

June 30, 2003

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 UNIT 2 - WITHDRAWAL OF AN AMENDMENT REQUEST
(TAC NO. MB9018)

Dear Mr. Stall:

By letter dated May 22, 2003, you applied for an exigent amendment to the St. Lucie Unit 2 Facility Operating License No. NPF-16. The proposed change would have modified the facility technical specifications pertaining to Emergency Core Cooling System subsystem flow balance surveillance testing. Subsequently, by letter dated June 9, 2003, you withdrew the amendment request.

The Commission has filed a Notice of Withdrawal of Application for Amendment to Facility Operating License with the Office of the Federal Register for publication. A copy is provided in Enclosure 1. Because of the exigent nature of your initial request, a public notice of the proposed amendment to the operating license was published in local newspapers. Enclosure 2 contains a copy of the public announcement that was forwarded to the *St. Lucie News*, the *Stuart News*, the *St. Lucie Tribune*, and the *Fort Pierce Tribune* newspapers for publication on May 27, 2003.

Sincerely,

/RA/

Brendan T. Moroney, Project Manager,

Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Section 2

Docket No. 50-389

Enclosures:

1. Notice of Withdrawal
2. Public Notice

cc w/encls: See next page

Florida Power and Light Company

ST. LUCIE PLANT

cc:

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Chief Nuclear Officer
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Stuart, Florida 34997

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Brendan T. Moroney, Project Manager,

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DATE	6/27/03	6/27/03	6/27/03

Official Record Copy

UNITED STATES NUCLEAR REGULATORY COMMISSION

FLORIDA POWER AND LIGHT COMPANY, ET AL.

DOCKET NO. 50-389

NOTICE OF WITHDRAWAL OF APPLICATION FOR

AMENDMENT TO FACILITY OPERATING LICENSE

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Florida Power and Light Company, et al. (the licensee) to withdraw its May 22, 2003, application for proposed amendment to Facility Operating License No. NPF-16 for the St. Lucie Plant, Unit No. 2, located in St. Lucie County, Florida.

The proposed amendment would have revised the Technical Specifications pertaining to Emergency Core Cooling System subsystem flow balance surveillance testing.

The Commission had previously published a public notice of the proposed amendment to the operating license in the *St. Lucie News*, the *Stuart News*, the *St. Lucie Tribune*, and the *Fort Pierce Tribune* newspapers on May 27, 2003. However, by letter dated June 9, 2003, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated May 22, 2003, and the licensee's letter dated June 9, 2003, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or

who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 30th day of June 2003.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

PUBLIC NOTICE

NRC STAFF PROPOSES TO AMEND OPERATING LICENSE AT THE ST. LUCIE PLANT, UNIT NO. 2

The U.S. Nuclear Regulatory Commission (NRC) staff has received an application dated May 22, 2003, from the Florida Power and Light Company, et al., for an exigent amendment to the operating license for the St. Lucie Plant, Unit 2, located in St. Lucie County, Florida.

The proposed amendment would revise the Technical Specifications (TS) regarding surveillance requirements for the high pressure safety injection (HPSI) system. During the current refueling outage, HPSI pump 2A did not meet the flow balance requirements specified in the TS. Troubleshooting ruled out system or component degradation as the cause. The unsuccessful test is attributed to extremely restrictive TS requirements. The proposed amendment would revise the TS test requirements to an achievable value while maintaining adequate margin to all applicable safety analysis requirements. The amendment is needed on an exigent basis since failure to act in a timely manner would prevent resumption of plant operation.

The licensee and the NRC staff have evaluated this proposed change with regard to the determination of whether or not a significant hazards consideration is involved. Operation of St. Lucie Unit 2 in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated. The proposed amendment would change the HPSI flow and head surveillance requirements while maintaining compliance with the safety analysis requirements. There are no system alterations due to this change. The surveillance requirements are not accident initiators and do not affect the frequency of occurrence of previously analyzed transients. This evaluation has demonstrated acceptable results for all the affected accidents previously analyzed. The changes proposed do

Enclosure 2

not alter or prevent the ability of structures, systems or components to perform their intended function to mitigate the consequences of accidents previously evaluated in the Updated Final Safety Analysis Report. There is no impact on the radiological consequences of accidents previously analyzed. Therefore, operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed amendments will not create the possibility of a new or different kind of accident from any previously analyzed. This proposed amendment revises the HPSI flow and head surveillance requirements. There are no physical changes to the plant systems and there is no adverse impact on component or system interactions due to the proposed changes. The modes of operation of the plant remain unchanged and the design functions of all the safety systems remain in compliance with the safety analysis. Therefore, operation of the facility in accordance with the proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed amendment will not involve a significant reduction in a margin of safety. The impact of the proposed changes to the HPSI flow and head surveillance requirements on the design basis accident analysis was evaluated and it is concluded that the safety analyses of all design basis accidents meet the applicable acceptance criteria with respect to the radiological consequences, specified acceptable fuel design limits, primary and secondary overpressurization, peak containment pressure and temperature and 10 CFR 50.46 requirements. There is no adverse effect on plant safety due to the proposed HPSI flow and head surveillance requirements. Therefore, operation of the facility in accordance with the proposed amendment would not involve a significant reduction in a margin of safety.

Following an initial review of this application, the requested amendment has been evaluated against the standards in 10 CFR 50.92 and the NRC staff has made a proposed (preliminary) determination that the requested amendment involves no significant hazards

considerations. The changes do not significantly increase the probability or consequences of any accident previously considered, nor create the possibility of an accident of a different kind, nor significantly decrease any margin of safety.

If the proposed determination that the requested license amendment involves no significant hazards consideration becomes final, the staff will issue the amendment without first offering an opportunity for a public hearing. An opportunity for a hearing will be published in the *Federal Register* at a later date and any hearing request will not delay the effective date of the amendment.

If the staff decides in its final determination that the amendment does involve a significant hazards consideration, a notice of opportunity for a prior hearing will be published in the *Federal Register* and, if a hearing is granted, it will be held before the amendment is issued.

Comments on the proposed determination of no significant hazards consideration may be (1) telephoned to Allen G. Howe, Chief, Section 2, Project Directorate II, by collect call to (301) 415-2024, or by facsimile to (301) 415-1222, (2) e-mailed to agh1@nrc.gov or (3) submitted in writing to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. All comments received by close of business on May 29, 2003, from 7:30 a.m. to 4:15 p.m. Federal workdays will be considered in reaching a final determination. A copy of the application may be examined electronically through the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room link at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html> and at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

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