October 25, 2004

Mr. Mark E. Warner, Site Vice President
c/o James M. Peschel
Seabrook Station
FPL Energy Seabrook, LLC
PO Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE: CHANGE TO EMERGENCY DIESEL GENERATOR TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENT 4.8.1.1.2a.5 FOOTNOTE (TAC NO. MC1975)

Dear Mr. Warner:

The Commission has issued the enclosed Amendment No. 98 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No 1, in response to your application dated February 3, 2004. The amendment modifies a footnote to clarify surveillance requirements for emergency diesel generator testing.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Scott P. Wall, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures: 1. Amendment No. 98 to NPF-86
2. Safety Evaluation

cc w/encls: See next page

Seabrook Station, Unit No. 1

cc:

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Scott P. Wall, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-443
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2. Safety Evaluation
cc w/encls: See next page

DISTRIBUTION:

PUBLIC	JClifford	SWall	CRaynor	OGC	GMatakas, RGN I
PDI-2 R/F	TBoyce	RJenkins	OChopra	GHill(2)	DLPM DPR
ACRS					

Accession Numbers: Letter ML041190176
TS(s)
Package ML041190263

OFFICE	PDI-2/PM	PDI-2/LA	EEIB/SC	IROB/SC	OGC	PDI-2/SC
NAME	SWall	CRaynor	RJenkins	TBoyce	HMcGurren	JClifford
DATE	10/15/04	10/15/04	SE dated 4/20/04	6/22/04	6/28/04	10/25/04

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FPL ENERGY SEABROOK, LLC, ET AL.*

DOCKET NO. 50-443

SEABROOK STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 98
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:

   (1) The application for amendment filed by FPL Energy Seabrook, LLC, et al. (the licensee), dated February 3, 2004, 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;

   (2) The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;

   (3) 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;

   (4) 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

   (5) 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.

*FPL Energy Seabrook, LLC (FPLE Seabrook), is authorized to act as agent for the following: Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Light Plant. FPLE Seabrook has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-86 is hereby amended to read as follows:

   (2) Technical Specifications

   The Technical Specifications contained in Appendix A, as revised through Amendment No. 98, and the Environmental Protection Plan contained in Appendix B are incorporated into Facility License No. NPF-86. FPLE Seabrook 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by Daniel Collins for/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: October 25, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 98

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages as indicated. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove	Insert
3/4 8-3	3/4 8-3
B 3/4 8-10	B 3/4 8-10

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 98 TO FACILITY OPERATING LICENSE NO. NPF-86

FPL ENERGY SEABROOK, LLC

SEABROOK STATION, UNIT NO. 1

DOCKET NO. 50-443

1.0 INTRODUCTION

By letter dated February 3, 2004, FPL Energy Seabrook, LLC (FPLE Seabrook or the licensee), requested changes to the Technical Specifications (TSs) for Seabrook Station, Unit No. 1 (Seabrook). The proposed amendment modifies a footnote to clarify surveillance requirements (SRs) for emergency diesel generator (EDG) testing. Specifically, the proposed change revises SR 4.8.1.1.2a.5 to remove the link created between ACTIONS b. and c. of TS 3.8.1.1 and the loaded surveillance testing requirements of SR 4.8.1.1.2a.6.

2.0 REGULATORY EVALUATION

The NRC staff determined that FPLE Seabrook, in its February 3, 2004, submittal, identified the applicable regulatory requirements. The regulatory requirements on which the NRC staff based its acceptance are described below.

General Design Criterion (GDC) 17, "Electric power systems," of Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, requires, in part, that nuclear power plants have onsite and offsite electric power systems to permit the functioning of structures, systems, and components that are important to safety. The onsite system is required to have sufficient independence, redundancy, and testability to perform its safety function, assuming a single failure. The offsite power system is required to be supplied by two physically independent circuits that are designed and located so as to minimize, to the extent practical, the likelihood of their simultaneous failure under operating and postulated accident and environmental conditions. In addition, this criterion requires provisions to minimize the probability of losing electric power from the remaining electric power supplies as a result of loss of power from the unit, the offsite transmission network, or the onsite power supplies.

GDC 18, "Inspection and testing of electric power systems," of Appendix A requires that electric power systems that are important to safety must be designed to permit appropriate periodic inspection and testing.

Pursuant to 10 CFR 50.36, "Technical specifications," each license authorizing operation of a production or utilization facility must include TSs which should include SRs relating to a test, calibration, or inspection to assure that the necessary quality of systems and components is

maintained. In March 2004, the NRC issued NUREG-1431, "Standard Technical Specifications [STSs], Westinghouse Plants," Revision 3. The STSs were developed based on the criteria outlined in 10 CFR 50.36. NUREG-1431 was established as a general model for developing potential TSs for Westinghouse plants. The generic Bases presented in NUREG-1431 provide information regarding application of the TS criteria and reflect detailed system configurations and operating characteristics for all reactor designs.

3.0 TECHNICAL EVALUATION

SR 4.8.1.1.2a.5 currently requires verification that the diesel starts from standby conditions and attains a steady-state generator voltage and frequency of 4160 ± 420 volts and 60 ± 1.2 Hz. This SR is modified by footnote (***) which requires the EDG to be gradually loaded per SR 4.8.1.1.2a.6 immediately following the performance of SR 4.8.1.1.2a.5. In addition, the footnote allows a modified start procedure to be used in lieu of the 10-12 second "fast start" for the EDG. When the modified start is not implemented, footnote (***) requires that the time, voltage, and frequency tolerances of SR 4.8.1.1.2e (10 second start) be met. However, the first sentence of the footnote created a link between ACTIONS b. and c. of TS 3.8.1.1 and loaded requirements of SR 4.8.1.1.2a.6. Retaining the link between ACTIONS b. and c. of TS 3.8.1.1 and SR 4.8.1.1.2a.6 would require the loading and paralleling of the only operable EDG to the offsite power system. The licensee has proposed to revise the footnote to remove the link between ACTIONS b. and c. of TS 3.8.1.1 and the loading requirements of SR 4.8.1.1.2a.6. This will be accomplished by deleting the first sentence and revising the second sentence of footnote (***) which reads as follows:

> Performance of Specification 4.8.1.1.2a.6) must immediately follow this surveillance. Additionally, a modified start involving idling and gradual acceleration to synchronous speed may be used for this surveillance. When modified start procedures are not used, the time, voltage, and frequency tolerances of Specification 4.8.1.1.2e must be met.

The revised footnote (***) to SR 4.8.1.1.2a.5 will read as follows:

> A modified start involving idling and gradual acceleration to synchronous speed may be used for this surveillance. When modified start procedures are not used, the time, voltage, and frequency tolerances of Specification 4.8.1.1.2e must be met.

At Seabrook, the unloaded testing of each EDG is performed on a monthly basis pursuant to SR 4.8.1.1.2a.5. The loaded testing of each EDG is also performed on a monthly basis pursuant to SR 4.8.1.1.2a.6. As required by footnote (***) to SR 4.8.1.1.2a.5, the performance of the loaded surveillance must immediately follow the unloaded surveillance. However, the performance of SR 4.8.1.1.2a.5 may also be required as a result of an entry into ACTION statement b. or c. of TS 3.8.1.1 due to the inoperability of one of the EDGs. ACTION statements b. and c. require starting of an operable EDG within 24 and 8 hours, respectively, of identification of a potential common mode failure. The licensee states that the strict compliance with the footnote (***) requires paralleling the only operable EDG unit with the offsite power upon entering into ACTION statement b. or c. of TS 3.8.1.1. When the only operable EDG is operating and paralleled to the offsite power system, it may be vulnerable to offsite power disturbances. The proposed change will eliminate the undesirable link that presently exists

between ACTION statements b. and c. of TS 3.8.1.1 and SR 4.8.1.1.2a.6. The primary purpose of SR 4.8.1.1.2a.6 will continue to be met since, to be in compliance with the SR, the licensee must maintain the 31-day test frequency requirement. Hence, the NRC staff finds that the proposed change does not affect Seabrook's compliance with GDC 17 and 18.

Based on the above, the NRC staff agrees with the licensee that it is not prudent to parallel the only operable EDG with the offsite power for test purposes under the condition when one EDG is already inoperable. Operation of the only EDG in this manner could increase its vulnerability for failure if power from the offsite power system is disturbed or lost. Therefore, the deletion of the first sentence and revision of the second sentence of footnote (***) to SR 4.8.1.1.2a.5 to remove the undesirable link that presently exists between ACTION statements b. and c. of TS 3.8.1.1 and SR 4.8.1.1.2a.6 is acceptable. The proposed change is also consistent with NUREG-1431, Revision 3.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Hampshire and Massachusetts State officials were notified of the proposed issuance of the amendment. The State officials had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a surveillance requirement. The NRC staff has determined that the amendment involves 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 amendment involves no significant hazards consideration, and there has been no public comment on such finding (69 FR 12371). Accordingly, the amendment meets 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 amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: O. Chopra

Date: October 25, 2004