

June 19, 2006

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
ADOPTION OF SELECTED STANDARD TECHNICAL SPECIFICATIONS
REQUIREMENTS (TAC NOS. MC6858, MC6859, MC6861 THROUGH
MC6873)

Dear Mr. Stall:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment Nos. 199 and 146 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 April 21, 2005.

These amendments revise the St. Lucie Unit 1 and 2 TSs by incorporating seven generic changes to the Standard TSs (STs) for Combustion Engineering plants. This represents a partial approval of your submittal. Your request to adopt the STS requirements for remote shutdown instrumentation and the STS actions and action times for accident monitoring instrumentation is still under review and will be addressed in a separate safety evaluation (SE).

A copy of the SE 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
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-335 and 50-389

Enclosures:

1. Amendment No. 199 to DPR-67
2. Amendment No. 146 to NPF-16
3. Safety Evaluation

cc w/enclosures: See next page

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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. 199
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 April 21, 2005, 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. 199, 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.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by B. Mozafari for/
Michael L. Marshall, Jr., Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License and
Technical Specifications

Date of Issuance: June 19, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 199
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-67
DOCKET NO. 50-335

Replace Page 3 of Renewed Operating License DPR-67 with the attached Page 3.

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

XIV
XV
3/4 7-4
3/4 7-5
3/4 9-8a
6-1
6-2
6-5
6-6
6-12
6-13
6-14
6-15a
6-23

Insert Pages

XIV
XV
3/4 7-4
3/4 7-5
3/4 9-8a
6-1
6-2
6-5
6-6
6-12
6-13
6-14
6-15a
6-23

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. 146
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 April 21, 2005, 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. 146, 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.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by B. Mozafari for/

Michael L. Marshall, Jr., Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License and
Technical Specifications

Date of Issuance: June 19, 2006

ATTACHMENT TO LICENSE AMENDMENT NO. 146
TO RENEWED FACILITY OPERATING LICENSE NO. NPF-16
DOCKET NO. 50-389

Replace Page 3a of Renewed Operating License DPR-67 with the attached Page 3a.

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

XVIII
XIX
2-1
3/4 7-4
3/4 7-5
3/4 9-9
6-1
6-2
6-6
6-7
6-13
6-14a
6-15a
6-15b
6-23

Insert Pages

XVIII
XIX
2-1
3/4 7-4
3/4 7-5
3/4 9-9
6-1
6-2
6-6
6-7
6-13
6-14a
6-15a
6-15b
6-23

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 199 AND 146

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

FLORIDA POWER AND LIGHT COMPANY, ET AL.

ST. LUCIE PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-335 AND 50-389

1.0 INTRODUCTION

By letter dated April 21, 2005, Florida Power and Light Company, et al. (FPL, the licensee), submitted a license amendment request to revise the St. Lucie Units 1 and 2 Technical Specifications (TSs) by incorporating seven TS Task Force Travelers (TSTFs) that contain generic changes to the Standard Technical Specifications (STTs) for Combustion Engineering plants.

Specifically, the proposed changes would do the following:

- A. TSTF-5, Rev. 1, "Delete Safety Limit Violation Notification Requirements." The proposed change deletes notification, reporting and restart requirements from the TSs if a safety limit is violated. Section 6.7, "Safety Limit Violation," of the St. Lucie TSs is deleted and is being replaced with the term, "DELETED," and, for St. Lucie Unit 2, the references to TS 6.7.1 are being deleted from TS 2.1, "Reactor Coolant System Pressure."
- B. TSTF-65, Rev. 1, "Use of Generic Titles for Utility Positions." The proposed change revises the plant-specific management titles in the TSs to generic titles. The plant-specific titles are specified in the Updated Final Safety Analysis Report (UFSAR) or Topical Quality Assurance Report (TQAR). The proposed change affects TS 6.1, "Responsibility," TS 6.2, "Organization," TS 6.3, "Unit Staff Qualification," TS 6.4, "Training," TS 6.6, "Reportable Event Action," TS 6.13, "Process Control Program (PCP)," and TS 6.14, "Offsite Dose Calculation Manual (ODCM)."
- C. TSTF-101, Rev. 0, "Change Auxiliary Feedwater (AFW) Pump Testing Frequency to be In Accordance with the Inservice Testing Program." The proposed change to surveillance requirement 4.7.1.2, revises the surveillance frequency for the AFW pumps from 31 days to a frequency set by the inservice testing (IST) program and removes the specific discharge pressures. Procedural details are also being deleted from the surveillance requirements.

- D. TSTF-258, Rev. 4, "Changes to Section 5.0, Administrative Controls." The proposed change revises the Administrative Control section of the TSs to adopt several improvements to unit staffing, work-hour limitations, and Radioactive Effluent Controls Program (RECP), and reporting.
- E. TSTF-299, Rev. 0, "Administrative Controls Program 5.5.2.b Test Interval and Exception." The proposed change clarifies the meaning of "refueling cycle" for system integrated leak test intervals in the primary coolant sources outside containment program in TS 6.8.4.a. In addition, the proposed change also specifies that the provisions of TS 4.0.2 are applicable to these test intervals.
- F. TSTF-308, Rev. 1, "Determination of Cumulative and Projected Dose Contributions in RECP." The proposed change to TS 6.8.4.f, "Radioactive Effluent Controls Program," clarifies the requirements for the determination of cumulative and projected dose contributions from radioactive effluents.
- G. TSTF-361, Rev. 2, "Allow Standby SDC/RHR/DHR (Shutdown Cooling/Residual Heat Removal/Decay Heat Removal) Loop to be Inoperable to Support Testing." The proposed change adds a note to the RHR requirements during Mode 6 low water level operations (TS 3.9.8.2), which allows one required SDC loop to be inoperable for up to 2 hours for surveillance testing provided the other SDC loop is operable and in operation.

In its April 21, 2005, letter, the licensee also requested to adopt the STS requirements for remote shutdown instrumentation and the STS actions and action times for accident monitoring instrumentation. This portion of the request is still under review by the NRC staff and will be addressed in a separate safety evaluation.

2.0 REGULATORY EVALUATION

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.90, FPL has requested that the TSs for St. Lucie Units 1 and 2 be modified to incorporate the changes in the identified TSTF change travelers, which have been approved by the U.S. Nuclear Regulatory Commission (NRC, the Commission) staff generically for the Combustion Engineering STSs contained in NUREG-1431.

Section 182a of the Atomic Energy Act (Act) requires applicants for nuclear power plant operating licenses to include TSs as part of the license. The licensee provides TSs in order to maintain the operational capability of structures, systems and components that are required to protect the health and safety of the public. The regulatory requirements related to the content of the TSs are contained in 10 CFR, Section 50.36. The requirements of 10 CFR 50.36 include the following categories: (1) safety limits, limiting safety systems settings and control settings; (2) limiting conditions for operation (LCO); (3) surveillance requirements; (4) design features; and (5) administrative controls.

Originally, the requirements of 10 CFR 50.36 established the categories of items to be included in the TSs, but not the particular requirements of the plant's TSs. The Commission provided guidance for the specific contents of the TSs in the "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" (Final Policy Statement), published

in the *Federal Register* on July 22, 1993 (58 FR 39132). In particular, the NRC indicated that certain items could be relocated from the TSs to licensee-controlled documents, consistent with the standard enunciated in *Portland General Electric Co. (Trojan Nuclear Plant)*, ALAB-531, 9 NRC 263,273(1979). In that case, the Atomic Safety and Licensing Appeals Board indicated that “technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to public health and safety.”

The Final Policy Statement established four criteria for determining the items required for inclusion in the LCO Section of the TSs, as follows:

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

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

- Criterion 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 the fission product barrier.

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

These criteria have been codified in 10 CFR 50.36. See Final Rule, “Technical Specifications” (60 FR 36593, dated July 19, 1995). As a result, TS requirements that fall within or satisfy any of the criteria in the Final Policy Statement must be retained in the LCO Section of the TSs, while those TS requirements that do not fall within or satisfy these criteria may be relocated to other sections of the TSs and/or licensee-controlled documents.

The Final Policy Statement allows the relocation of items not meeting these four specified criteria from the TSs to licensee-controlled documents, such that future changes could be made to these provisions pursuant to 10 CFR 50.59, “Changes, Tests, and Experiments.” The Commission also concluded that compliance with the Final Policy Statement satisfied Section 182a of the Act, precipitating a revision to 10 CFR 50.36 that superseded the Final Policy Statement.

In general, there are two classes of changes to TSs: (1) changes needed to reflect modifications to the design bases (TSs are derived from the design bases), and (2) voluntary changes to take advantage of the evolution in policy and guidance as to the required content and preferred format of TSs over time. The proposed amendments deal with the second class of changes. In determining the acceptability of such changes, the NRC staff interprets the

requirements of the current version of 10 CFR 50.36, using the accumulation of generically approved guidance in the improved STS NUREGs as a model.

The Commission has previously granted relaxations to individual plant TSs on a plant-specific basis that were the result of (1) generic NRC actions, (2) new staff positions that have evolved from technological advancements and operating experience, or (3) resolution of the Owners Groups comments on STSs. The NRC staff reviewed generic relaxations contained in the STSs and found them acceptable because they are consistent with current licensing practices and the Commission's regulations.

Within this general framework, licensees may remove material from their TSs on two conditions: (1) the material is not required to be in the TSs based on the staff interpretation of 10 CFR 50.36, including judgments about the level of detail required in the TSs, and (2) there exist suitable alternative regulatory controls for the material.

The resulting improved STSs encourage licensees to use the improved STSs as the basis for complete revisions to the current TSs, applicable to Commission policy, and also notes that licensees may adopt portions of the improved STS without fully implementing all STS improvements. Licensees may revise the remaining TSs to adopt current improved STS format and content provided that a plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee's current requirement, or (3) the change is less restrictive than the licensee's current requirement, but still affords adequate assurance of safety when judged against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of the specific proposed changes.

3.0 TECHNICAL EVALUATION

3.1 Editorial, Administrative or Clarification Changes

Licensees may revise the TSs in order to make changes that are editorial, administrative or provide clarification. In determining the acceptability of these changes, the NRC staff confirms that the editorial, administrative and clarification changes do not alter the TS requirements.

The licensee proposed to adopt the administrative, editorial and clarification TS changes contained in TSTF-65, Rev.1 and TSTF-308, Rev. 1.

3.1.1 TSTF-65, Rev. 1

TSTF-65 revised the STSs by providing generic titles for utility positions. The licensee proposes to revise the St. Lucie TSs in order to change the following plant-specific titles to the indicated generic titles: (1) Plant General Manager to plant manager; (2) Chief Nuclear Officer to a specified corporate officer or corporate officer with responsibility for overall plant nuclear safety; (3) Site Vice President to a corporate officer with direct responsibility for the plant; (4) Health Physics Supervisor to radiation protection manager; (5) Operations Supervisor to operations supervisor; (6) Training Manager to training manager; and (7) Health Physics Technician to health physics technician.

The STS requires that the plant position descriptions meet the qualifications of Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel at Nuclear Power Plants" or an American National Standards Institute (ANSI) or American Nuclear Society (ANS) Standard acceptable to the NRC staff. In accordance with RG 1.8, TS 6.3.1 for St. Lucie, Units 1 and 2 presently requires that the facility staff meet or exceed the minimum qualifications of ANSI/ANS 3.1-1978, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants" and provides specific exceptions for certain positions. The proposed changes provide a direct link between ANSI/ANS 3.1-1978 and the personnel requirements in the TSs by utilizing the same position titles as used in ANSI/ANS 3.1-1978 or alternate titles consistent with ANSI/ANS 3.1-1978 that are required because of unique organizational structures. The plant-specific titles will be specified in the UFSAR or the TQAR. The UFSAR will be updated in accordance with 10 CFR 50.71(e) and the TQAR will be updated in accordance with 10 CFR 50.54(a).

The staff concludes that the licensee's proposed position title changes are acceptable since the changes do not affect any of the qualifications, responsibilities or requirements for these positions.

3.1.2 TSTF-308, Rev. 1

TSTF-308 revised the RECP requirements in the STSs for the determination of cumulative and projected dose contributions to describe the actual intent of the requirement (STS 5.5.4.e). The original wording of the STSs implied that the projected dose contributions should be determined for the current calendar year and the current calendar quarter at least once per 31 days instead of being determined over a 31-day cycle at least once every 31 days. This wording was misleading and resulted in misinterpretation of the intent of the original STSs. The licensee proposes to revise St. Lucie TS 6.8.4.f.5 in order to adopt the wording change of TSTF-308 because the current St. Lucie TSs contain the same misleading wording for determining the projected dose contributions as the original STSs.

The staff concludes that the justification for the TSTF is applicable to St. Lucie. Therefore, the licensee's proposed adoption of the TSTF-308 wording for determining the projected dose contribution is acceptable because it will prevent potential misinterpretation of the requirement due to the wording in the current St. Lucie TS 6.8.4.f.5.

3.2 Changes that Revise or Add Specifications to Reflect the Guidance of the Improved STSs

The licensee proposed changes to take advantage of the evolution in policy and guidance as to the required content and preferred format of TSs. In determining the acceptability of such changes, the staff interprets the requirements of the current version of 10 CFR 50.36, using as a model the accumulation of generically-approved guidance in the STS NUREGs.

The licensee proposed to adopt the STS changes contained in TSTF-5, Rev. 1, TSTF-101, Rev. 0, TSTF-258, Rev. 4, and TSTF-299, Rev. 0.

3.2.1 TSTF-5, Rev. 1

TSTF-5 revised the STSs to delete the notification, reporting and restart requirements for safety limit violations. Section 6.7 of the current St. Lucie TSs contains requirements that are equivalent to the reporting requirements that were deleted from the STSs. These may be removed because they are duplicated by 10 CFR 50.36(c)(1)(i)(A), which requires notifying the NRC Operations Center within one hour in accordance with 10 CFR 50.73, and requires submitting a Licensee Event Report on the safety limit violation in accordance with 10 CFR 50.73. Also, in the St. Lucie Unit 2 TSs, references to TS 6.7.1 in TS 2.1 may be deleted.

The staff concludes that the licensee's proposed deletion of the safety limit notification requirements is acceptable because these TS requirements are redundant to the requirements of 10 CFR 50.36, 10 CFR 50.72 and 10 CFR 50.73, and the *Code of Federal Regulations* requirements bound the TS requirements.

3.2.2 TSTF-101, Rev. 0

TSTF-101 revised STS 3.7.5, "Auxiliary Feedwater System" to require verifying that the developed head for each AFW pump is greater than or equal to the required head on a frequency set by the IST program instead of every 31 days on a staggered basis. The current St. Lucie TSs specify pump head requirements and require testing every 31 days. The proposed changes would remove the specific pump head requirements from the TSs and require both pump performance measurement and testing frequency to be in accordance with the IST program. This is consistent with TSTF-101. The proposed adoption of the TSTF-101 revisions would bring the pump testing requirements for the AFW pumps in line with the TS testing requirements of other pumps, such as the charging pumps, boric acid pumps, safety injection pumps and containment spray pumps. The new test frequency is consistent with the American Society of Mechanical Engineers (ASME) Code requirements. Based on operating experience, these pump test frequencies confirm operability, trend performance and detect incipient failures by indicating abnormal performance.

The staff concludes that using the AFW test frequency set by the Inservice Test Program is acceptable because it will maintain AFW pump reliability and result in consistent requirements for pump testing throughout the TSs.

The licensee is also adding a note from the STSs for the AFW System stating that the surveillance test is not required to be performed for the turbine driven AFW pump until 24 hours after the steam generator pressure is greater than or equal to 800 pounds per square inch. The purpose of this note is to allow entering the mode of applicability to establish the necessary conditions to properly perform the test. The staff finds that adding this note to the St. Lucie TSs is acceptable because it ensures an accurate test of the AFW system in accordance with the St. Lucie IST program and the ASME Code.

3.2.3 TSTF-258, Rev. 4

TSTF-258 made the following changes to the STSs: (1) deleted the requirements in STS 5.2.2 for the presence of a licensed operator in the control room when fuel is in the reactor vessel and for the presence of a senior licensed operator in the control room when either unit is in

Modes 1, 2, 3 or 4; (2) maintained the current details in STS 5.2.2 for working hour limitations; (3) clarified the requirements in STS 5.2.2 for the shift technical advisor function; (4) added elements to the staff requirements in STS 5.3 that are required by 10 CFR 55.4; (5) revised the RECP in STS 5.5.4 in accordance with 10 CFR Part 20; (6) revised the monthly operating report in STS 5.6.4 to delete the requirement to report challenges to the pressurizer power operated relief valves and safety valves; and (7) continued using the high radiation area requirements in STS 5.7 in accordance with 10 CFR Part 20 and the letter from C. Grimes (NRC) to J. Davis (Nuclear Energy Institute) dated April 9, 1997.

The licensee's proposed changes did not include items (2) and (7) of TSTF-258 because these changes have been previously reviewed and found acceptable by the NRC staff. Item (6) was originally included in this submittal but, subsequently, was approved as part of License Amendment Nos. 191 and 141 on January 13, 2006, and no longer needs to be reviewed in this evaluation. The additional TSTF-258 items are addressed below.

Item (1) The licensee is deleting the requirements in TS 6.2.2.b that at least one licensed operator be in the control room when fuel is in the reactor and at least one senior licensed operator be in the control room when the units are in Mode 1, 2, 3 or 4. These requirements are not needed in the TSs since they are already required by 10 CFR 50.55(m) and 50.54(k). The NRC staff concludes that the licensee's proposed deletion of TS 6.2.2.b is consistent with TSTF-258 and is acceptable, since the requirements of the *CFR* already provide for the shift manning of the control room.

Item (3) The licensee is clarifying the requirements in TS 6.2.3 for the shift technical advisor to be consistent with the STSs and TSTF-258. The NRC staff concludes that the licensee's proposed adoption of the TSTF-258 requirements for shift technical advisor function is acceptable, since the requirements of 10 CFR 50.54(m) already address the shift technical advisor function.

Item (4) The licensee proposes to revise TS 6.3 to add requirements to the functions of the licensed senior operator and the licensed operator that are required by 10 CFR 55.4. The NRC staff concludes that the licensee's proposed adoption of TSTF-258, by adding these requirements to the licensed senior operator and the licensed operator requirements, is acceptable, since this revision establishes consistency between 10 CFR 55.4 and the TSs.

Item (5) The licensee proposes to modify the RECP to permit a 25-percent extension of the surveillance frequencies in order to provide scheduling flexibility. Additionally, the licensee is providing requirements for missed surveillances in accordance with TSTF-258. The staff concludes that the licensee's proposed allowance for a 25-percent surveillance frequency extension is acceptable, because design analysis confirms that allowing a 25-percent extension of the frequency for performing the cumulative dose and projected dose calculation has no effect on the outcome of the calculations. Furthermore, the licensee proposes to incorporate the STS Surveillance Requirements for missed surveillance tests into the St. Lucie RECP. The allowed time to conduct the missed surveillance establishes the flexibility to defer declaring affected equipment inoperable or an affected variable outside the specified limits, thus avoiding the actions required for an LCO not being met. The staff concludes that the licensee's proposed missed surveillance requirements are acceptable, since they are consistent with other missed surveillance requirements in the St. Lucie TSs and in the STSs and the flexibility they provide reduces the risk due to unnecessary actions from not meeting these LCOs.

3.2.4 TSTF 299, Rev. 0

The licensee proposed to revise the St. Lucie TSs to incorporate TSTF-299, which revises the frequency of the integrated leak testing of primary coolant sources outside of containment from at least once every refueling cycle to at least once every 18 months. Furthermore, the licensee proposed applying Surveillance Requirement 4.0.2 to the integrated leak test program, which allows the testing frequency to be extended by 25 percent.

The fixed testing frequency of at least once every 18 months is more precise than the current frequency of at least once every refueling cycle and is more consistent with similar requirements in the St. Lucie TSs and the STSs. Both St. Lucie units are currently on a 18-month fuel cycle; therefore, adopting this more precise terminology is essentially an editorial change. The NRC staff concludes that the licensee's proposed revision to the leak rate testing frequency is acceptable, since the change is editorial.

Extending the test frequency by 25 percent is the same as the test extension permitted in the STSs. The 25-percent test frequency extension provides flexibility to perform the testing during refueling outages where the fuel cycle was extended due to a lengthy forced shutdown. The NRC staff concludes that the licensee's proposal to allow the 25-percent extension of the integrated leak testing frequency is acceptable, since it is consistent with the STSs and, based on industry history, these components have passed this surveillance during numerous test cycles at the current 18-month interval. Furthermore, these components are routinely inspected during normal operations and/or testing, such that any degradation should be apparent and corrective actions implemented.

3.3 Less Restrictive TSs Changes

The licensee proposed changes that are less restrictive than the current TSs in order to relieve unnecessary regulatory burden. In determining the acceptability of such changes, the NRC staff confirms that the less restrictive TSs changes still afford adequate assurance of safety when judged against current regulatory standards.

3.3.1 TSTF-361, Rev.2

The licensee proposed to adopt TSTF-361, Rev. 2, by revising the current TS 3.9.8.2, "Refueling Operations - Low Water Level," which requires two operable SDC loops and one loop in operation for Mode 6. The revisions consist of adding a note that allows one of the required SDC loops to be inoperable for up to 2 hours for performing required surveillance testing, provided the other loop is operable and in operation. The allowance is needed to provide the operational flexibility to perform surveillance testing. Since the reactor decay heat generation during Mode 6 is sufficiently low, a potential 2-hour interruption of decay heat removal, assuming a failure of the operating SDC loop during this time interval, would not result in a reactor safety concern. The 2-hour testing duration ensures that there is reasonable time for operators to respond to and mitigate any expected failures. The staff concludes that the licensee's proposal to add the testing note is acceptable since the note provides the 2 hours necessary to perform the testing required by surveillance requirements and, thus, adequate protection of public health and safety.

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. These amendments also relate to changes in record keeping, reporting, or administrative procedures or 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 (70 FR 38720, dated July 5, 2005). Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and 10 CFR 51.22(c)(10). 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.

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