October 6, 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: ST. LUCIE UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS REGARDING RELOCATION OF PUMP TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS (TAC NOS. MC1206 AND MC1207)

Dear Mr. Stall:

The Commission has issued the enclosed Amendment Nos. 194 and 136 to Renewed Facility Operating License Nos. DPR-67 and NPF-16 for the St. Lucie Plant, Units 1 and 2. These amendments consist of changes to the Technical Specifications (TSs) in response to your application dated October 29, 2003.

These amendments relocate specific pressure and flow values associated with the high pressure safety injection, low pressure safety injection, boric acid makeup, and containment spray pumps from the TSs to the St. Lucie Units 1 and 2 Updated Final Safety Analysis Reports.

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/

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

Docket Nos. 50-335 and 50-389

Enclosures:
1. Amendment No. 194 to DPR-67
2. Amendment No. 136 to NPF-16
3. Safety Evaluation

cc w/enclosures: See next page

Mr. J. A. Stall
Florida Power and Light Company

ST. LUCIE PLANT

cc:

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FLORIDA POWER & LIGHT COMPANY

DOCKET NO. 50-335

ST. LUCIE PLANT UNIT NO. 1

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 194
Renewed License No. DPR-67

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

   A. The application for amendment by Florida Power & Light Company (the licensee), dated October 29, 2003, 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, Renewed Facility Operating License No. DPR-67 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and by amending paragraph 3.B to read as follows:

   B. Technical Specifications

   The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 194, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance. In addition, the licensee shall include the relocated information, as described in the licensee's application dated October 29, 2003, and evaluated in the staff's safety evaluation attached to this amendment, in the next scheduled update of the Updated Final Safety Analysis Report submitted to the NRC pursuant to 10 CFR 50.71(e).

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: October 6, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 194

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-67

DOCKET NO. 50-335

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	Insert Pages
3/4 1-14	3/4 1-14
3/4 1-15	3/4 1-15
3/4 5-5	3/4 5-5
3/4 6-15a	3/4 6-15a

FLORIDA POWER & LIGHT COMPANY

ORLANDO UTILITIES COMMISSION OF

THE CITY OF ORLANDO, FLORIDA

AND

FLORIDA MUNICIPAL POWER AGENCY

DOCKET NO. 50-389

ST. LUCIE PLANT UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 136
Renewed License No. NPF-16

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

   A. The application for amendment by Florida Power & Light Company, et al. (the licensee), dated October 29, 2003, 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, Renewed Facility Operating License No. NPF-16 is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and by amending paragraph 3.B to read as follows:

   B. Technical Specifications

   The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 136, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance. In addition, the licensee shall include the relocated information, as described in the licensee's application dated October 29, 2003, and evaluated in the staff's safety evaluation attached to this amendment, in the next scheduled update of the Updated Final Safety Analysis Report submitted to the NRC pursuant to 10 CFR 50.71(e).

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: October 6, 2004

ATTACHMENT TO LICENSE AMENDMENT NO. 136

TO RENEWED FACILITY OPERATING LICENSE NO. NPF-16

DOCKET NO. 50-389

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	Insert Pages
3/4 1-11	3/4 1-11
3/4 1-12	3/4 1-12
3/4 5-5	3/4 5-5
3/4 5-6	3/4 5-6
3/4 6-15a	3/4 6-15a

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 194 AND 136

TO RENEWED FACILITY OPERATING LICENSES NOS. DPR-67 AND NPF-16

FLORIDA POWER AND LIGHT COMPANY

ST. LUCIE PLANT, UNITS NOS. 1 AND 2

DOCKET NOS. 50-335 AND 50-389

1.0 INTRODUCTION

By letter dated October 29, 2003, Florida Power and Light Company (the licensee) requested amendments to Renewed Operating Licenses DPR-67 and NPF-16 for St. Lucie Unit 1 and 2, respectively. The amendments proposed to revise certain technical specification (TS) surveillance requirements (SRs) by relocating specific pressure and flow values associated with the high pressure safety injection (HPSI), low pressure safety injection (LPSI), boric acid makeup, and containment spray pumps from the SRs to the St. Lucie Units 1 and 2 Updated Final Safety Analysis Report (UFSARs).

The affected SRs include 4.1.2.5, “Boric Acid Pumps - Shutdown,” 4.1.2.6, “Boric Acid Pumps - Operating,” 4.6.2.1, “Containment Spray and Cooling System,” and 4.5.2, “ECCS Subsystems,” for both units. The licensee also proposed relocating TS 4.5.2.i, regarding post-modification flow balance testing of emergency core cooling system (ECCS) subsystems from the St. Lucie Unit 2 TSs to the UFSAR. These changes are consistent with the Standard TSs (STSs), NUREG-1432, Revision 2, “Standard Technical Specifications, Combustion Engineering Plants.”

2.0 REGULATORY EVALUATION

The U.S. Nuclear Regulatory Commission’s (NRC’s) regulatory requirements related to the content of TSs are set forth in Title 10, *Code of Federal Regulations* (10 CFR), Section 50.36. This regulation requires that the TSs include items in five specific categories. These categories include (1) safety limits, limiting safety system settings and limiting control settings, (2) limiting conditions for operation, (3) surveillance requirements, (4) design features, and (5) administrative controls. However, the regulation does not specify the particular TSs to be included in a plant’s license.

Additionally, 10 CFR 50.36(c)(2)(ii) sets forth four criteria to be used in determining whether a limiting condition for operation (LCO) is required to be included in the TSs. These criteria are as follows:

1. Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.

2. A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

3. A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.

4. A structure, system or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

Existing LCOs and related surveillances included as TS requirements which satisfy any of the criteria stated above must be retained in the TSs, while those requirements that do not fall within or satisfy these criteria may be relocated to licensee-controlled documents.

The St. Lucie TSs include detailed information related to system design and operation and also procedural details for meeting TS action and surveillance requirements. When inclusion of such information has been shown to give little or no safety benefit, its removal from the TSs may be appropriate. In most cases, this has previously been granted to individual plants on a plant-specific basis as the result of: (1) generic NRC action, (2) new staff positions that have developed from technological advancements and operating experience, or (3) resolution of industry comments on the STSs.

3.0 EVALUATION

A current TS requirement may be removed from the TSs and placed in a licensee-controlled document provided that the requirement does not satisfy any of the four criteria of 10 CFR 50.36(c)(2)(ii) and adequate regulatory controls exist, such as 10 CFR 50.59, to govern future changes to the requirement. The staff has evaluated the information that the licensee proposed to move from the TSs to the St. Lucie Units 1 and 2 UFSARs against these criteria. The following evaluation explains why this information is not required to be included in the TSs and why moving this information to the St. Lucie Units 1 and 2 UFSARs is acceptable.

3.1 Relocation of Pump Performance Criteria and Test Procedural Details from Engineered Safety Feature (ESF) Pump Inservice Testing (IST) SRs to the St. Lucie Units 1 and 2 UFSARs

The licensee proposed to relocate ESF pump performance criteria values and test procedural details from the TSs to the St. Lucie Units 1 and 2 UFSARs as follows:

(c) Specification 3/4.1.2.5, Boric Acid Pumps - Shutdown

TS SR 4.1.2.5 is changed from:

> The above required boric acid pump shall be demonstrated OPERABLE by verifying that on recirculation flow, the pump develops a discharge pressure of $\geq$ 75 psig when tested pursuant to the Inservice Testing Program.

to

The above required boric acid pump shall be demonstrated OPERABLE by verifying that the pump develops the specified discharge pressure when tested pursuant to the Inservice Testing Program.

(d) Specification 3/4.1.2.6, Boric Acid Pumps - Operating

TS SR 4.1.2.6 is changed from

The above required boric acid pump(s) shall be demonstrated OPERABLE by verifying that on recirculation flow, the pump develops a discharge pressure of $\geq$ 75 psig when tested pursuant to the Inservice Testing Program.

to

The above required boric acid pump shall be demonstrated OPERABLE by verifying that the pump(s) develop the specified discharge pressure when tested pursuant to the Inservice Testing Program.

(e) Specification 3/4.5.2, ECCS Subsystems

TS SR 4.5.2.f for Unit 1 is changed from

By verifying that each of the following pumps develops the specified total developed head on recirculation flow when tested pursuant to the Inservice Testing Program.

1. High-Pressure Safety Injection pumps: greater than or equal to 2571 ft.
2. Low-Pressure Safety Injection pumps: greater than or equal to 350 ft.

to

By verifying that each of the following pumps develops the specified total developed head when tested pursuant to the Inservice Testing Program.

1. High-Pressure Safety Injection pumps.
2. Low-Pressure Safety Injection pumps.

TS SR 4.5.2.g for Unit 2 is changed from

By verifying that each of the following pumps develops the specified total developed head on recirculation flow when tested pursuant to the Inservice Testing Program.

1. High-Pressure Safety Injection pumps: greater than or equal to 2854 ft.
2. Low-Pressure Safety Injection pump: greater than or equal to 374 ft.

to

> By verifying that each of the following pumps develops the specified total developed head when tested pursuant to the Inservice Testing Program.
>
> 1. High-Pressure Safety Injection pumps.
> 2. Low-Pressure Safety Injection pumps.

Specification 3/4.6.2.1, Containment Spray and Cooling Systems

TS SR 4.6.2.1.b for Unit 1 is changed from

> By verifying that on recirculation flow, each spray pump develops a discharge pressure of $\geq$ 200 psig, when tested pursuant to the Inservice Testing Program.

to

> By verifying that each spray pump develops the specified discharge pressure when tested pursuant to the Inservice Testing Program.

TS SR 4.6.2.1.b for Unit 2 is changed from

> By verifying that on recirculation flow, each pump develops a discharge pressure of greater than or equal to 200 psig, when tested pursuant to the Inservice Testing Program.

to

> By verifying that each spray pump develops the specified discharge pressure when tested pursuant to the Inservice Testing Program.

Technical specification SRs 4.1.2.5, 4.1.2.6, 4.6.2.1.b, 4.5.2.f (Unit 1 only), and 4.5.2.g (Unit 2 only) provide details describing ESF pump acceptance criteria and test methods (e.g., testing on recirculation flow) associated with the performance of IST. Including these details in the TSs is not necessary to ensure operability of the ECCS, containment spray, and boration subsystems. The requirements of the applicable TS in conjunction with requirements for performance of IST will continue to use current testing methods to verify licensing basis acceptance criteria for pumps and valves (e.g., pressures and flow rates) are met which will be adequate to ensure the ECCS, containment spray and boration subsystems are maintained operable. In addition, these details are not a process variable or operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. Thus, they are not required by 10 CFR 50.36 to be included in TSs. Therefore, these details are not necessary to ensure that the ECCS, containment spray, and boration subsystems can perform their intended safety function and are not required to be in the TSs to provide adequate protection of the public health and safety. The placement of these details into the UFSAR is acceptable because changes to the UFSAR are subject to the requirements of 10 CFR 50.59. In addition, NUREG-1432 contains neither explicit values for IST pump performance criteria nor test procedural information. Thus, transfer of these details to the UFSAR is consistent with NUREG-1432.

The staff finds that (1) the UFSAR will continue to ensure adequate implementation of the information regarding IST pump performance criteria and test methods relocated from existing TS SRs 4.1.2.5, 4.1.2.6, 4.6.2.1.b, 4.5.2.f (Unit 1), and 4.5.2.g (Unit 2), (2) adequate regulatory control exists through 10 CFR 50.59 to control future changes to this information, (3) the revised TS requirements and the IST program requirements are adequate to ensure the operability of the boration, ECCS, and containment spray pumps, and (4) this information is not required by 10 CFR 50.36 to be included in TSs. Therefore, the relocation of the information regarding IST pump performance criteria and test methods from existing TS SRs 4.1.2.5, 4.1.2.6, 4.6.2.1.b, 4.5.2.f (Unit 1), and 4.5.2.g (Unit 2) to the UFSAR is acceptable.

3.2 Relocation of ECCS Subsystem Flow Balance SR to UFSAR - Unit 2

TS SR 4.5.2.i for Unit 2 is proposed to be relocated to the UFSAR in its entirety; it states:

> By performing a flow balance test, during shutdown, following completion of modifications to the ECCS subsystems that alter the subsystem flow characteristics. The test shall measure the individual leg flow rates and pump total developed head to verify the following conditions:
>
> 1. HPSI Pump 2A:
> The sum of the three lowest cold leg flow rates shall be greater than or equal to 476 gpm with total developed head greater than or equal to 1150 ft but less than or equal to 1290 ft.
>
> 2. HPSI Pump 2B:
> The sum of the three lowest cold leg flow rates shall be greater than or equal to 484 gpm with total developed head greater than or equal to 910 ft but less than or equal to 1040 ft.
>
> 3. With the system operability in hot/cold leg injection mode, the hot leg flow shall be greater than or equal to 317 gpm and within 10% of the cold leg header flow and:
>
> HPSI Pump 2A:
> The pump shall be producing total developed head greater than or equal to 1297 ft but less than or equal to 1500 ft.
>
> HPSI Pump 2B:
> The pump shall be producing total developed head greater than or equal to 1042 ft but less than 1250 ft.
>
> 4. LPSI System - Each Pump
> The flow through each injection leg shall be greater than or equal to 1763 gpm at a total developed head greater than or equal to 298 ft but less than or equal to 337 ft.

TS SR 4.5.2.i requires the performance of a flow balance test to the ECCS subsystems following the completion of modifications that alter the subsystem flow characteristics. The TS definition of operability requires that an operable ECCS subsystem be capable of performing its

intended safety function, and this depends on proper flow balance between the ECCS pumps in each subsystem. Thus, anytime repair, maintenance, modification, or replacement of a component makes a TS-required system or component inoperable, the licensee must conduct appropriate post-maintenance testing to demonstrate operability of the system or component. Therefore, this post-modification test requirement is not needed in TSs in order to ensure post-modification restoration of the required flow distribution of the HPSI and LPSI pumps lines to support the operability of the associated ECCS subsystems. In addition, this post-modification test requirement is not an operating restriction that is an initial condition of a design-basis accident or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. Thus, it is not required to be included in TSs by 10 CFR 50.36. Therefore, the requirement to perform a flow balance test after modifications that alter flow characteristics is not required to be in the TS to provide adequate protection of the public health and safety.

Furthermore, modifications that alter the subsystem flow characteristics must be conducted in accordance with 10 CFR 50.59 and 10 CFR 50.65. Hence adequate regulatory controls exist for plant modification implementation. Finally, the requirement to conduct this testing during shutdown is unnecessary because flow balance verification and adjustment can only be accomplished during shutdown conditions.

NUREG-1432 does not contain post-maintenance or preventive maintenance requirements. Thus, relocation of this SR to the UFSAR is consistent with NUREG-1432. The placement of this SR into the UFSAR is acceptable because changes to the UFSAR are subject to the requirements of 10 CFR 50.59. Thus, by relocating this SR to the UFSAR, any change to this SR will be made in accordance with 10 CFR 50.59, as specified in the licensee's programs and procedures governing changes to the UFSAR.

The staff finds that (1) the UFSAR will continue to ensure adequate implementation of the existing flow-balance test requirements removed from existing Unit 2 TS 4.5.2.i, (2) adequate regulatory controls exist through 10 CFR 50.59 to control future changes to these requirements, (3) TS 3.5.2 and the definition of operability will ensure proper flow balancing is maintained, and (4) these requirements are not required by 10 CFR 50.36 to be included in TSs. Therefore, the relocation of the ECCS subsystem flow balance post-maintenance test requirement from existing TS SR 4.5.2.i to the UFSAR is acceptable.

The NRC staff has reviewed the licensee's application with the supporting documentation. Based on its review, the NRC staff concludes that the proposed TS changes to the TSs are acceptable because the ESF pump performance criteria, pump test method description, and the ECCS subsystem flow balance post-modification test requirement do not fall within any of the four criteria contained in 10 CFR 50.36(c)(2)(ii). These requirements do not need to be included in the TSs to ensure the effectiveness of TSs to adequately protect the health and safety of the public. These requirements are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to public health and safety. Accordingly, these requirements may be relocated to the UFSAR, a licensee-controlled document for which changes are adequately governed by 10 CFR 50.59.

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 change a requirement with respect to 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 697, dated January 6, 2004). 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 these 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: Kerri Kavanagh

Date: October 6, 2004