

## **SAFEGUARDS INFORMATION**

October 29, 2004

Mr. J. A. Stall  
Senior Vice President, Nuclear and  
Chief Nuclear Officer  
Florida Power and Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408

**SUBJECT:** TURKEY POINT NUCLEAR GENERATING STATION, UNITS 3 AND 4, SEABROOK STATION, UNIT 1, AND ST. LUCIE, UNITS 1 AND 2 - ADMINISTRATIVE CHANGE TO FACILITY OPERATING LICENSE AND RENEWED FACILITY OPERATING LICENSES IN CONJUNCTION WITH THE COMMISSION ORDER EA-03-086 REGARDING REVISED DESIGN BASIS THREAT (DBT); AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MC2982, MC2983, MC2971, MC2965, AND MC2966)

Dear Mr. Stall:

By letter dated April 29, 2004, Florida Power and Light Company submitted a supplemental response in accordance with Order EA-03-086, the Order requiring compliance with the revised design basis threat, dated April 29, 2003, (DBT Order) for the Turkey Point Nuclear Generating Station, Units 3 and 4, Seabrook Station, Unit 1, and St. Lucie, Units 1 and 2. Section III.A of the DBT Order required licensees to revise physical security plans (PSPs), training and qualification plans (T&Q Plans), and safeguards contingency plans (SCPs) to provide protection against the revised DBT set forth in Attachment 2 to the DBT Order. These revised plans, along with an implementation schedule, were required to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for review and approval no later than April 29, 2004.

The NRC staff's review of the Turkey Point Nuclear Generating Station, Units 3 and 4, Seabrook Station, Unit 1, and St. Lucie, Units 1 and 2 PSP, SCP, and T&Q Plan submitted in your letter dated April 28, 2004, as supplemented on July 7, 2004, July 14, 2004, July 22, 2004, August 12, 2004, August 27, 2004, September 23, 2004, October 15, 2004, October 22, 2004, and October 29, 2004, has focused on ensuring the necessary programmatic elements are contained in these plans in order to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

<p><u>NOTICE:</u> Enclosure 2 contains Safeguards Information. Upon separation from Enclosure 2, this letter and Enclosure 1 are DECONTROLLED.</p>
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## **SAFEGUARDS INFORMATION**

The NRC staff has determined that, subject to subsequent inspection and evaluation, these plans contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that Turkey Point Nuclear Generating Station, Units 3 and 4, Seabrook Station, Unit 1, and St. Lucie, Units 1 and 2 will be protected against the revised DBT. The NRC staff, therefore, approves the PSP, SCP, and T&Q Plan for Turkey Point Nuclear Generating Station, Units 3 and 4, Seabrook Station, Unit 1, and St. Lucie, Units 1 and 2. However, ultimately the effectiveness of these plans will be judged on your ability to meet regulatory requirements through facility implementing procedures and site practices. As such your facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises

In addition, the NRC staff noted that your PSP included alternatives to certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.55. In each case, the NRC staff found that the alternative measures provide an equivalent level of protection to that of the associated requirement and meet the high assurance objective of 10 CFR 73.55(a). The NRC staff, therefore, approves the alternatives shown in the table below. The NRC staff's evaluation is discussed further in the enclosed Safety Evaluation (SE).

Approved Alternatives to the Requirements of 10 CFR Part 73

<b>SE Section</b>	<b>PSP Section</b>	<b>Alternative to 10 CFR</b>	<b>Description</b>
3.6.2	6.2	73.55(c)(3)	Isolation Zones
3.6.3	App. D, 8.1 App. F, 8.0	73.55(c)(1)	Vital Area (VA) requirements
3.9.4.3	9.4.3	73.55(d)(4)	Protected Area (PA) vehicle search requirements
3.9.4.4	9.4.4	73.55(d)(1)	PA personnel search requirements
3.9.5.2	9.5	73.55(d)(4)	PA access control requirements
3.10.1	10.1	73.55(c)(5)	PA illumination requirements
3.13.1	14.1	73.55(c)(1) 73.55(d)(7)(i)(B)	Temporary reclassification of VAs to PA status (devitalization)

Finally, consistent with the DBT Order, conforming administrative changes to Facility Operating Licenses (FOLs) and Renewed FOLs are required to ensure implementation of DBT Order requirements. Therefore, administrative license changes to Renewed FOL Nos. DPR-31, DPR-41, DPR-67, NPF-16 and FOL No. NPF-86, are being made to incorporate the reference to the revised PSP, SCP, and T&Q Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

J. A. Stall

- 3 -

Please replace the enclosed pages to your FOL and Renewed FOLs as indicated in Enclosure 1.

A copy of our SE with regard to your security plans (designated as Safeguards Information) is provided in Enclosure 2.

Sincerely,

*/RA/*

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-250, 50-251, 50-443, 50-335, and 50-389

Enclosures: 1. Administrative Change to Renewed FOLs DPR-31, DPR-41, DPR-67, NPF-16 and FOL No. NPF-86  
2. SE Regarding the Security Plans (**SAFEGUARDS INFORMATION**)

cc w/encl 1 only: See mailing list 1

cc w/encls 1 and 2: John Giarrusso, Seabrook  
William Johns, Turkey Point  
Mike Bruecks, St. Lucie

Please replace the enclosed page to your FOL and Renewed FOLs as indicated in Enclosure 1.

A copy of our SE with regard to your security plans (designated as Safeguards Information) is provided in Enclosure 2.

Sincerely,

**/RA/**

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-250, 50-251, 50-443, 50-335, and 50-389

- Enclosures:
1. Administrative Change to Renewed FOLs DPR-31, DPR-41, DPR-67, NPF-16 and FOL No. NPF-86
  2. SE Regarding the Security Plans (**SAFEGUARDS INFORMATION**)

cc w/encl 1 only: See mailing list 1  
cc w/encls 1 and 2: Mr. James Peschel

DISTRIBUTION (w/o Enclosure 2):

PUBLIC	SPRT R/F	OGC	ACRS	BClayton	EBrown
M. Ross-Lee	EHackett	GHill (10)	DLPM DPR	TBoyce	VMcCree, RII
CRaynor	SWall	DCollins (A)	CHolden	GMatakas, RI	
BMoroney					

Accession No.: ML043120018

OFFICE	SPRT/TL	SPRT/PM	SPRT/LA	SPRT/PL	OGC	NSIR/SC	NRR/SC
NAME	EJohannemann	DSpaulding	CRaynor	JPeralta	JHeck	SMorris	JNakoski
DATE	10/29/04	10/29/04	10/29/04	10/29/04	10/29/04	10/29/04	10/29/04

Florida Power & Light Company  
St. Lucie Plant  
Turkey Point Plant  
Seabrook

cc w/o encl.:

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107 Pleasant Street  
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FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-250

TURKEY POINT NUCLEAR GENERATING STATION, UNIT 3

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-31

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-31 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act (the Act) of 1954, as amended 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

Enclosure 1

2. Accordingly, the RFOL is changed as indicated in the Attachment.
3. Except as otherwise noted in the NRC's October 29, 2004, letter granting your relaxation request, this administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL No. DPR-31

Date of Issuance: October 29, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-31

DOCKET NO. 50-250

Replace the following page of the Renewed Facility Operating License DPR-31 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

Remove Page

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D. Fire Protection

FPL shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Final Safety Analysis Report (UFSAR) for Turkey Point Units 3 and 4 and as approved in the Safety Evaluation Report (SER) dated March 21, 1979 and supplemented by NRC letters dated April 3, 1980, July 9, 1980, December 8, 1980, January 26, 1981, May 10, 1982, March 27, 1984, April 16, 1984, August 12, 1987, and by Safety Evaluations dated February 25, 1994, February 24, 1998, October 8, 1998, December 22, 1998, May 4, 1999, and May 5, 1999, subject to the following provision:

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-251

TURKEY POINT NUCLEAR GENERATING STATION, UNITS 4

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-41

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-41 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act (the Act) of 1954, as amended 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed FOL is changed as indicated in the Attachment.
3. Except as otherwise noted in the NRC's Oct. 29, 2004, letter granting your relaxation request, this administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL No. DPR-41

Date of Issuance: October 29, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-41

DOCKET NO. 50-251

Replace the following page of the Renewed Facility Operating License DPR-41 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

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D. Fire Protection

FPL shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Final Safety Analysis Report (UFSAR) for Turkey Point Units 3 and 4 and as approved in the Safety Evaluation Report (SER) dated March 21, 1979 and supplemented by NRC letters dated April 3, 1980, July 9, 1980, December 8, 1980, January 26, 1981, May 10, 1982, March 27, 1984, April 16, 1984, August 12, 1987, and by Safety Evaluations dated February 25, 1994, February 24, 1998, October 8, 1998, December 22, 1998, May 4, 1999, and May 5, 1999, subject to the following provision:

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-443

SEABROOK STATION, UNIT 1

ADMINISTRATIVE LICENSE CHANGE TO FACILITY OPERATING LICENSE

License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to FOL No. NPF-86 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act (the Act) of 1954, as amended 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the FOL is changed as indicated in the Attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the FOL No. NPF-86

Date of Issuance: October 29, 2004

CHANGES TO FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following page of the Facility Operating License NPF-86 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

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D. Exemptions

FPL Energy Seabrook, LLC, is exempted from the Section III.D.2(b)(ii) containment airlock testing requirements of Appendix J to 10 CFR 50, because of the special circumstances described in Section 6.2.6 of SER Supplement 5 and authorized by 10 CFR 50.12(a)(2)(ii) and (iii) (51 FR 37684 October 23, 1986).

NRC Materials License No. SNM-1963, issued December 19, 1985, granted an exemption pursuant to 10 CFR 70.24 with respect to requirements for criticality alarms. FPL Energy Seabrook, LLC, is hereby exempted from provisions of 10 CFR 70.24 insofar as this section applies to the storage and handling of new fuel assemblies in the new fuel storage vault, spent fuel pool (when dry), and shipping containers.

These exemptions, authorized by law, will not present an undue risk to the public health and safety and are consistent with the common defense and security. These exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

E. Physical Security

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-335

ST. LUCIE, UNIT 1

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-67

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-67 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act (the Act) of 1954, as amended 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed FOL is changed as indicated in the Attachment.
3. Except as otherwise noted in the NRC's October 29, 2004, letter granting your relaxation request, this administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL No. DPR-67

Date of Issuance: October 29, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-67

DOCKET NO. 50-335

Replace the following page of the Renewed Facility Operating License DPR-67 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

Remove Page

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E. Fire Protection

FPL shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility (The fire protection program and features were originally described in FPL submittals L-83-514 dated October 7, 1983, L-83-227 dated April 12, 1983, L-83-261 dated April 25, 1983, L-83-453 dated August 24, 1983, L-83-488 dated September 16, 1983, L-83-588 dated December 14, 1983, L-84-346 dated November 28, 1984, L-84-390 dated December 31, 1984, and L-85-71 dated February 21, 1985) and as approved by NRC letter dated July 17, 1984, and supplemented by NRC letters dated February 21, 1985, March 5, 1987, and October 4, 1988, subject to the following provision:

FPL may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.

4. This renewed license is effective as of the date of issuance and shall expire at midnight on March 1, 2036.

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY  
J. E. DYER

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

Attachments:

1. Appendix A, Technical Specifications
2. Appendix B, Environmental Protection Plan

Renewed License No. DPR-67  
Revised by letter dated October 29, 2004

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-389

ST. LUCIE, UNIT 2

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

Renewed License No. NPF-16

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the Order requiring compliance with the revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of the DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. NPF-16 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act (the Act) of 1954, as amended 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Renewed FOL is changed as indicated in the Attachment.
3. Except as otherwise noted in the NRC's October 29, 2004, letter granting your relaxation request, this administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

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John A. Nakoski, Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL No. NPF-16

Date of Issuance: October 29, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. DPR-16

DOCKET NO. 50-389

Replace the following page of the Renewed Facility Operating License DPR-16 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

Remove Page

- 4 -

Insert Page

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the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.

The Updated Final Safety Analysis Report supplement as revised on March 28, 2003, described above, shall be included in the next scheduled update to the Updated Final Safety Analysis Report required by 10 CFR 50.71 (e)(4), following issuance of this renewed license. Until that update is complete, FPL may make changes to the programs described in such supplement without prior Commission approval, provided that FPL evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

D. Antitrust Conditions

FPL shall comply with the antitrust conditions in Appendices C and D to this renewed license.

E. Fire Protection

FPL shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report (The fire protection program and features were originally described in the Final Safety Analysis Report, and supplemented by FPL submittals L-82-282 dated July 14, 1982, L-83-89 dated February 25, 1983, L-83-425 dated July 22, 1983, L-83-603 dated December 27, 1983, L-84-347 dated November 28, 1984, L-84-389 dated December 31, 1984, and L-85-72 dated February 21, 1985, for the facility) and as approved in the NRC Safety Evaluation Report, Supplement 3 dated April 1983 and supplemented by NRC letter dated December 5, 1986, subject to the following provision:

FPL may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.