

April 21, 2005

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:  
CONTAINMENT BUILDING PENETRATIONS SURVEILLANCE  
REQUIREMENTS (TAC NO. MC3753)

Dear Mr. Warner:

The Commission has issued the enclosed Amendment No. 102 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No. 1 (Seabrook), in response to your application dated June 28, 2004.

The amendment revises the Seabrook Surveillance Requirement (SR) 4.9.4 to align the language of the SR with that of limiting condition for operation (LCO) 3.9.4, "Containment Building Penetrations." The discrepancy in wording between the LCO and SR was introduced by Amendment No. 94 to Facility Operating License No. NPF-86 which, among other changes modified the applicability of LCO 3.9.4 from "during core alterations and the movement of irradiated fuel" to "during the movement of recently irradiated fuel."

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/

Victor Nerses, Senior 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. 102 to  
License No. NPF-86  
2. Safety Evaluation

cc w/encls: See next page

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Accession Numbers: Amendment: ML050800208; TS(s): ML  
Package: ML050800229

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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. 102  
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment filed by FPL Energy Seabrook, LLC, et al. (the licensee), dated June 28, 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.

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\*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. 102, are hereby incorporated in 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 within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

Darrell J. Roberts, 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: April 21, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 102

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

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

Remove  
3/4 9-4A

Insert  
3/4 9-4A

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 102 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 June 28, 2004, FPL Energy Seabrook, LLC (FPLE Seabrook or the licensee) submitted a request to revise the Seabrook Generating Station, Unit No. 1 (Seabrook) Technical Specifications (TSs). The proposed change would revise Seabrook Surveillance Requirement (SR) 4.9.4 to align the language of the SR with that of limiting condition for operation (LCO) 3.9.4, "Containment Building Penetrations." The discrepancy in wording between the LCO and SR was introduced by Amendment No. 94 to Facility Operating License No. NPF-86 which, among other changes, modified the applicability of LCO 3.9.4 from "during core alterations and the movement of irradiated fuel" to "during the movement of recently irradiated fuel."

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 100, Section 11(a)(1) requires that the licensee's facility be sited at a location such that the licensee is able to maintain the dose to an individual located at the exclusion area boundary for two hours immediately following the onset of a postulated fission product release below 25 rem whole body and below 300 rem to the thyroid from iodine. Additionally, 10 CFR 100.11(a)(2) requires that the licensee's facility be sited at a location such that it is able to maintain the dose to an individual below 25 rem whole body and below 300 rem to the thyroid from iodine, given that the individual is located at the outer boundary of the low population zone for the duration of exposure to the radioactive release.

10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19 states, in part:

A control room shall be provided from which actions can be taken to operate the nuclear power unit safely under normal conditions and to maintain it in a safe condition under accident conditions, including loss of coolant accidents. Adequate radiation protection shall be provided to permit access and occupancy of the control room under accident conditions without personnel receiving radiation exposures in excess of 5 rem whole body, or its equivalent to any part of the body, for the duration of the accident.



Section 50.36(c)(2)(i) of 10 CFR states, in part:

Limiting conditions for operation are the lowest functional capability or performance levels of equipment required for safe operation of the facility. When a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow remedial action permitted by the technical specifications until the condition can be met.

The remedial actions and required completion times delineated in the TSs minimize the potential impact of an unnecessary transient while still requiring that the plant be moved to a safe condition in a time frame commensurate with the safety significance of the inoperable system.

Additionally, 10 CFR 50.36(c)(3) states:

Surveillance requirements are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

### 3.0 TECHNICAL EVALUATION

#### 3.1 Description of Proposed Changes

The proposed change would modify SR 4.9.4 as follows:

##### 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 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 ~~CORE ALTERATIONS~~ or 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.

The proposed wording is consistent with that of the applicability for LCO 3.9.4.

#### 3.2 Background

By letter dated October 11, 2002, North Atlantic Energy Service Corporation, as the then licensee for Seabrook, requested changes to the Seabrook TSs to revise the applicability of LCO 3.9.4. This letter, as supplemented on May 30, 2003 (two letters), July 16, 2003, August 18, 2003, September 9, 2003, and September 15, 2003, proposed to revise the applicability of the LCO, removing the reference to CORE ALTERATIONS and adding “recently”

to "irradiated fuel." "Recently irradiated fuel" is described by the Seabrook TSs as fuel that has occupied part of a critical reactor core within the past 80 hours. This modification allowed FPLE Seabrook the operational flexibility of leaving the containment equipment hatch open during the movement of non-recently irradiated fuel.

The justification for this revision to the applicability was that the licensee's fuel handling accident analysis shows that for an accident with the equipment hatch open after allowing 80 hours decay time, the doses will remain within the 10 CFR Part 100 and GDC 19 limits. By letter dated October 3, 2003, the NRC approved the proposed changes as Amendment 94 to Facility Operating License No. NPF-86.

### 3.3 Evaluation of Proposed Changes

As currently written, SR 4.9.4 is required to be performed during both CORE ALTERATIONS and during the movement of irradiated fuel in the containment building. This is not consistent with the applicability of its associated LCO and has the potential to require performance of the SRs in situations when LCO 3.9.4 is not applicable. If the SRs are required to be performed when LCO 3.9.4 is not applicable, their success or failure is moot as the plant is already in a safe condition, and compliance with 10 CFR 50.36(c)(2)(i) would continue without a plant shutdown or remedial actions.

Given that the performance of the SRs is necessary only when the associated LCO is applicable, the NRC staff finds that the proposed change to the SRs will continue to meet 10 CFR 50.36(c)(3) and is, therefore, acceptable.

### 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 SR. 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 53110). 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: G. Miller

Date: April 21, 2005