

July 22, 2004

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: TURKEY POINT UNITS 3 AND 4 - ISSUANCE OF AMENDMENTS
REGARDING REVISION TO TECHNICAL SPECIFICATION SURVEILLANCE
REQUIREMENT 4.0.5 (TAC NOS. MC2242 AND MC2243)

Dear Mr. Stall:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 225 to Renewed Facility Operating License No. DPR-31 and Amendment No. 220 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Plant, Units Nos. 3 and 4, respectively. The amendments consist of changes to the Technical Specifications in response to your application dated March 3, 2004.

This amendment revises the language and references in Surveillance Requirement (SR) 4.0.5. In the current plant Technical Specification (TS), the reference for inservice testing (IST) and inservice inspection (ISI) activities is the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code* (BPV Code), Section XI. The licensee proposed to reference the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code) and the ASME BPV Code, Section XI, for IST activities and ISI activities, respectively. These TS changes are required to implement the fourth 120-month IST program update in accordance with the requirements of Title 10 of the *Code of Federal Regulations*, Section 50.55a(f)(5)(ii). In addition, the licensee proposed to add "biennially or every two years" as used in the ASME OM Code, to SR 4.0.5.b. The licensee also proposed to delete wording to reflect the addition of the ASME OM Code as the code of reference for IST.

A. Stall

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

Sincerely,

/RA BMoroney for/

Eva A. Brown, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosures: 1. Amendment No. 225 to DPR-31
2. Amendment No. 220 to DPR-41
3. Safety Evaluation

cc w/enclosures: See next page

A. Stall

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

Sincerely,

/RA B Moroney for/

Eva A. Brown, Project Manager, Section 2
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Docket Nos. 50-250 and 50-251

- Enclosures:
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 3. Safety Evaluation

cc w/enclosures: See next page

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FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-250

TURKEY POINT PLANT UNIT NO. 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 225

Renewed License No. DPR-31

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated March 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;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. 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;
 - D. 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
 - E. 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.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-31 is hereby amended to read as follows:

(B) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 225, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee 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 by February 21, 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael L. Marshall, Jr., Acting Chief, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: July 22, 2004

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-251

TURKEY POINT PLANT UNIT NO. 4

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 220
Renewed License No. DPR-41

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated March 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;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. 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;
 - D. 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
 - E. 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.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-41 is hereby amended to read as follows:

(B) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 220, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee 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 by April 14, 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Michael L. Marshall, Jr., Acting Chief, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: July 22, 2004

ATTACHMENT TO LICENSE AMENDMENT

AMENDMENT NO. 225 RENEWED FACILITY OPERATING LICENSE NO. DPR-31

AMENDMENT NO. 220 RENEWED FACILITY OPERATING LICENSE NO. DPR-41

DOCKET NOS. 50-250 AND 50-251

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

Remove Pages

3/4 0-3
3/4 0-4

Insert Pages

3/4 0-3
3/4 0-4

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 225 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-31 AND
AMENDMENT NO. 220 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-41
FLORIDA POWER AND LIGHT COMPANY
TURKEY POINT UNIT NOS. 3 AND 4
DOCKET NOS. 50-250 AND 50-251

1.0 INTRODUCTION

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated March 3, 2004, the Florida Power and Light Company (FPL, the licensee) proposed an amendment to the Technical Specifications (TSs) for Turkey Point (TP) Plant, Units 3 and 4. The requested changes and associated editorial deletions would update the inservice testing (IST) requirements in the TS to the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code* (BPV Code). The changes and associated editorial deletions reflect the incorporation by reference of the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code) into Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(b), on September 22, 1999.

2.0 REGULATORY EVALUATION

Section 50.55a(f)(4)(ii) of 10 CFR requires that inservice tests to verify operational readiness of pumps and valves whose function is required for safety, which are conducted during successive 120-month intervals, must comply with the requirements of the latest edition and addenda of the ASME Code incorporated by reference in paragraph (b) of this section 12 months before the start of the 120-month interval (or the optional ASME Code cases listed in NRC Regulatory Guide (RG) 1.147, through Revision 13, or RG 1.192 that are incorporated by reference in paragraph (b) of this section), subject to the limitations and modifications listed in paragraph (b) of this section. The previous 120-month IST interval was developed based on the 1989 Edition of the ASME BPV Code, Section XI, for pumps and valves. Pursuant to 10 CFR 50.55a(f), the upcoming 120-month IST interval is required to be developed in accordance with the 1998 Edition ASME OM Code including the 1999 and 2000 Addenda, which replaced Subsections IWP and IWV of the previous edition of ASME BPV Code.

Section 50.55a(f)(5)(ii) of 10 CFR, requires that, if a revised IST program for a facility conflicts with the TSs for that facility, the licensee shall apply to the Commission for amendment of the TSs to conform the TSs to the revised program. The licensee shall submit this application, as specified in 10 CFR 50.4, at least 6 months before the start of the period during which the provisions become applicable, as determined by 10 CFR 50.55(f)(4).

The TP, Unit 3, fourth 120-month IST interval began on February 22, 2004, and ends on February 21, 2014. The TP, Unit 4, fourth 120-month IST interval began on April 15, 2004, and ends on April 14, 2014. The NRC's findings with respect to authorizing the TS amendment are given below.

3.0 TECHNICAL EVALUATION

3.1 Specific Changes Requested

The licensee has proposed the following changes to the TS Surveillance (SR) 4.0.5:

(a) In the first paragraph of SR 4.0.5.a delete the words “. . . and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves”

(b) Add a second paragraph to SR 4.0.5.a to read:

Inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code) and applicable Addenda as required by 10 CFR 50.55a.

(c) Add to SR 4.0.5.b “. . . and the ASME OM Code and applicable Addenda” and to the Addenda terminology header add “. . . the ASME OM Code and”

(d) Add to SR 4.0.5.b the surveillance interval definition for “biennially or every 2 years” and the associated required frequency of “At least once per 731 days.”

(e) Add to SR 4.0.5.e “. . . or the ASME OM Code”

3.2 Basis for Changes

The licensee indicated in the submittal that the proposed changes are “. . . necessary for consistency with the IST requirements of 10 CFR 50.55a The IST requirements of 10 CFR 50.55a(f) for nuclear power plants have been demonstrated and accepted by the NRC as providing an adequate level of protection and safety. The proposed changes to TS SR 4.0.5, conform the TSs to the requirements of 10 CFR 50.55a(f) and will not adversely affect nuclear safety.”

Also, the addition of the surveillance interval definition for biennially to SR 4.0.5.b ensures consistent application of the term and frequency for ASME OM Code activities and allows for their use to meet the requirements of SR 4.0.2.

3.3 Evaluation

In 1990, the ASME published the initial edition of the ASME OM Code, which provides rules for IST of pumps and valves. The OM Code was developed and is maintained by the ASME Committee on Operation and Maintenance of Nuclear Power Plants (ASME OM Committee). The ASME OM Code was developed in response to the ASME Board on Nuclear Codes and

Standards directive that transferred responsibility for development and maintenance of rules for the IST of pumps and valves from the ASME, Section XI, Subcommittee on Nuclear Inservice Inspection to the ASME OM Committee. The ASME intended the ASME OM Code to replace Section XI rules for IST of pumps and valves, and the Section XI rules for IST of pumps and valves that had been incorporated by reference into NRC regulations have been deleted from Section XI. The NRC endorsed the ASME OM Code for the first time in an amendment to 10 CFR 50.55a published in the *Federal Register* on September 22, 1999 (64 FR 51370).

Section 50.55a(f), "Inservice Testing Requirements," requires, in part, that Class 1, 2, and 3 components and their supports meet the requirements of the "Code for Operation and Maintenance of Nuclear Power Plants," of the ASME OM Code or equivalent quality standards. The ASME publishes a new edition of the ASME OM Code every 3 years, and new addendum every year. The latest editions and addenda of the ASME OM Code that have been incorporated by reference into 10 CFR 50.55a(b) are the 1998 Edition of the ASME OM Code including the 1999 and 2000 Addenda.

The NRC staff reviewed 10 CFR 50.55a, the submittal, the TP IST Program which was submitted in a letter dated March 11, 2004 [ADAMS Accession No. ML040790074], and NUREG-1431, Standard Technical Specifications - Westinghouse Plants, Revision 2.

The proposed additions and deletions to SRs 4.0.5.a and 4.0.5.e are being made to reflect the incorporation of the 1998 Edition of the ASME OM Code, including the 1999 and 2000 Addenda for the IST of pumps and valves. As the revised IST program TS requirements conflict with the TSs, the licensee applied to amend the TSs to conform to the revised program, in accordance with the requirements of Section 50.55a(f)(4)(ii) of 10 CFR Part 50.

Existing TS SR 4.0.5.b addresses the following surveillance intervals: weekly, monthly, quarterly, semiannually, every 9 months, and yearly; but it does not address the surveillance interval biennially or every 2 years. The proposed TS SR 4.0.5b change would add the "Biennially" surveillance interval to the list of required frequencies for performing inservice inspection and IST activities. The proposed changes will maintain consistency with the ASME Code requirements, therefore, the NRC staff finds this proposed change to be acceptable.

4.0 STATE CONSULTATION

Based upon a letter dated May 2, 2003, from Michael N. Stephens of the Florida Department of Health, Bureau of Radiation Control, to Brenda L. Mozafari, Senior Project Manager, U.S. Nuclear Regulatory Commission, the State of Florida does not desire notification of issuance of license amendments.

5.0 ENVIRONMENTAL CONSIDERATION

These amendments involve a change in the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendments involve 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 amendments

involve no significant hazards consideration, and there has been no public comment on such finding (69 FR 16620). Accordingly, these amendments meet 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 amendments.

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 amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Eva A. Brown

Date: July 22, 2004

Turkey Point Plant, Units 3 & 4

cc:

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