December 29, 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: FLORIDA POWER AND LIGHT COMPANY, FPL ENERGY SEABROOK, LLC, AND FPL ENERGY DUANE ARNOLD, LLC - APPROVAL OF COMMON QUALITY ASSURANCE TOPICAL REPORT (TAC NOS. MD1142, MD1143, MD1144, MD1145, MD1146 AND MD1147)

Dear Mr. Stall:

By letter dated March 31, 2006, as supplemented by letters dated June 12, September 21 and November 15, 2006, Florida Power and Light Company, the licensee for St. Lucie, Units 1 and 2, and Turkey Point, Units 3 and 4, FPL Energy Seabrook, LLC, the licensee for Seabrook Station, and FPL Energy Duane Arnold, LLC, the licensee for Duane Arnold Energy Center, submitted a common Quality Assurance Topical Report (QATR) for review and approval by the U. S. Nuclear Regulatory Commission (NRC) staff in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 54(a)(4).

The enclosed safety evaluation documents the basis for the NRC staff's conclusion that the common Quality Assurance program described in the QATR complies with applicable NRC regulations and industry standards and may be implemented for 10 CFR Part 50 licensed activities at the St. Lucie, Turkey Point, Seabrook and Duane Arnold facilities.

The NRC staff's evaluation of the implementation of the QATR for 10 CFR Part 71 and Part 72 activities will be provided separately.

Sincerely,

/RA/

Brendan T. Moroney, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-250, 50-251, 50-331,
50-335, 50-389 and 50-443

Enclosure: Safety Evaluation

cc w/encl: See next page

December 29, 2006

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Senior Vice President, Nuclear and
Chief Nuclear Officer
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Docket Nos. 50-250, 50-251, 50-331,
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Enclosure: Safety Evaluation

cc w/encl: See next page

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J.A. Stall
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ST. LUCIE PLANT
TURKEY POINT PLANT
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ST. LUCIE PLANT
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

PROPOSED CHANGE TO THE QUALITY ASSURANCE PROGRAM

COMMON QUALITY ASSURANCE TOPICAL REPORT

ST. LUCIE NUCLEAR PLANT, UNITS 1 AND 2

TURKEY POINT NUCLEAR PLANT, UNITS 3 AND 4

SEABROOK STATION

DUANE ARNOLD ENERGY CENTER

DOCKET NOS. 50-335, 50-389, 50-250, 50-251, 50-443, and 50-331

1.0 INTRODUCTION

By letter dated March 31, 2006 (Reference 1), Florida Power and Light Company, FPL Energy Seabrook, LLC, and FPL Energy Duane Arnold, LLC (herein collectively referred to as FPL or the licensee), submitted a proposed common Quality Assurance Topical Report (QATR) for review and approval by the U. S. Nuclear Regulatory Commission (NRC) staff in accordance with the provisions of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.54(a)(4). The submittal was supplemented by letters dated June 12, 2006 (Reference 2), September 21, 2006 (Reference 3), and November 15, 2006 (Reference 4), which provided additional information in support of and revisions to the QATR submitted as Enclosure 1 of the original submittal. The QATR would replace and consolidate the currently docketed site-specific quality assurance (QA) programs for St. Lucie Nuclear Plant, Units 1 and 2, Turkey Point Nuclear Plant, Units 3 and 4, Seabrook Station, and Duane Arnold Energy Center.

The QA program described in the QATR commits to the guidance of the American Society of Mechanical Engineers (ASME) Nuclear Quality Assurance (NQA) standard NQA-1-1994, "Quality Assurance Requirements for Nuclear Applications." NQA-1-1994, Part I sets forth programmatic requirements for the establishment and execution of QA programs for the siting, design, construction, and operation of nuclear facilities. NQA-1-1994, Part II sets forth nonprogrammatic QA requirements for the planning and conducting of identified tasks during the fabrication, construction, modification, repair, maintenance, and testing of structures, systems and components (SSCs) for nuclear facilities. The guidance of Parts I and II of NQA-1-1994 is similar to that provided by the American National Standards Institute (ANSI) N45.2 standard and its daughter standards developed in the 1970s and early 1980s. The licensee proposes to adopt NQA-1-1994 in lieu of certain current commitments to the N45.2 series of standards for all its nuclear facilities.

The staff has previously approved the use of NQA-1-1994, as supplemented by the guidance of ANSI N18.7-1976, "Administrative Controls and Quality Assurance for the Operational Phase of

Nuclear Power Plants," for nuclear operating facilities (References 5, 6 and 7). Except for the Duane Arnold Energy Center, which has adopted a similar version of the proposed QATR, the most notable changes incorporated into the QATR include:

(1) A commitment to replace the previous ANSI N45.2 series of standards with ASME NQA-1-1994 as the basic QA standard;

(2) A commitment to establish and implement, within the QATR, administrative controls for the operating phase activities that are consistent with the guidance of Regulatory Guide (RG) 1.33 rather than through a specific commitment to ANSI N18.7-1976;

(3) The use of generic management position descriptions for implementing programs based more on the function or objective, rather than the specific nomenclature used at the facilities, since these program titles vary between locations;

(4) The elimination of QA program information that duplicates the language used in NQA-1-1994; and

(5) The use of alternative methods from those described in NQA-1-1994 to ensure the requirements of Appendix B to 10 CFR Part 50 are satisfactorily implemented.

2.0 REGULATORY EVALUATION

The Commission's regulatory requirements related to QA programs are set forth in Appendix B to 10 CFR Part 50, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants"; 10 CFR 50.34(b)(6)(ii), "Contents of applications; technical information"; and 10 CFR 50.54(a), "Conditions for licenses."

Appendix B to 10 CFR Part 50 establishes QA requirements for the design, construction, and operation of facility SSCs. The pertinent requirements of Appendix B apply to all activities affecting the safety-related functions of those SSCs and include designing, purchasing, fabricating, handling, shipping, storing, cleaning, erecting, installing, inspecting, testing, operating, maintaining, repairing, refueling, and modifying.

Section 50.34(b)(6)(ii) of 10 CFR requires that every applicant for an operating license include in its final safety analysis report (FSAR) information on managerial and administrative controls to be used to assure safe operation. The information on the controls shall also include a discussion of how the applicable requirements of Appendix B will be satisfied.

Section 50.54(a) of 10 CFR states that licensees may make a change to a previously-accepted QA program description included or referenced in the FSAR without prior NRC approval, provided the change does not reduce the commitments in the program description, as accepted by the NRC. Changes to the QA program description that do reduce the commitments must be submitted to the NRC and receive NRC approval prior to implementation.

3.0 TECHNICAL EVALUATION

The staff's review concentrated on three specific aspects of the licensee's proposed revision and consolidation of the QA program descriptions for St. Lucie, Turkey Point, Seabrook, and Duane Arnold. These aspects include:

(1) The basis for the change from ANSI N45.2 to NQA-1-1994;

(2) The proposed program description format, attributes and level of detail; and

(3) Changes to current site-specific QA regulatory commitments.

3.1 Acceptability of NQA-1-1994 as the Basis for the Common QATR

The currently-approved QA programs for St. Lucie, Units 1 and 2, Turkey Point, Units 3 and 4, and Seabrook, follow the guidance of ANSI N18.7-1976, the ANSI N45.2 series of standards, and corresponding RGs. Since the proposed QATR is based on a newer standard, understanding the evolution of NQA-1 is important to establishing the acceptability of the proposed basis for the QATR.

In 1979, the ASME Committee on Nuclear Quality Assurance issued a new standard NQA-1-1979, based on N45.2-1977 and seven programmatic standards of the N45.2 series. In 1983, the ASME revised and reissued the standard as NQA-1-1983. In 1985, NRC RG 1.28, Revision 3, endorsed NQA-1-1983 as an acceptable method for complying with the provisions of Appendix B with regard to establishing and implementing the requisite QA program for the design and construction of nuclear power plants. In 1994, NQA-1-1994 incorporated an additional seven, nonprogrammatic N45.2 standards. As such, NQA-1-1994 sets forth requirements and nonmandatory guidance for the establishment and execution of QA programs for nuclear facility applications. In addition, NRC RG 1.33, Revision 2, endorsed ANSI N18.7-1976 as an acceptable basis for complying with the QA program provisions of Appendix B for the operations phase of nuclear power plants. In December 2002, the NRC staff approved NQA-1-1994, in conjunction with ANSI N18.7-1976, as an acceptable method for complying with the Commission's regulations for Exelon's operational QA programs (Reference 5).

As stated in the licensee's application, the proposed QATR is based on NQA-1-1994. In Reference 7, the NRC staff concluded that adoption of NQA-1-1994, as implemented through a licensee's QA program, adequately addresses the commitments to the subject N45.2 series of standards and is, therefore, an acceptable method of implementing the applicable Appendix B requirements.

The requirements for administrative controls of ANSI N18.7-1976 are incorporated into the text of the QATR. The principal difference between ANSI N18.7-1976 and NQA-1-1994 is that the inclusion of administrative controls were not incorporated into NQA-1-1994. Enclosure 2 of the licensee's letter dated June 12, 2006, compares ANSI N18.7-1976 guidance with the proposed QATR commitments and the applicable requirements of NQA-1-1994. Enclosure 2 demonstrates that, where differences between the QA requirements of ANSI N18.7-1976 and NQA-1-1994 exist, substantive commitments have been included in the QATR. The staff reviewed the comparison presented in Enclosure 2, applicable sections of the QATR, and the licensee's stated positions with respect to RG 1.28, Revision 3, and RG 1.33, Revision 2. Based on its review, the staff concludes that the licensee adequately incorporated ANSI N18.7-1976, as necessary, into the proposed QATR.

3.1.1 Exceptions and Alternatives to NQA-1-1994 or RG Positions

Where the licensee has taken an exception or alternative to the guidance of NQA-1-1994 or a position in an RG, it is addressed in the applicable section of the QATR. Attachment 4 of Reference 4 provides the basis for each alternative or exception to NQA-1-1994 or commitment to a RG. Most of these alternatives and exceptions have been previously approved by the NRC via license amendments and include the following:

1. RG 1.28, Revision 3, Regulatory Position 3.2, establishes external auditing requirements that are acceptable to the NRC during the design and construction phases. This guidance will be implemented during the operational phase. In lieu of performing annual review of supplier QA program performance, the licensee will review the information described therein as it becomes available through its ongoing receipt inspection, operating experience and supplier evaluation programs. The results of the reviews are promptly considered for effect on a supplier's continued qualification, and adjustments are made as necessary (including corrective actions, adjustments of supplier audit plans, and input to third party auditing entities, as warranted). Additionally, results are reviewed periodically to determine if, as a whole, they constitute a significant condition adverse to quality requiring additional action. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

2. Also, under RG 1.28, Revision 3, Regulatory Position 3.2, a licensee may apply a 90-day grace period to the triennial audits of suppliers. This exception was approved for Rochester Gas and Electric by letter dated July 22, 1998 (Reference 11).

3. NQA-1-1994, Supplement 2S-1, “Supplementary Requirements for the Qualification of Inspection and Test Personnel,” will include use of the guidance provided in Appendix 2A-1. At FPL plants, inspections, examinations, or tests may be performed by individuals in the same organization as the one that performed the work, provided that: (a) the qualifications of the inspector for an activity are equal to or better than the minimum qualifications for the person performing the activity, (b) the work is within the skills of personnel and/or is addressed by procedures, and (c) if work involves breaching a pressure-retaining item, the quality of the work can be demonstrated through a functional test. When a, b and c are not met, inspections, examinations or tests are carried out by individuals certified in accordance with Supplement 2S-1. Individuals performing visual inspections required by the ASME Boiler and Pressure Vessel Code are qualified and certified according to Code requirements. In other words, in lieu of being certified as Level I, II, and III in accordance with NQA-1-1994, FPL personnel performing operations phase independent quality verification inspections, examinations, measurements or test on material, products or activities will be required to possess qualifications equal to or better than those required for performing the task being verified; and the verification is within the skills of these personnel and/or is addressed by procedures. These individuals will not be responsible for the planning of quality verification inspections and tests (i.e., establishing hold points and acceptance criteria in procedures, and determining who will be responsible for performing the inspections). This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

4. NQA-1-1994, Supplement 2S-2, “Supplementary Requirements for the Qualification of Nondestructive Examination [NDE] Personnel,” subsection 2.1, requires application of Recommended Practice SNT-TC-1A, June 1980 Edition, to NDE personnel. Alternatively, FPL will implement the qualification program required by this supplement in accordance with the applicable standard for the facility’s commitment to the ASME code or other applicable code governing the activity. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

5. NQA-1-1994, Supplement 2S-3, “Supplementary Requirements for the Qualification of Quality Assurance Program Audit Personnel,” subsection 3.3, requires that prospective lead auditors participate in a minimum of five audits in the previous 3 years. This requirement is replaced by the following, “The prospective lead auditor shall demonstrate his/her ability to properly implement the independent assessment (audit) process, as implemented by FPL according to Section C.3 of this QATR, to effectively lead an assessment team, and to effectively organize and report results, including participation in at least one nuclear independent assessment or audit within the year preceding the date of qualification." The term "audit" and "independent assessment" are synonymous and may be used interchangeably throughout the QA program. The demonstration process for prospective lead auditors is described in written procedures. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

6. NQA-1-1994, Supplement 2S-3, subsections 4.1 and 6.3, require a documented annual evaluation of a lead auditor’s proficiency. FPL may apply a 90-day grace period to this annual evaluation. This exception was approved for Rochester Gas and Electric by letter dated July 22, 1998 (Reference 11).

7. NQA-1-1994, Supplement 4S-1, “Supplementary Requirements for Procurement Document Control,” subsection 2.3, requires procurement documents to specify a quality program that complies with NQA-1-1994. FPL may apply other nationally recognized and NRC-endorsed quality standards, such as N45.2, as appropriate to the circumstances of the procurement. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

8. NQA-1-1994, Supplement 7S-1, “Supplementary Requirements for Control of Purchased Items and Services,” subsection 8.1, addresses requirements for documentary evidence available at the site prior to installation. Alternatively, the licensee will ensure availability of these documents at the site prior to placing reliance on the item for its intended safety function. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

9. NQA-1-1994, Supplement 7S-1, Section 10, addresses requirements for Commercial-Grade Items. Based on NRC Generic Letter 91-05, Generic Letter 89-02 and its endorsement of Electric Power Research Institute (EPRI) NP-5652, “Guideline for the Utilization of Commercial-Grade Items in Nuclear Safety-Related Applications,” FPL will use the guidance contained in EPRI NP-5652 instead of the NQA-1-1994 requirements. This alternative was approved for Dominion by letter dated September 9, 2005 (Reference 7).

10. Also under NQA-1-1994, Supplements 4S-1 and 7S-1, FPL may accept a supplier of commercial grade calibration services other than by audit provided that all of the following are met:

    (a) The accreditation is to ANSI/ISO [International Standardization Organization]/IEC [International Electrotechnical Commission] 17025, "General Requirements for the Competence of Testing and Calibration Laboratories."

    (b) The accrediting body is National Voluntary Laboratory Accreditation Program (NVLAP) or the American Association for Laboratory Accreditation, which is recognized by NVLAP through the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement.

    (c) The published scope of accreditation for the calibration laboratory covers the needed measurement parameters, ranges and uncertainties.

    (d) The purchase documents impose additional technical and administrative requirements, as necessary, to satisfy FPL QA Program and technical requirements and shall explicitly impose Nuclear Procurement Issues Committee clause 14.1.c.7, which requires that the calibration certificate/report include identification of the laboratory equipment/standards used.

    (e) The purchase documents require reporting as-found calibration data when calibrated items are found to be out-of-tolerance. This alternative was approved for Arizona Public Services by letter dated September 28, 2005 (Reference 12).

11. NQA-1-1994, Supplement 17S-1, Supplementary Requirements for Quality Assurance Records, subsection 4.2(b) requires records to be firmly attached in binders or placed in folders or envelopes for storage in steel file cabinets or on shelving in containers. For hard-copy records maintained by FPL plants, the records are suitably stored in steel file cabinets or on shelving in containers, except that methods other than binders, folders or envelopes may be used to organize the records for storage. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

12. NQA-1-1994, Subpart 2.1, “Quality Assurance Requirements for Cleaning of Fluid Systems and Associated Components for Nuclear Power Plants,” subsections 3.1 and 3.2, establish criteria for classifying items into cleanness classes and requirements for each class. Instead of using the cleanness level system of Subpart 2.1, FPL plants may establish cleanness requirements on a case-by-case basis, consistent with the other provisions of Subpart 2.1. FPL establishes appropriate cleanliness controls for work on safety-related equipment to minimize introduction of foreign material and maintain systems/component cleanliness throughout maintenance or modification activities, including documented verification of absence of foreign materials prior to system closure. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

13. NQA-1-1994, Subpart 2.2, “Quality Assurance Requirements for Packaging, Shipping, Receiving, Storage, and Handling of Items for Nuclear Power Plants,” subsection 2.2, establishes criteria for classifying items into protection levels. Instead of classifying items

into protection levels, FPL plants may establish controls for the packaging, shipping, handling and storage of such items on a case-by-case basis with due regard for the item's complexity, use, and sensitivity to damage. Prior to installation or use, the items are inspected and serviced, as necessary, to assure that no damage or deterioration that could affect their function exists. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

14. NQA-1-1994, Subpart 2.2, subsection 5.2.2, requires receiving inspections to be performed in an area equivalent in environmental controls to those for the level of storage of the item. At FPL plants, receiving inspection area environmental controls may be less stringent than the storage environmental requirements for the item. Such inspections are performed in a manner and in an environment that does not endanger the required quality of the item. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

15. NQA-1-1994, Subpart 2.2, subsection 6.2.4 states that “the use or storage of food, drinks, and salt tablet dispensers in controlled storage areas shall not be permitted.” FPL will take exception to the wording of subsection 6.2.4 and substitute an alternate requirement that reads “the use or storage of food, drinks, and salt tablet dispensers in any storage area shall be controlled and be limited to designated areas where such use or storage is not deleterious to the stored items.” The proposed alternative was previously included in the currently-approved QA program for Seabrook as a clarification on how Seabrook meet the intent of subsection 6.2.4 of ANSI 45.2.2-1972. Seabrook has committed to the guidance of RG 1.38, Revision 2 (May 1977), which, in turn, endorsed ANSI 45.2.2-1972. NQA-1-1994 has incorporated ANSI 45.2.2 in its entirety as Subpart 2.2. By taking this clarification as an exception in the new QATR, FPL will extend its use to St. Lucie, Turkey Point, and Duane Arnold. As a basis for this exception, the licensee states “The purpose of the requirement is to assure that items in storage are protected against damage or deterioration. The alternate requirement adequately addresses this purpose,” and concludes “This alternate requirement continues to meet 10 CFR 50 Appendix B in that adequate measures are provided to prevent damage or deterioration of items in storage.” The staff concurs with the licensee’s position in this regard.

16. NQA-1-1994, Subpart 2.2, subsection 7.1, refers to Subpart 2.15 for requirements related to handling of items. The scope of Subpart 2.15 includes hoisting, rigging and transporting of items for nuclear power plants. This scope exceeds the scope of the NRC's original endorsement of ANSI N45.2.2 in RG 1.38, and establishes requirements for which there is no NRC regulatory position. In lieu of compliance with Subpart 2.15, FPL establishes and implements controls over hoisting, rigging and transport activities to the extent necessary to protect the integrity of the items involved, as well as potentially affected nearby structures and components. For re-rating of lifting equipment to allow "special lifts," FPL performs dynamic load testing over the full range of the lift using test loads at least 110 percent of the lift weight. Dynamic tests include raising, lowering and traversing the load. Where required, FPL complies with applicable hoisting, rigging and transportation regulations and codes. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

17. NQA-1-1994, Subpart 2.3, “Quality Assurance Requirements for Housekeeping for Nuclear Power Plants,” establishes appropriate provisions for housekeeping. Instead of the five-level zone designation in Subpart 2.3, FPL bases its control over housekeeping

activities on a consideration of what is necessary and appropriate for the activity involved. The controls are effected through procedures or instructions that, in the case of maintenance or modification work, are developed on a case-by-case basis. Factors considered in developing the procedures and instructions include cleanliness control, personnel safety, fire prevention and protection, radiation control and security. The procedures and instructions make use of standard janitorial and work practices to the extent possible. This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

18. Section 5.5 of IEEE [Institute of Electrical and Electronics Engineers] 498-1985 (NQA-1-1994, Subpart 2.16) requires all maintenance and test equipment to be labeled with calibration information. FPL may not label certain maintenance and test equipment, such as installed instrumentation, but will provide other means of identification so that appropriate controls can be implemented. This exception also applies to Section 7.2.1 of IEEE 336-1985 (Subpart 2.4). This alternative was approved for Nuclear Management Company by letter dated March 24, 2005 (Reference 6).

The staff examined the licensee's basis for adopting NQA-1-1994, in conjunction with requirements for administrative controls in ANSI N18.7-1976, as implemented through the QATR as the basis for the FPL QA program description and finds it to be an acceptable method for complying with the Commission's regulations with regard to overall QA program requirements for the operation phase of nuclear power plants. The staff also reviewed the basis for each exception and alternative to NQA-1-1994 or commitment to applicable RG positions, and concluded that the exceptions and alternatives continue to meet Appendix B requirements and, therefore, are acceptable.

3.2 Acceptability of the QA Program Description

In evaluating the adequacy of the format, attributes and level of detail of the proposed QATR, the staff followed the guidance of the Standard Review Plan (NUREG-0800), Section 17.3 (SRP 17.3), "Quality Assurance Program Description." SRP 17.3 outlines a standardized QA program for construction permit holders, their principal contractors and operating facility licensees. The program is organized into three discrete areas of activities: management, performance/verification, and assessment. Encompassed within the three areas are the 18 QA criteria of Appendix B to 10 CFR Part 50. A summary of the licensee's QA program addressing these three areas follows:

3.2.1 Management

- Methodology

  The QATR is the top-level policy document that establishes the quality policy and assigns major functional responsibilities for plants operated by FPL. In it, FPL establishes a QA program for its nuclear power plants. In establishing, implementing and maintaining the QATR, FPL commits to compliance with NQA-1-1994, Basic Requirement 2.

- Organization - Responsibility - Authority

The organizational structure, responsibility and authority for executing an effective overall QA program, including delegation of program responsibilities, are described in the QATR. The organizational structure includes corporate functions and onsite functions at each facility. The organizational relationships of key management and functional groups at both corporate and site levels are identified in Appendix E (the organization charts).

At the corporate level, the Chief Executive Officer (CEO) is responsible for overall corporate policy. The Chief Nuclear Officer (CNO) reports to the CEO and has overall responsibility for the implementation of the QA program and for the Nuclear Division's activities including corporate responsibility for overall plant nuclear safety. Reporting to the CNO are vice presidents responsible for nuclear operations, nuclear engineering, nuclear operations support, and nuclear projects via staff at both the corporate and site levels. The Vice President Nuclear Operations (VPNO) is responsible for oversight of the day-to-day nuclear site operations. The Vice President Nuclear Engineering is responsible for nuclear plant design engineering and engineering support. The Vice President Nuclear Operations Support is responsible for direction and support in the areas of security, training, and emergency preparedness for the nuclear organizations and facilities. The Vice President Nuclear Projects is responsible for all activities associated with major projects. Also reporting to the CNO is the Director Nuclear Assurance, who is responsible for activities that include establishing, maintaining, and interpreting QA practices and policies, managing independent assessment and establishing quality control practices and policies for quality verification activities. The Director Nuclear Assurance position entails Stop-Work authority at the sites and corporate offices.

FPL site organizations are typically directed by a Site Vice President (SVP), who reports to the VPNO and is responsible for the operation, maintenance and modification of the plant. Reporting to the SVP are the Plant Manager and the Licensing Manager. The Licensing Manager is responsible for site regulatory interfaces and licensing actions. The Plant Manager is responsible for the safe operation of the nuclear plant. Other site managers (such as for engineering, training, etc.) report directly to the respective corporate vice president and functionally interface with the SVP.

In establishing and maintaining the organizational structure, FPL commits to compliance with NQA-1-1994, Basic Requirement 1 and Supplement 1S-1.

When FPL delegates responsibility for planning, establishing, or implementing any part of the overall QA program, sufficient authority to accomplish the assigned responsibilities is delegated. Regardless of delegation, FPL retains overall responsibility. In establishing QA program responsibilities and authorities, FPL commits to compliance with NQA-1-1994, Basic Requirement 1 and Supplement 1S-1.

- Personnel Training and Qualification

  FPL establishes and maintains formal indoctrination and training programs for personnel performing, verifying, or managing activities within the scope of the QA program to assure that suitable proficiency is achieved and maintained. In establishing qualification and training programs, FPL commits to compliance with NQA-1-1994, Basic Requirement 2, Supplements 2S-1, 2S-2, 2S-3, and 2S-4, and Appendix 2A-1 (Part III of NQA-1-1994), with alternatives as stated in the QATR. FPL staff qualifications for positions within the scope of

10 CFR 50.120 are delineated in plant Technical Specifications and other appropriate documents. FPL staff training for positions identified in 10 CFR 50.120 is accomplished according to programs accredited by the National Nuclear Accrediting Board of the National Academy for Nuclear Training.

- Corrective Action

  FPL establishes and implements a corrective action program to promptly identify and correct conditions adverse to quality. For significant condition adverse to quality, the program provides for cause evaluation and corrective action to prevent recurrence. FPL also establishes and implements measures for controls of nonconforming items to prevent their inadvertent use or installation in FPL nuclear facilities. In establishing provisions for corrective action and control of nonconforming items, FPL commits to compliance with NQA-1-1994, Basic Requirements 15 and 16, and Supplement 15S-1.

- Regulatory Commitments

  FPL's commitments to the provisions of certain QA related regulatory guidance other than NQA-1-1994 are delineated in QATR Section A.7.3.

3.2.2 Performance/Verification

- Methodology

  Personnel who work directly or indirectly for FPL are responsible for achieving acceptable quality for the scope of activities addressed by the QATR. These activities include design, engineering, procurement, manufacturing, construction, installation, start-up, maintenance, modifications, and operations. Activities are to be performed in accordance with documented instructions, procedures and drawings that contain detail appropriate to the activity's complexity and effect on safety. Instructions, procedures and drawings specify quantitative or qualitative acceptance criteria for the activity, and verification is against these criteria. For instructions, procedures and drawings, FPL commits to compliance with NQA-1-1994, Basic Requirement 5. In addition, as stated in RG 1.33, regulatory position C.1, FPL commits to use Appendix A of RG 1.33 as guidance for establishing the types of procedures that are necessary to control and support plant operation.

- Design Control/Verification

  FPL establishes and implements administrative controls to assure quality is achieved in establishing and changing the design for the nuclear facilities in accordance with industry standards and regulatory requirements. The FPL design control program includes provisions to control design inputs, processes, outputs, changes, interfaces, records and organizational interfaces. In establishing its program for design control, FPL commits to compliance with NQA-1-1994, Basic Requirement 3, and Supplement 3S-1.

- Procurement Control

  FPL establishes and implements controls to assure that applicable regulatory, technical and QA program requirements are included or referenced in procurement documents. These

controls include provisions for selection of suppliers and assessing the acceptability of quality. In establishing controls for procurement, FPL commits to compliance with NQA-1-1994, Basic Requirement 4 and Supplement 4S-1, with the exception as stated in the QATR.

- Procurement Verification

  FPL establishes and implements measures to verify the quality of purchased items and services at intervals and to a depth consistent with their effect on safety. In establishing procurement verification controls, FPL commits to compliance with NQA-1-1994, Basic Requirement 7, and Supplement 7S-1, with the exception as stated in the QATR.

- Identification and Control of Items

  FPL establishes and implements provisions for the identification and control of items to prevent the use of incorrect or defective materials/parts. Methods used for identification of items assure traceability of the items to the appropriate documentation. In establishing provisions for identification and control of purchased items, FPL commits to compliance with NQA-1-1994, Basic Requirement 8 and Supplement 8S-1.

- Handling, Storage, and Shipping

  FPL establishes and implements provisions to control the handling, storage, shipping, cleaning, packaging, and preservation of items to prevent inadvertent damage, loss or deterioration. In establishing provisions for handling, storage, and shipping, FPL commits to compliance with NQA-1-1994, Basic Requirement 13, Supplement 13S-1, and Subparts 2.1, 2.2, 2.3 and 2.15, with alternatives as stated in the QATR.

- Test Control

  FPL establishes and implements testing programs to demonstrate that the nuclear facility structures, systems, and components (items) function satisfactorily in service. In establishing provisions for testing, FPL commits to compliance with NQA-1-1994, Basic Requirement 11, and Supplement 11S-1.

- Measuring and Test Equipment Control

  FPL establishes and implements provisions to control the calibration, maintenance and use of measuring and test equipment (including instruments, gauges, tools, reference and transfer standards, and nondestructive examination equipment) that is used in the measurement, inspection, testing and monitoring of structures, systems, and components. In establishing provisions for control of measuring and test equipment, FPL commits to compliance with NQA-1-1994, Basic Requirement 12, Supplement 12S-1, and Subpart 2.16, with alternatives as stated in the QATR.

- Inspection, Test, and Operating Status

  FPL establishes and implements measures to identify and document the inspection, test, and operating status of SSCs to prevent their inadvertent use or the bypassing of

inspections and tests. In establishing measures for control of inspection, test and operating status, FPL commits to compliance with NQA-1-1994, Basic Requirement 14.

- Special Process Control

  FPL establishes and implements provisions to assure the acceptability of special processes through the use of procedures, technique sheets, travelers and inspection verification reports, and personnel qualified in accordance with the applicable codes, specifications and standards of the specific work. In establishing measures for the control of special processes, FPL commits to compliance with NQA-1-1994, Basic Requirement 9 and Supplement 9S-1, as well as the applicable ASME Code provisions established via 10 CFR 50.55a.

- Inspection

  FPL establishes and implements provisions to inspect activities at its nuclear facilities that affect quality in order to verify conformance with the approved documents for accomplishing the activities, including specifications and quality standards. In establishing provisions for inspection, FPL commits to compliance with NQA-1-1994, Basic Requirement 10, and Supplement 10S-1. FPL also commits to incorporate into the inspection program the appropriate inspection requirements described in NQA-1-1994, Subparts 2.4, 2.5, and 2.8, as appropriate to the activity, with alternatives as stated in the QATR.

- Document Control

  FPL establishes and implements provisions to control the development, review, approval, issuance and use of controlled documents. Measures are provided to assure that documents, including revisions or changes, are reviewed for adequacy by independent knowledgeable personnel other than those who originated or prepared the documents, are approved for release by authorized personnel, and are distributed in accordance with current approved methods. In establishing provisions for document control, FPL commits to compliance with NQA-1-1994, Basic Requirement 6 and Supplement 6S-1.

- Records

  FPL establishes and implements provisions to ensure sufficient records of items and activities for the nuclear facilities are generated and maintained to reflect completed work. In establishing provisions for control of records, FPL commits to compliance with NQA-1-1994, Basic Requirement 17 and Supplement 17S-1, with alternatives as stated in the QATR.

- Plant Maintenance

  FPL establishes controls for the maintenance or modification of items and equipment within the scope of the QA program to ensure quality at least equivalent to that specified in the original design bases, such that safety-related SSCs are maintained in a manner that assures their ability to perform their intended safety function(s). In establishing controls for plant maintenance, FPL commits to compliance with NQA-1-1994, Subpart 2.18, with exceptions as stated in the QATR.

- Computer Software Control

  FPL establishes and implements provisions to assure that computer software used in applications affecting safety is prepared, documented, verified and tested, and used such that the expected output is obtained and configuration control maintained. FPL commits to compliance with NQA-1-1994, Supplement 11S-2 and Subpart 2.7, to establish the appropriate provisions.

3.2.3 Assessment

- Methodology

  FPL establishes programs for reviews and assessments to verify that activities covered by the QA program are performed in conformance with established requirements, that significant plant changes, tests, and procedures are reviewed prior to implementation, that reportable events are promptly investigated and corrected, and that adverse trends are identified. These programs are, themselves, subject to review for effectiveness as part of the overall assessment process.

- Self-Assessment

  Self-assessments are conducted to verify compliance and to improve performance. Results of self-assessments are reported to a level of management having the authority to effect corrective actions and verify satisfactory resolution of problems.

- Independent Assessment

  Independent assessments (or audits) are performed to monitor overall performance and to confirm that applicable activities conform to the requirements of the QA program and that the QA program is effectively implemented. The process for selection and scheduling of audits is based on the status, performance, and effect on safety of the process being assessed. In establishing and implementing the audit program, FPL commits to comply with requirements contained in NQA-1-1994, Basic Requirement 18 and Supplement 18S-1.

3.2.4 Onsite Review Group

The Plant Operating Review Committee at Duane Arnold, the Facility Review Group at St. Lucie, the Plant Nuclear Safety Committee at Turkey Point, and the Station Operation Review Committee at Seabrook are renamed the Onsite Review Group (ORG). The ORG, described in Appendix A of the QATR, follows the guidance of ANSI N18.7-1976, Section 4.4, in advising the Plant Manager on all matters related to nuclear safety. The ORG also conducts independent reviews described in ANSI N18.7-1976, Sections 4.3, 4.5, and 5.2.11. These independent reviews were previously conducted by the Company Nuclear Review Board at the St. Lucie, Turkey Point, and Seabrook plants. For these plants, the new scope of review for the ORG is similar to the one currently existing at Duane Arnold. This practice was previously approved for Nuclear Management Company by letter dated January 13, 2005 (Reference 8).

The licensee's QA program description conforms to the format of SRP 17.3. Appendices to the QATR address other QA related topics such as commitments for operational review, procedures, definitions of terms in addition to those provided in NQA-1-1994, and the FPL organization charts. The acceptance criteria of SRP 17.3 were used as the basis for evaluating

the acceptability of the licensee's QA program description in conformance with the provision of 10 CFR 50.34(b)(6)(ii). Based on the staff's review, the staff concludes that the QATR adequately describes the licensee's QA program.

3.3 Acceptability of Changes to Site-Specific QA Commitments

The QATR replaces the site-specific QA program descriptions for the St. Lucie, Turkey Point, Seabrook, and Duane Arnold nuclear power plants. Enclosure 2 of the licensee's submittal (Reference 1) provides a comparison of each plant's current NRC-approved QA program with the new QATR. Changes are characterized as (1) a reduction in commitment, (2) not a reduction in commitment or (3) increase in commitment. The regulatory change control process described in 10 CFR 50.54(a) classifies changes as nonreductions [50.54(a)(3)] or reductions [50.54(a)(4)] in commitment. Changes that increase commitments (i.e., are clearly more conservative in meeting Appendix B requirements) are made at the discretion of the licensee.

For Duane Arnold, which has adopted a similar version of the QATR from the Nuclear Management Company, FPL has conservatively characterized some changes as "reductions in commitment". However, these changes to the existing QATR can be characterized as "nonreductions in commitment" under the provisions of 10 CFR 50.54(a)(3)(ii), which allows the use of a QA alternate approved by an NRC safety evaluation (SE), provided that the bases of the NRC approval are applicable to the licensee's facility. Duane Arnold will adopt, for future use, three exceptions to NQA-1-1994 that were not included in the existing QATR: (a) the 90-day grace period on various evaluation or audit frequencies, (b) the storage requirement for food, drinks, and salt tablet dispensers, and (c) the procurement of commercial grade calibration services.

For St. Lucie, Turkey Point, and Seabrook, which have followed the format of SRP 17.1/17.2 for their existing QA program descriptions, many of the nonreductions in commitment are the result of changes in format or level of detail following the guidance in SRP 17.3 for the new QATR, as discussed in Section 3.2 above. In addition, under the provisions of 10 CFR 50.54(a)(3)(v), by stating a specific commitment to guidance in NQA-1-1994 within the QATR, FPL eliminated much QA program information that duplicates the language used in NQA-1-1994. Several other changes were characterized as "nonreductions in commitment" under the provisions of 10 CFR 50.54(a)(3)(ii), which allows the use of a QA alternate approved by an NRC SE, provided that the bases of the NRC approval are applicable to the licensee's facility. Three notable NRC-approved alternatives, which are related to administrative control requirements in the original plant Technical Specifications and were relocated intact to the respective plant QA Program Description under guidance in NRC Administrative Letter 96-05, are:

1. The NRC SE for Nuclear Management Company (Reference 8) allowed the transfer of Independent Review functions from the Off-Site Safety Review Committee to the Plant Operations Review Committee. FPL will use this alternative for all facilities (through use of the ORG) with the implementation of the new QATR.

2. The NRC SE for Tennessee Valley Authority (Reference 9) allowed the transfer of the Independent Safety Engineering Group (ISEG) functions from the Nuclear Oversight group to the Engineering group. FPL will use this alternative only for St. Lucie Unit 2 and Seabrook with the implementation of the new QATR (because only those two plants have the ISEG in their current QA programs).

3. The NRC SE for Northeast Nuclear Energy Company (Reference 10) allowed an alternative to requirements for the periodic review of plant procedures every 2 years. The licensee will use this alternative for all facilities with the implementation of the new QATR.

In its September 21, 2006, response (Reference 3) to the staff's request for additional information on the above-listed three SEs, FPL revised the original submittal to incorporate into the QATR all applicable bases discussed in these SEs.

The provisions of 50.54(a)(4) require NRC staff review prior to implementation of any changes characterized as reductions in commitment. For St. Lucie, Turkey Point, and Seabrook, FPL has conservatively characterized several changes as "reductions in commitment," and provided the basis for the acceptability of each change. However, these changes can be characterized as "nonreductions in commitment" under the provisions of 10 CFR 50.54(a)(3)(ii), which allows the use of a QA alternate approved by an NRC SE, provided that the bases of the NRC approval are applicable to the licensee's facility. St. Lucie, Turkey Point, and Seabrook will adopt, for future use, all of the exceptions to NQA-1-1994 discussed in Section 3.1.1 above that are not already included in the respective existing QA program descriptions.

The staff reviewed the bases cited by the licensee and concluded that the bases for the changes are applicable to the licensee's facilities. The staff finds that consolidation of the site-specific programs is acceptable in that it continues to meet the requirements of Appendix B to 10 CFR Part 50.

4.0 CONCLUSION

The QATR addresses commitments to applicable RGs and QA standards. Appendices to the QATR address commitments for management and independent review, procedures, and definitions of terms, in addition to those provided in NQA-1-1994. The staff used the acceptance criteria of SRP 17.3 as the basis for evaluating the acceptability of the QATR in conformance with the provisions of 50.34(b)(6)(ii). Based on its review of the FPL QATR, the NRC staff concludes the following:

1. The QATR acceptably describes the authority and responsibility of management and supervisory personnel, performance/verification personnel, and self-assessment personnel.

2. The organizations and persons responsible for performing the verification and self-assessment functions have the authority and independence to conduct their activities without undue influence from those directly responsible for costs and schedules.

3. The QATR applies to activities and items that are important to safety.

4. The QATR describes a philosophy and controls that, when properly implemented, comply with the requirements of Appendix B and Criterion 1 of Appendix A to 10 CFR Part 50, 10 CFR Part 21, and 10 CFR 50.55a, with the criteria contained in SRP Section 17.3, and with the regulatory positions in the following RGs:

   RG 1.8, Revision (site specific as contained in each plant Technical Specifications).

   RG 1.26, Revision (site specific as contained in each plant's Updated FSAR/License).

   RG 1.28, Revision 3 (August 1985).

RG 1.29, Revision (site specific as contained in each plant's UFSAR/License).

RG 1.33, Revision 2 (February 1978).

RG 1.36, Revision 0 (February 1973).

RG 1.54, Revision 0 (June 1973).

RG 1.97 (commitments are site specific, see each facility's UFSAR for details).

RG 1.143, Revision 2 (November 2001).

RG 1.152, Revision 1 (January 1996).

RG 1.155, Revision 0 (August 1998).

RG 4.15, Revision 1 (February 1979).

Generic Letter 85-06.

Generic Letter 89-02/EPRI-NP-5652.

Generic Letter 91-05.

Branch Technical Position ASB/CMEB 9.5-1.

Based on review of the licensee's common QA program, described in the proposed QATR, the staff concludes that the single QA program can be applied to the six nuclear plants referenced in the submittal. The staff's review included a comparison of the commitments contained in the current NRC-approved QA program for each of the referenced plants to those in the new QATR. The staff evaluated the bases provided by FPL for each of the changes in program commitments. The adoption of NQA-1-1994, in conjunction with the QATR expanded text that incorporates supplementary requirements of ANSI N18.7-1976, was determined to provide an acceptable basis for the QA program description. The licensee's positions with respect to applicable standards and RGs were reviewed and found acceptable. The acceptance criteria of SRP 17.3 were used in evaluating the content of the licensee's QA program description. On the basis of its review, the staff concludes that the QATR adequately describes the licensee's QA program. Accordingly, the staff concludes that the FPL QATR complies with the applicable NRC regulations and industry standards and can be implemented for 10 CFR Part 50 activities at the St. Lucie, Turkey Point, Seabrook, and Duane Arnold facilities.

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