



**FPL Energy**  
**Seabrook Station**

**FPL Energy Seabrook Station**  
**P.O. Box 300**  
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**JUN 28 2004**

Docket No. 50-443

NYN-04013

United States Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555-0001

Seabrook Station  
License Amendment Request 04-02  
Changes to Technical Specification 3.9.4  
Containment Building Penetrations Surveillance Requirements.

FPL Energy Seabrook, LLC, (FPL Energy Seabrook) is providing within the enclosed, License Amendment Request (LAR) 04-02. LAR 04-02 is submitted pursuant to the requirements of 10 CFR 50.90 and 10 CFR 50.4. This LAR proposes to clarify Technical Specification 3.9.4, "Containment Building Penetrations" by aligning the wording of the Surveillance Requirement to the Applicability Statement.

As discussed in Section IV of the enclosed, the proposed change does not involve a significant hazard consideration pursuant to 10 CFR 50.92. A copy of this letter and the enclosed LAR has been forwarded to the New Hampshire State Liaison Officer pursuant to 10 CFR 50.91(b). FPL Energy Seabrook requests NRC Staff review of LAR 04-02 and issuance of a license amendment by April 1, 2005.

FPL Energy Seabrook has determined that LAR 04-02 meets the criterion of 10 CFR 51.22(c)(9) for a categorical exclusion from the requirements for an Environmental Review (see Section VI of Enclosure 1).

The Station Operation Review Committee and the Company Nuclear Review Board have reviewed LAR 04-02.

*ACW 1*

Should you have any questions regarding this letter, please contact Mr. James M. Peschel, Regulatory Programs Manager, at (603) 773-7194.

Very truly yours,

FPL Energy Seabrook, LLC

A handwritten signature in black ink, appearing to read "Mark E. Warner", is written over a horizontal line.

Mark E. Warner  
Site Vice President

cc: H. J. Miller, NRC Regional Administrator  
S. P. Wall, NRC Project Manager, Project Directorate I-2  
G. T. Dentel, NRC Senior Resident Inspector

Mr. Bruce Cheney, Executive Director  
New Hampshire Department of Safety  
State Office Park South  
107 Pleasant Street  
Concord, NH 03301

**Enclosure 1 to NYN-04013**



**FPL Energy**  
**Seabrook Station**

**SEABROOK STATION UNIT 1**

**Facility Operating License NPF-86**  
**Docket No. 50-443**

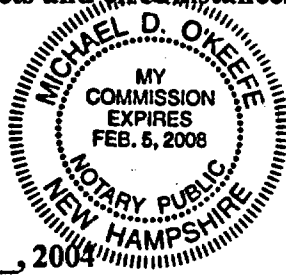
**License Amendment Request 04-02**  
**Changes to Technical Specification 3.9.4**  
**Containment Building Penetrations Surveillance Requirements**

This License Amendment Request is submitted by FPL Energy Seabrook, LLC, pursuant to 10CFR50.90. The following information is enclosed in support of this License Amendment Request:

- Section I - Introduction and Safety Assessment for Proposed Changes
- Section II - Markup of Proposed Changes
- Section III - Retype of Proposed Changes
- Section IV - Determination of Significant Hazards for Proposed Changes
- Section V - Proposed Schedule for License Amendment Issuance  
And Effectiveness
- Section VI - Environmental Impact Assessment

I, Michael Kiley, Operations Manager of FPL Energy Seabrook, LLC, hereby affirm that the information and statements contained within this revision to License Amendment Request 04-02 are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.

Sworn and Subscribed  
before me this  
28 day of June, 2004



Michael O'Keefe  
Notary Public

Michael Kiley  
Michael Kiley  
Operations Manager

**SECTION I**

**INTRODUCTION AND SAFETY ASSESSMENT FOR PROPOSED CHANGES**

## **I. INTRODUCTION AND SAFETY ASSESSMENT OF PROPOSED CHANGES**

### **A. Introduction**

License Amendment Request (LAR) 04-02 proposes a change to Seabrook Station Unit 1 Technical Specification (TS) 3.9.4 "Containment Building Penetrations" to align the language of the Surveillance Requirement with the Applicability Statement contained in the Limiting Condition for Operation (LCO). Operating License Amendment No. 94 approved the modification of Technical Specification 3/4.9.4, "Containment Building Penetrations<sup>1</sup>." Specifically, the applicability of the TS was modified to apply only to the movement of recently irradiated fuel assemblies. As a result of this change the surveillance requirement's language is not consistent with the language of the applicability statement in that the surveillance requirement still refers to CORE ALTERATIONS and movement of irradiated fuel. Specifically, it is proposed to modify Surveillance Requirements 4.9.4a and 4.9.4b to achieve consistent use of wording by deleting the term CORE ALTERATIONS and revising the wording to "during movement of recently irradiated fuel."

### **B. Safety Assessment of Proposed Changes**

#### **Analysis of Changes**

The proposed amendment will not change the design function, or method of performing or controlling design functions, of structures, systems and components, the method of performing the surveillance, nor will there be an effect on FPL Energy Seabrook programs. As a result, the proposed amendment will not change assumptions, or change, degrade or prevent actions described or assumed in accidents evaluated and described in the Seabrook Station UFSAR. Therefore, the proposed amendment does not adversely affect nuclear safety or continued safe operation of Seabrook Station, or result in an increase in the radiological consequences of any accident described in the Seabrook Station UFSAR.

In conclusion, based on the discussion above,

- 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.

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1. Operating License Amendment No. 94 (TAC No. MB6611), October 3, 2003

## SECTION II

### MARKUP OF PROPOSED CHANGES

Refer to the attached markup of the proposed changes to the Technical Specifications. The attached markup reflects the currently issued revision of the Technical Specifications listed below. Pending Technical Specifications or Technical Specification changes issued subsequent to this submittal are not reflected in the enclosed markup.

The following Technical Specification change is included in the attached markup:

<u>Technical Specification</u>	<u>Title</u>	<u>Page</u>
4.9.4	Containment Building Penetrations	3/4 9-4A

## REFUELING OPERATIONS

### 3/4.9.4 CONTAINMENT BUILDING PENETRATIONS

#### SURVEILLANCE REQUIREMENTS

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4.9.4 For the above required containment building penetrations:

- a. Determine that each of the above required containment building penetrations shall be in its required condition within 100 hours prior to the start of, and at least once per 7 days during ~~CORE ALTERATIONS~~ or movement of irradiated fuel in the containment building, and <sup>recently</sup>
- b. Demonstrate that the Containment Purge and Exhaust Isolation System is OPERABLE at least once every 18 months and <sup>recently</sup> within 10 days prior to the start of ~~CORE ALTERATIONS~~ or movement of irradiated fuel in the containment building by verifying that containment purge and exhaust isolation occurs on manual initiation and on a High Radiation test signal from each of the manipulator crane radiation area monitoring instrumentation channels. \*\*

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\*\* Not required for those valves complying with Specification 3.9.4.c.1 or Specification 3.9.4.c.3.



### **SECTION III**

#### **RETYPE OF PROPOSED CHANGES**

Refer to the attached retype of the proposed changes to the Technical Specifications. The attached retype reflects the currently issued version of the Technical Specifications. Pending Technical Specification changes or Technical Specification changes issued subsequent to this submittal are not reflected in the enclosed retype. The enclosed retype should be checked for continuity with Technical Specifications prior to issuance.

<u>Technical Specification</u>	<u>Title</u>	<u>Page</u>
4.9.4	Containment Building Penetrations	3/4 9-4A

## REFUELING OPERATIONS

### 3/4.9.4 CONTAINMENT BUILDING PENETRATIONS

#### SURVEILLANCE REQUIREMENTS

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4.9.4 For the above required containment building penetrations:

- a. Determine that each of the above required containment building penetrations shall be in its required condition within 100 hours prior to the start of, and at least once per 7 days during movement of recently irradiated fuel in the containment building, and
- b. Demonstrate that the Containment Purge and Exhaust Isolation System is OPERABLE at least once every 18 months and within 10 days prior to the start of movement of recently irradiated fuel in the containment building by verifying that containment purge and exhaust isolation occurs on manual initiation and on a High Radiation test signal from each of the manipulator crane radiation area monitoring instrumentation channels. \*\*

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\*\* Not required for those valves complying with Specification 3.9.4.c.1 or Specification 3.9.4.c.3.

**SECTION IV**

**DETERMINATION OF SIGNIFICANT HAZARDS FOR PROPOSED CHANGES**

#### **IV. DETERMINATION OF SIGNIFICANT HAZARDS FOR PROPOSED CHANGES**

License Amendment Request (LAR) 04-02 proposes a change to Seabrook Station Unit 1 Technical Specification (TS) 3.9.4 "Containment Building Penetrations" to align the language of the Surveillance Requirement with the language of the Applicability Statement. Operating License Amendment No. 94 approved the modification of Technical Specification 3/4.9.4, "Containment Building Penetrations<sup>2</sup>." Specifically, the applicability of the TS was modified to apply only to the movement of recently irradiated fuel assemblies. As a result of this change the language of the associated surveillance requirement is not consistent with the language of the applicability statement in that the surveillance requirement still refers to CORE ALTERATIONS and movement of irradiated fuel. Specifically it is proposed to modify Surveillance Requirements 4.9.4a and 4.9.4b to achieve consistent use of wording by deleting the term CORE ALTERATIONS and revising the wording to "during movement of recently irradiated fuel."

In accordance with 10 CFR 50.92, FPL Energy Seabrook has concluded that the proposed changes do not involve a significant hazards consideration. The basis for the conclusion that the proposed changes do not involve a significant hazards consideration is as follows:

- 1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.*

The proposed change aligns the language of the Surveillance Requirement for Containment Building Penetrations with the language of the Applicability Statement of Technical Specification 3.9.4.

The proposed amendment will not change the design function, or method of performing or controlling design functions, of structures, systems and components, nor will there be an effect on FPL Energy Seabrook programs. As a result, the proposed amendment will not change assumptions, or change, degrade or prevent actions described or assumed in accidents evaluated and described in the Seabrook Station UFSAR. The proposed change to the Surveillance Requirement wording does not adversely affect performance of the Surveillance Requirement that verifies the status of Containment Building Penetrations. Since the status of the Containment Penetrations is not adversely affected by the proposed change, the radiological consequences of an event are unchanged. Therefore, the proposed amendment does not adversely affect nuclear safety or continued safe operation of Seabrook Station, or result in an increase in the radiological consequences of any accident described in the Seabrook Station UFSAR.

Therefore, it is concluded that these proposed changes do not involve a significant increase in the probability or consequence of an accident previously evaluated.

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2. Operating License Amendment No. 94 (TAC No. MB6611), October 3, 2003

2. *The proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.*

The proposed change aligns the language of the Surveillance Requirements for Containment Building Penetrations with the language in the Applicability Statement of the Technical Specification.

The proposed amendment will not change the design function, or method of performing or controlling design functions, of structures, systems and components, nor will there be an effect on FPL Energy Seabrook programs. As a result, the proposed amendment will not change assumptions, or change, degrade or prevent actions described or assumed in accidents evaluated and described in the Seabrook Station UFSAR. The function of Containment to limit release of radioactivity is unchanged by the proposed change. In addition there are no changes associated with the proposed amendment that could potentially introduce new failure modes or accident scenarios.

Therefore, it is concluded that these proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

3. *The proposed changes do not involve a significant reduction in the margin of safety.*

The proposed change aligns the language of the Surveillance Requirement for Containment Building Penetrations with the language of the Applicability Statement of Technical Specification 3.9.4. The proposed amendment does not change the design function, or method of performing or controlling design functions, of structures, systems and components, nor will there be an effect on FPL Energy Seabrook programs. The status of containment penetrations will continue to be verified. The proposed change does not involve any changes to a margin of safety.

Therefore, it is concluded that these proposed changes do not involve a significant reduction in the margin of safety.

Based on the above evaluation, FPL Energy Seabrook, LLC concludes that the proposed change does not constitute a significant hazard.

**SECTIONS V AND VI**  
**PROPOSED SCHEDULE FOR LICENSE AMENDMENT ISSUANCE**  
**AND EFFECTIVENESS**  
**AND**  
**ENVIRONMENTAL IMPACT ASSESSMENT**

**V. PROPOSED SCHEDULE FOR LICENSE AMENDMENT ISSUANCE AND EFFECTIVENESS**

FPL Energy Seabrook, LLC requests NRC review of License Amendment Request 04-02, and issuance of a license amendment by April 1, 2005, having immediate effectiveness and implementation within 60 days.

**VI. ENVIRONMENTAL IMPACT ASSESSMENT**

FPL Energy Seabrook, LLC has reviewed the proposed license amendment against the criteria of 10 CFR 51.22 for environmental considerations. The proposed change does not involve a significant hazards consideration, nor increase the types and amounts of effluent that may be released offsite, nor significantly increase individual or cumulative occupational radiation exposures. Based on the foregoing, FPL Energy Seabrook, LLC concludes that the proposed change meets the criterion delineated in 10 CFR 51.22(c)(9) for a categorical exclusion from the requirements for an Environmental Impact Statement.