



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

**FPL Energy Seabrook Station**  
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**(603) 773-7000**

**MAR 28 2005**

Docket No. 50-443

SBK-L-05072

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

**Seabrook Station**  
**License Amendment Request 05-01**  
**Request for Amendment to Facility Operating License NPF-86**  
**Recapture of Zero-Power and Low-Power Testing Time**

Enclosed is FPL Energy Seabrook, LLC, (FPL Energy Seabrook) License Amendment Request (LAR) 05-01, "Request for Amendment to Facility Operating License NPF-86 to Recapture Zero-Power and Low-Power Testing Time."

Pursuant to 10 CFR 50.90, FPL Energy Seabrook hereby requests an amendment to facility operating license NPF-86 for Seabrook Station Unit 1. The proposed amendment would revise the expiration date of the operating license to recapture zero-power and low-power testing time. Specifically, the expiration date of Seabrook Station's full-power operating license (FPOL) would be revised such that expiration of the FPOL would occur 40 years from the date of issuance of the FPOL, as permitted by 10 CFR 50.51.

SECY-98-296, "Agency Policy Regarding Licensee Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants," dated December 21, 1998, and the associated Commission Voting Record and Staff Requirements Memorandum, dated March 30, 1999, established NRC policy regarding license recapture of low-power testing or shutdown time for nuclear power plants. By establishing this policy, the Commission has acknowledged that recapturing low-power testing time does not involve a significant hazards consideration. The Agency's policy bounds the proposed amendment request since this amendment request is similar to the types of license recapture situations that are described in SECY-98-296.

*ADD*

As discussed in Section V 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 05-01 and issuance of a license amendment by April 1, 2006.

FPL Energy Seabrook has determined that LAR 05-01 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).

The Station Operation Review Committee and the Company Nuclear Review Board have reviewed LAR 05-01.

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



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Mark E. Warner  
Site Vice President

cc: S. Collins, NRC Regional Administrator  
V. Nerses, 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 to SBK-L-05072**



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

**SEABROOK STATION UNIT 1**

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

**License Amendment Request 05-01**  
**Request for Amendment to Facility Operating License NPF-86**  
**Recapture of Zero-Power and Low-Power Testing Time**

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:

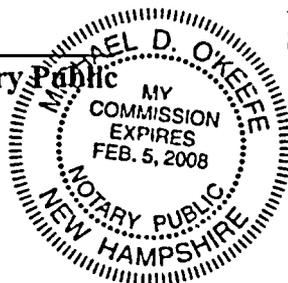
- Section 1.0 - Description
- Section 2.0 - Proposed Change
- Section 3.0 - Background
- Section 4.0 - Technical Analysis
- Section 5.0 - Regulatory Analysis
- Section 6.0 - Environmental Impact Assessment
- Section 7.0 - References
- Section 8.0 - Precedent
- Section 9.0 - Markup of Proposed Changes
- Section 10.0 - Retype of Proposed Changes

I, Mark E. Warner, Site Vice President of FPL Energy Seabrook, LLC, hereby affirm that the information and statements contained within this License Amendment Request 05-01 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 March, 2005

Mark E. Warner  
Site Vice President

Notary Public



## 1.0 Description

This letter is a request to amend Facility Operating License NPF-86 for Seabrook Station Unit 1.

The Code of Federal Regulations in 10 CFR 50.51 specifies that a nuclear power plant operating license will be issued for a fixed period of time not to exceed 40 years from the date of issuance. The proposed amendment would revise the Seabrook Station Unit 1 facility operating license to recover time the unit spent in zero-power and low-power testing conditions before receiving the full-power operating license (FPOL). Specifically, the expiration date of the Seabrook Station Unit 1 FPOL would be revised such that expiration of the FPOL would occur 40 years from the date of issuance of the FPOL. The proposed amendment is not a request for license renewal under 10 CFR 50.54.

## 2.0 Proposed Change

The 40-year full power-operating license (FPOL) term for Seabrook Station Unit 1 began with the issuance of the zero power operating license (ZPOL) (NPF-56) on October 17, 1986. The ZPOL was then superceded by the issuance of a low power operating licensee (LPOL) on May 26, 1989 (NPF-67). In the LPOL for the unit, the licensee (New Hampshire Yankee) was only authorized to operate the unit up to 5 percent of rated thermal power and limited to no more than 0.75 effective full power hours. The LPOL was then superceded by issuance of the FPOL on March 15, 1990. Therefore, the FPOL for Seabrook Station Unit 1 is bounded by the Commission's policy regarding license recapture of low-power testing time, as set forth in SECY 98-296, "Agency Policy Regarding Licensee Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants." The proposed amendment would revise the expiration date of the facility operating license to correspond with the issuance of the FPOL. Specifically, the Facility Operating License NPF-86 with a current expiration date of October 17, 2026 would be revised to expire on March 15, 2030.

In summary, the proposed amendment to the facility operating license is to recapture the time between issuance of the ZPOL and FPOL for Seabrook Station Unit 1. SECY-98-296, "Agency Policy Regarding Licensee Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants," dated December 21, 1998, and the associated Commission Voting Record and Staff Requirements Memorandum (SRM), dated March 30, 1999, established NRC policy regarding license recapture of low-power testing. In the voting record and SRM, the Commission approved the staff's recommendation to allow Grand Gulf Nuclear Station to recover the time spent in low power testing before its FPOL was issued. The Commission also approved the granting of similar requests from other licensees provided that the 40-year license term began with the issuance of a ZPOL, LPOL or construction permit and a separate FPOL was subsequently issued.

Aging effects are not safety significant since the license recapture period for Seabrook Station Unit 1 is short when compared to the overall license period. Therefore, the proposed amendment to the facility operating license presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

### **3.0 Background**

Section 103.c of the Atomic Energy Act of 1954, as amended, provides that a license is to be issued for a specific period not to exceed 40 years. The Code of Federal Regulations (CFR) in 10 CFR 50.51 also specifies that each license will be issued for a fixed period of time not to exceed 40 years from the date of issuance. Also, 10 CFR 50.56 and 50.57 allow the issuance of an operating license pursuant to 10 CFR 50.51 after the construction of the facility has been substantially completed in conformity with the construction permit and when other provisions specified in 10 CFR 50.57 are met.

### **4.0 Technical Analysis**

The proposed amendment would revise the expiration of the facility operating license such that the expiration of the facility operating license is based upon issuance of the FPOL and not upon issuance of the ZPOL. SECY-98-296, "Agency Policy Regarding Licensee Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants," and the associated Commission Voting Record and SRM, dated March 30, 1999, established NRC policy regarding license recapture of low-power testing or shutdown time for nuclear power plants. In the Voting Record and SRM, the Commission approved the staff's recommendation to allow Grand Gulf Nuclear Station, and similarly situated plants, to recover time spent in low power testing within their FPOL provided a separate FPOL was issued. The granting of the Grand Gulf Nuclear Station amendment for license recapture set a precedent for other similarly situated plants. Seabrook Station Unit 1 is similarly situated and the proposed amendment request is bounded by the NRC's policy for recapture of low-power testing time. In addition, aging effects are not safety significant since the license recapture period for Seabrook Station Unit 1 is short when compared to the overall license period.

Seabrook Station Unit 1 was designed and constructed to ensure a 40-year service life. Design features were incorporated that provide for routine inspection of structures, systems and components during the 40-year service life. Surveillance, inspection and maintenance practices, which have been implemented in accordance with the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and the unit Technical Specifications, provide assurance that any degradation in plant safety-related equipment will be identified and corrected to provide continued safe operation of the unit throughout the duration of the facility operating license.

#### **4.1 Safety Assessment**

##### **4.1.1 Neutron Effects on the Reactor Pressure Vessel**

The reactor pressure vessel was designed and fabricated in accordance with the requirements of Section III, Class 1, of the ASME Code edition, addenda, and Code Cases applicable at the time of design and construction. Operating limitations of the ASME Code and of Appendix G, "Fracture Toughness Requirements," of 10 CFR Part 50 are also applicable. The reactor pressure vessel (RPV) and the reactor coolant system were designed to allow inspections in accordance with Section XI of the ASME Code. The NRC staff's evaluation approving the Section XI programs and their implementation with respect to these structures are contained in the Seabrook

Station SER (NUREG-0896 and its nine supplements). Industry experience with steel structures confirms a service life in excess of 40 years may be anticipated.

Over the operating life of a reactor vessel, ferritic materials exposed to neutron irradiation will undergo changes in material properties and a decrease in fracture toughness. The decrease in fracture toughness is of particular importance because the ability to resist failure caused by the propagation of a crack decreases with increasing irradiation. A surveillance program in accordance with the requirements of 10 CFR Part 50 Appendix H "Reactor Vessel Materials Surveillance Program Requirements" monitors the fracture toughness of the vessel. The purpose of the materials surveillance program is to help ensure vessel integrity by monitoring changes in the fracture toughness properties of the reactor vessel beltline materials. The ferritic materials must meet the fracture toughness properties of Section III of the ASME Code and Appendix G to 10 CFR Part 50. To date, two surveillance capsules (U and Y) have been retrieved from the reactor pressure vessel and evaluated per the requirements of Regulatory Guide 1.99, Rev. 2, "Radiation Embrittlement of Reactor Vessel Materials." Pursuant to the requirements of 10CFR50 Appendix H, this evaluation concludes that the fracture toughness properties for the Seabrook Station reactor pressure vessel beltline materials are in compliance with Regulatory Guide 1.99, Rev. 2 empirical predictions. Specifically, it was determined that the plate and weld material upper shelf energies will remain above 50 ft-lb. throughout the life of the vessel as required by 10 CFR Part 50, Appendix G. Also, based on the surveillance capsule data, the adjusted  $RT_{NDT}$  values are predicted to be well within the Regulatory Guide 1.99, Revision 2 upper limit of 200°F for greater than forty years. Subsequently this surveillance capsule data was utilized to adjust the operating parameters, i.e., reactor coolant system pressure / temperature limitations on heatup, cooldown, and low temperature overpressure protection (LTOP) specified in TS 3/4.4.9 in order to maintain sufficient safety margin for the prevention of brittle failure of the reactor vessel. The surveillance program is controlled as a Technical Requirement within the Seabrook Station Technical Requirements (SSTR) manual.

The following discussion of the reactor vessel is provided in Section 5.3 of the UFSAR. In that section, the following is discussed:

- The vessel is designed, fabricated, tested, inspected, and stamped in accordance with the ASME Code, Section III, Class 1 and meets Seismic Category I.
- Shifts in transition temperature caused by irradiation during the vessel life can be accommodated by raising the minimum pressurization temperature, and the predicted value of adjusted reference temperature does not exceed 200 degrees F.
- Compliance with Appendices G and H of 10 CFR Part 50.

The reactor vessel was also designed to withstand a variety of transient and cyclic loads that occur throughout the operational life of the plant. Table 3.9(N)-1 of UFSAR provides the cyclic or transient limits for the vessel.

On May 19, 1995, the NRC issued Generic Letter (GL) 92-01, Revision 1, Supplement 1, "Reactor Vessel Structural Integrity." In this GL, the NRC requested that licensees perform a review of their reactor vessel structural integrity analyses in order to identify, collect, and report any new data pertinent to the analysis of the vessel structural integrity and to assess the impact of that data on the analysis relative to the requirements of 10 CFR 50.60 (Acceptance criteria for fracture prevention measures for normal operation) and 50.61 (Fracture toughness requirements for protection against pressurized thermal shock), and Appendices G and H. North Atlantic Energy Service Corporation, the former licensee, responded on July 2, 1992 (NYN-92093) and provided the requested information and the results of calculations of neutron embrittlement of reactor vessel beltline materials.

Based on the above, there is reasonable assurance that the RPV will, for the proposed license term extension requested by the licensee, be in conformity with the applicable provisions of the rules and regulations of the Commission, and the operating license.

#### 4.2 Structures

The concrete and steel Category I structures at Seabrook Station were designed and constructed in accordance with the General Design Criteria of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50. This is discussed in Sections 3.1 and 3.2 of the UFSAR. The NRC staff reviewed Seabrook Station's design basis, fabrication, construction, and implementation of quality assurance criteria for the plant when the plant was being licensed for low-power operation. The NRC staff's safety evaluation approving the programs and their implementation with respect to these structures are contained in NUREG-0896 and its nine supplements. Industrial experience with concrete and steel structures confirms a service life in excess of 40 years may be anticipated.

The major codes and specifications used in the design and construction of the Category I concrete and steel structures was ACI 318-71, "Building Code Requirements for Reinforced Concrete," and the American Institute of Steel Construction (AISC) specification, "Specification for the Design, Fabrication, and Erection of Structural Steel for Building." The foundations of the seismic Category I structures are reinforced concrete designed to ACI 318-71. Section 3.8 of NUREG-0896 stated that the criteria that were used in the analysis, design, and construction of seismic Category I structures at Seabrook Station account for anticipated loading and postulated conditions that may be imposed on the structures during their service lifetime which would include the requested 3.4 years of additional power operation.

Seabrook Station's use of the indicated codes, standards, and specifications in the plant's design, analyses, and construction and Seabrook Station's quality assurance program required by Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, as approved by NUREG-0896 and its supplements, provide reasonable assurance that the concrete and steel structures will, for the proposed license term extension requested by FPL Energy Seabrook, LLC, be in conformity with the applicable provisions of the rules and regulations of the Commission, and the Seabrook Station license.

### 4.3 Mechanical Equipment

Surveillance, maintenance, and testing requirements for mechanical equipment are in place at the plant to verify operability or to detect degradation and ensure that the equipment that does degrade is replaced or other corrective actions are taken. In addition, sub-components such as nonmetallics (e.g., gaskets and o-rings) are inspected and replaced as necessary, as part of routine maintenance in order to ensure the design life of equipment. Surveillance, inspection, and testing requirements at Seabrook Station, which apply during the operating life of the plant, include the following:

- ASME Code Section XI: Equipment that is safety-related is ASME Code Class 1, 2, or 3 and is subject to the inservice inspection and testing requirements of Section XI and 10 CFR 50.55a, except where relief has been granted in writing from these requirements. These requirements apply throughout the operating life of a plant and will provide reasonable assurance that mechanical components will be properly monitored throughout the plant lifetime.
- Technical Specifications (TSs): 10 CFR 50.36 requires the establishment of limiting conditions for operation (LCOs) for certain equipment. (LCOs are the lowest functional capability or performance levels of equipment required for safe operation of the facility). This equipment is subject to the surveillance and testing requirements in the TSs to assure systems are operable. These surveillance requirements include calibration and inspection of systems and components to ensure that operation of the plant will remain in accordance with the limiting conditions for operation.
- 10 CFR Part 50, Appendix J: Equipment and components associated with containment penetrations, including containment isolation valves, are subject to the leak testing requirements in Appendix J, "Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors." This is for Type B and C testing of valves and penetrations, and Type A testing of the overall containment structure. These tests verify the integrity of the containment and associated components, and confirm that the containment and associated components are capable of performing their designed safety function as assumed in the accident analysis for Seabrook Station.

FPL Energy Seabrook has implemented procedures for maintaining the operability of the mechanical components and, thus, the mechanical equipment of which the components are a part.

FPL Energy Seabrook concludes that compliance with the codes, standards, and regulatory requirements to which mechanical equipment were analyzed, constructed, tested, and inspected provide adequate assurance that the structural integrity of equipment important to safety will be maintained during the operating lifetime of the plant and during the additional period authorized by this amendment. Any significant degradation by such equipment would be discovered and the equipment restored to an acceptable, and operable, condition.

#### **4.4 Electrical Equipment**

FPL Energy Seabrook has a program in place for the environmental qualification (EQ) of electrical equipment.

The EQ program at Seabrook Station includes qualification of the electrical equipment through accelerated aging tests. In accordance with 10 CFR 50.49, the program is required during the entire period of the operating license, which will include the term of the proposed license extension requested by the licensee, with approval of this amendment. The program will continue to ensure electrical equipment important to safety will not be used beyond its qualified life. Although the plant's original life was considered to be 40 years, the EQ program will account for operation during the term of the proposed extension requested by the licensee. If a component has a qualified life of less than 40 years, its replacement is scheduled through the maintenance program. Similarly, if the component has a 40-year qualified life, the replacement of the component is also scheduled through the maintenance program. Therefore, the EQ program will support the proposed amendment.

#### **4.5 Quality Assurance and Maintenance Programs**

In licensing Seabrook Station, the NRC staff reviewed the quality assurance (QA) program and the conduct of operations, including the maintenance procedures, at Seabrook Station. The QA program for plant operations assesses how the plant organization is following procedures and meeting requirements for plant operation. This includes the maintenance program at the plant that assures the equipment is operable. In NUREG-0896, the NRC staff concluded that the QA program and maintenance procedures were acceptable.

Inspections by the staff of the QA and maintenance programs at Seabrook Station since the plant was licensed show that these programs remain acceptable. The QA program meets the requirements of Appendix B to 10 CFR Part 50.

Therefore, FPL Energy Seabrook's implementation and use of the QA and maintenance programs at Seabrook Station provides reasonable assurance that equipment important to safety will, for the proposed license term extension requested by the FPL Energy Seabrook, be in conformity with the applicable provisions of the rules and regulations of the Commission, and the Seabrook Station license.

#### **4.6 Conclusion**

Based on the discussion above of the safety issues involved with granting an extension to the operating license, there are no issues that would preclude an additional 3.4-year period of operation. This time is insignificant from an aging effect perspective when considered in conjunction with the surveillance, inspection and maintenance programs implemented to provide early indication of degradation in plant safety-related equipment. Continual maintenance and testing provides for continued safe operation of the unit throughout the duration of the facility operating license.

The proposed amendment will not impact the design function, or method of performing or controlling design functions, of structures, systems and components, nor will there be an effect on various Seabrook Station 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 UFSAR.

## **5.0 Regulatory Analysis**

### **5.1 No Significant Hazards Consideration**

The proposed amendment would revise the expiration of the facility operating license such that the expiration of the facility operating license is based upon issuance of the full power operating licensee (FPOL) and not upon issuance of the zero power operating licensee (ZPOL). As stated previously, SECY-98-296, dated December 21, 1998, and the associated Commission Voting Record and SRM, dated March 30, 1999, established NRC policy regarding license recapture of low-power testing for nuclear power plants. By establishing this policy, the Commission has acknowledged that recapturing low-power testing time does not involve a significant hazards consideration. The NRC's policy bounds the proposed amendment request since this amendment request is similar to the types of license recapture situations that are described in SECY-98-296.

FPL Energy Seabrook has evaluated whether or not a significant hazards consideration is involved with the proposed amendments by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated since it does not involve a change to design configuration or operation of the facility. The proposed change does not effect the source term, containment isolation or radiological release assumptions used in evaluating the radiological consequences of an accident previously evaluated in the Seabrook Station UFSAR. In addition, Seabrook Station Unit 1 was designed and constructed to ensure a 40-year service life. Design features were incorporated that provide for inspection of structures, systems and components during the 40-year service life. Surveillance, inspection and maintenance practices have been implemented in accordance with the American Society of Mechanical Engineers Boiler and Pressure Vessel Code and the unit Technical Specifications to provide assurance that any degradation in plant safety-related equipment will be identified and corrected to provide continued safe operation of the unit throughout the duration of the facility operating license.

The recapture period requested by this amendment is for 3.4 years. This time is insignificant from an aging effect perspective when considered in conjunction with the surveillance, inspection and maintenance programs implemented to provide early indication of degradation in plant safety-related equipment. Continual maintenance and testing provides for continued safe operation of the unit throughout the duration of the facility operating license.

Therefore the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any accident previously evaluated?

The proposed amendment revises the expiration of the facility operating license such that the expiration of the facility operating license is based upon issuance of the FPOL and not upon issuance of the ZPOL/LPOL. The proposed changes do not involve physical alteration of plant systems structures or components or changes in parameters governing the manner in which the plant is operated and maintained.

Therefore the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

The proposed amendment revises the expiration of the facility operating license such that the expiration of the facility operating license is based upon issuance of the FPOL and not upon issuance of the ZPOL/LPOL. No physical changes are being made to the design features or operation of the facility.

Margin of safety is associated with confidence in the ability of the fission product barriers (i.e., fuel cladding, reactor coolant system pressure boundary and the containment structure) to limit the radiological dose to the public and control room operators in the event of an accident. The proposed amendment to the facility operating license has no impact on the margin of safety and robustness provided in the design and construction of the facility. In addition, the proposed amendment will not relax any of the criteria used to establish safety limits, nor will the proposed amendment relax safety system settings or limiting conditions of operation as defined in the Technical Specifications.

Therefore, the proposed amendment does not result in a significant reduction in the margin of safety.

Based on the above information, FPL Energy Seabrook concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

## 5.2 Applicable Regulatory Requirements/Criteria

The following regulations apply to the proposed amendments:

1. 10 CFR 51.22, "Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review."
2. 10 CFR 50.90, "Application for amendment of license or construction permit."
3. 10 CFR 50.92, "Issuance of amendment."

The following NRC documents apply to proposed amendments:

1. SECY-98-296, "Agency Policy Regarding Licensee Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants."
2. SRM, Commission Voting Record dated March 30, 1999, regarding SECY-98-296.

### Analysis

SECY-98-296, dated December 21, 1998, and the associated Commission Voting Record and SRM, dated March 30, 1999, established NRC policy regarding license recapture of low-power testing or shutdown time for nuclear power plants. By establishing this policy, the Commission has acknowledged that recapturing low-power testing time does not involve a significant hazards consideration. The NRC's policy bounds the proposed amendment request since this amendment request is similarly situated to those described in the SECY.

The proposed amendment revises the expiration of the facility operating license such that the expiration of the facility operating license is based upon issuance of the respective FPOL and not upon issuance of the ZPOL/LPOL. No physical changes are being made to the design features or operation of the facility. The proposed amendment will not impact the design function, or method of performing or controlling design functions of structures, systems and components, nor will there be an effect on various 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 Unit 1 UFSAR. Therefore, the proposed amendment does not adversely affect nuclear safety or continued safe operation of Seabrook Station Unit 1, or result in an increase in the radiological consequences of any accident described in the Seabrook Station Unit 1 UFSAR.

In conclusion, based on the considerations described 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 this amendment will not be inimical to the common defense and security, or to the health and safety, of the public.

## **6.0 Environmental Consideration**

FPL Energy Seabrook has determined that the proposed amendment does not involve

1. a significant hazards consideration,
2. a significant change in the types or a significant increase in the amounts of any effluent that may be released offsite, or
3. a significant increase in individual or cumulative occupational radiation exposure.

Accordingly, the proposed amendment meets the eligibility criteria for categorical exclusion as set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the proposed amendment.

## **7.0 References**

10 CFR 51.22, "Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review."

10 CFR 50.90, "Application for amendment of license or construction permit."

10 CFR 50.92, "Issuance of amendment."

SECY-98-296, "Agency Policy Regarding License Recapture of Low-Power Testing or Shutdown Time for Nuclear Power Plants."

## **8.0 Precedent**

1. Palisades, amendment to revise the expiration date of the facility operating license, ADAMS Accession Number 003777442.
2. San Onofre Nuclear Generating Station, Units 2 and 3, amendments to revise the expiration date of the facility operating licenses, ADAMS Accession Number 003690021.
3. Dresden, Unit 2, amendment to revise the expiration date of the facility operating license, ADAMS Accession Number 003744786.
4. Grand Gulf, Unit 1, amendment to revise the expiration date of the facility operating license, ADAMS Accession Number 9905040242.
5. Palo Verde Nuclear Generating Station Units 1, 2, and 3; Docket Nos. STN 50-528/529/530; Request for Amendment to Facility Operating Licenses NPF-41, NPF-51 and NPF-74 to recapture Low-Power Testing Time. ADAMS Accession Number 022480316

**Section 9.0 - Markup of Proposed Changes**

J. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 5094, are hereby incorporated into this license. FPL Energy Seabrook, LLC, shall operate the facility in accordance with the Additional Conditions.

3. This license is effective as of the date of issuance and shall expire at midnight on ~~October 17, 2026~~ March 15, 2030.

FOR THE NUCLEAR REGULATORY COMMISSION

(Original signed by:  
Thomas E. Murley)

Thomas E. Murley, Director  
Office of Nuclear Reactor Regulation

Attachments/Appendices:

1. Appendix A - Technical Specifications (NUREG-1386)
2. Appendix B - Environmental Protection Plan
3. Appendix C - Additional Conditions

Date of Issuance: March 15, 1990

**Section 10.0 - Retype of Proposed Changes**

J. Additional Conditions

The Additional Conditions contained in Appendix C, as revised through Amendment No. 94, are hereby incorporated into this license. FPL Energy Seabrook, LLC, shall operate the facility in accordance with the Additional Conditions.

3. This license is effective as of the date of issuance and shall expire at midnight on March 15, 2030.

FOR THE NUCLEAR REGULATORY COMMISSION

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Attachments/Appendices:

1. Appendix A - Technical Specifications (NUREG-1386)
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Date of Issuance: March 15, 1990