

May 24, 1988

Docket No. 50-389

Mr. W. F. Conway
Senior Vice President-Nuclear
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408

Dear Mr. Conway:

SUBJECT: ST. LUCIE UNIT 2 - REACTOR COOLANT SYSTEM PRESSURE/TEMPERATURE LIMITS
AND LOW TEMPERATURE OVERPRESSURE PROTECTION (TAC NO. 67709)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License and Proposed No Significant Hazards Consideration Determination" to the Office of the Federal Register for publication.

This notice relates to your November 27, 1987 application, as supplemented by letters dated May 4 and 20, 1988, to change the reactor coolant system pressure/temperature limits and low temperature overpressure protection system Technical Specifications.

Sincerely,

/s/

E. G. Tourigny, Project Manager
Project Directorate II-2
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

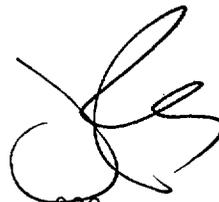
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Mr. W. F. Conway
Florida Power & Light Company

St. Lucie Plant

cc:

Mr. Jack Shreve
Office of the Public Counsel
Room 4, Holland Building
Tallahassee, Florida 32304

Resident Inspector
c/o U.S. NRC
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Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street N.W., Suite 2900
Atlanta, Georgia 30323

UNITED STATES NUCLEAR REGULATORY COMMISSIONFLORIDA POWER AND LIGHT COMPANYDOCKET NO. 50-389NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-16, issued to Florida Power and Light Company (the licensee), for operation of the St. Lucie Plant, Unit No. 2 located in St. Lucie County, Florida.

By application dated November 27, 1987, the licensee requested that the reactor coolant system (RCS) pressure/temperature (P/T) limits and RCS low temperature overpressure protection (LTOP) system Technical Specifications (TS) be amended. The TS changes were necessary because the existing P/T limits and associated LTOP system settings would become invalid on May 23, 1988. The licensee specifically proposed new P/T limit curves for six operating periods starting at 4 Effective Full Power Years (EFPY) out to 32 EFPY, and proposed associated changes for the LTOP system TS to include reformatting the limiting conditions for operation, applicability, and action statements.

The licensee's November 27, 1987 application was noticed in the FEDERAL REGISTER on February 10, 1988 (53 FR 3954), and a proposed no significant hazards consideration determination was made by the staff.

The staff's review of the licensee's submittal is continuing; however, the existing P/T limits expired on May 23, 1988. By letters dated May 4 and 20, 1988, the licensee requested the staff to issue P/T limits valid until 6 EFPY, in order to permit the staff to complete its review and not affect plant operation.

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In essence, the originally proposed curves valid until 10 EFPY will be changed to be valid until 6 EFPY. The staff is renoticing this amended application because it represents a significant change from what was previously noticed. The net effect of the change is a more restrictive set of TS.

The staff is issuing this notice under exigent circumstances. As specified above, the existing P/T limits expired on May 23, 1988. The staff and the licensee have been evaluating the issues associated with this review and currently agree that the 6 EFPY curves are satisfactory. The licensee did not request emergency treatment of the amended application; the staff does not believe that an emergency situation exists. However, the staff does believe that the amendment should be issued promptly.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards considerations. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

As specified above, the staff noticed the original application and proposed a no significant hazards consideration determination. The staff evaluated the above three factors as part of the proposed determination.

The amended application involves taking the proposed P/T limits for 10 EFPY and making them valid for 6 EFPY. Therefore, the 6 EFPY curves will be more conservative. The staff's analysis of the three factors for a no significant hazards consideration determination as described in the original FEDERAL REGISTER notice is also valid for the more restrictive P/T limits. Thus, the staff continues to propose that the amended application does not involve a significant increase in the probability or consequences of an accident previously evaluated; or create the possibility of a new or different kind of accident from any accident previously evaluated; or involve a significant reduction in a margin of safety. Therefore, the staff proposes to determine that the amended application involves no significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of the FEDERAL REGISTER notice.

Written comments may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, NW, Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By June 27, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rule of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave

to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of 30-days, the Commission will make a final determination on the issue of no significant hazards considerations. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards considerations, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves significant hazards considerations, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-6000 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Herbert N. Berkow: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this

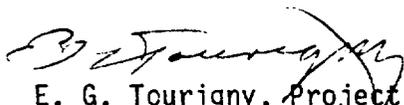
FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Harold F. Reis, Esq., Newman and Holtzinger, 1615 L Street, N.W., Washington, D.C. 20036.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated November 27, 1987, as supplemented May 4 and 20, 1988, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20555, and at the Local Public Document Room, Indian River Junior College Library, 3209 Virginia Avenue, Fort Pierce, Florida 33450.

Dated at Rockville, Maryland, this 24th day of May, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION


E. G. Tourigny, Project Manager
Project Directorate II-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation