concluded that the amendment involves actions which are insignificant from the standpoint of environmental impact and that, pursuant to 10 CFR Section 51.5(d)(4), an environmental impact statement or negative declaration and an environmental impact appraisal need not be prepared in connection with the issuance of the amendment. Prior public notice of the amendments was not required since the amendment does not involve a significant hazards consideration.

OFFICE ▶							
SURNAME ▶							
DATE ▶							

For further details with respect to this action, see (1) the application for amendment, dated June 14, 1982; (2) Amendment No. 4 to Construction Permit No. CPPR-144 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room, 1717 H Street, N. W. Washington, D. C., and at the Indian River Community Library, 3900 Virginia Avenue, Ft. Pierce, Florida 33450. Items 2 and 3 may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Technical Information and Document Control.

Dated at Bethesda, Maryland, this day of February, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

George W. Knighton, Chief
Licensing Branch No. 3
Division of Licensing

SEE PREVIOUS CONCURRENCES.

OFFICE	DL:LB#3	DL:LB#3					
SURNAME	VNerses:ph	GKnighton					
DATE	2/ /83	2/ /83					

For further details with respect to this action, see (1) the application for amendment, dated June 14, 1982; (2) Amendment No. 4 to Construction Permit No. CPPR-144 and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room, 1717 H Street, N. W. Washington, D. C., and at the Indian River Community Library, 3900 Virginia Avenue, Ft. Pierce, Florida 33450. Items 2 and 3 may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Technical Information and Document Control.

Dated at Bethesda, Maryland, this day of January, 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

George W. Knighton, Chief
Licensing Branch No. 3
Division of Licensing

*w. t. d. 1/25/83
change
initial.*

OFFICE ▶	DL:LB#3	DL:LB#3	DL:LB#3	DELD			
SURNAME ▶	JL:ph	VNurses	GKnighton				
DATE ▶	1/17/83	1/19/83	1/ /83				

DISTRIBUTION FOR AMENDMENT NO. 4 TO CP
ST. LUCIE PLANT, UNIT 2

Document Control (50-389)
NRC PDR
Local PDR
PRC System
NSIC

FEB 8 1990

LB#3 Reading File
V. Nerses
J. Lee
G. Knighton
B. Paton, ELD
D. Eisenhut/R. Purple
T. Novak
J. Rutberg, ELD
A. Toalston, AIG
E. Jordan, DEQA:IE
J. Taylor, DRP:IE
L. Harmon, IE File (2)
J. Sauder
W. Miller
I. Dinitz
W. Jones, OA (1 cy)
T. Barnhart (4 cys)
B. Cotter, ASLBP
A. Rosenthal, ASLAP
ACRS (16 cys)
F. Pagano, IE