

April 27, 2007

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: TURKEY POINT PLANT, UNITS 3 AND 4 - ISSUANCE OF AMENDMENTS
REGARDING STEAM GENERATOR TUBE SURVEILLANCE PROGRAM
(TAC NOS. MD1389 AND MD1390)

Dear Mr. Stall:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 233 to Renewed Facility Operating License No. DPR-31 for the Turkey Point Plant, Unit No. 3, and Amendment No. 228 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Plant, Unit No. 4. These amendments consist of changes to the Technical Specifications in response to your license amendment request dated April 27, 2006, as supplemented December 5, 2006, and March 1, 2007.

These amendments revise the existing steam generator tube surveillance program to be consistent with the U.S. Nuclear Regulatory Commission's approved Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-449, "Steam Generator Tube Integrity," Revision 4. TSTF-449 is part of the consolidated line item improvement process.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Brenda L. Mozafari, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosures: 1. Amendment No. 233 to DPR-31
2. Amendment No. 228 to DPR-41
3. Safety Evaluation

cc w/enclosures: See next page

April 27, 2007

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: TURKEY POINT PLANT, UNITS 3 AND 4 - ISSUANCE OF AMENDMENTS
REGARDING STEAM GENERATOR TUBE SURVEILLANCE PROGRAM
(TAC NOS. MD1389 AND MD1390)

Dear Mr. Stall:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 233 to Renewed Facility Operating License No. DPR-31 for the Turkey Point Plant, Unit No. 3, and Amendment No. 228 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Plant, Unit No. 4. These amendments consist of changes to the Technical Specifications in response to your license amendment request dated April 27, 2006, as supplemented December 5, 2006, and March 1, 2007.

These amendments revise the existing steam generator tube surveillance program to be consistent with the U.S. Nuclear Regulatory Commission's approved Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-449, "Steam Generator Tube Integrity," Revision 4. TSTF-449 is part of the consolidated line item improvement process (CLIP).

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Brenda L. Mozafari, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

- Enclosures: 1. Amendment No. 233 to DPR-31
2. Amendment No. 228 to DPR-41
3. Safety Evaluation

cc w/enclosures: See next page

Distribution:

PUBLIC LPL2-2 R/F RidsNrrDorlLpl2-2 RidsNrrLABClayton (Hard copy)
RidsOgcRp RidsAcrsAcnwMailCenter RidsNrrDirsltsb TWertz, NRR
GHill, OIS (4) RidsNrrDorlDpr RidsRgn2MailCenter RidsNrrTBoyce
JDiaz-Castillo, NRR RidsNrrPMBMozafari RidsNrrDssSrxb WLyon, NRR

Package: ML071080444

TS and License Pages: ML071200049

ADAMS Accession No.: ML071080424

NRR-058

| | | | | | |
|--------|-----------|-----------|--------------------------|---------------------------|-----------|
| OFFICE | LPL2-2:PM | LPL2-2:LA | BC:ITSB/DIRS | BC:SBWB/DSS | LPL2-2:BC |
| NAME | BMozafari | BClayton | TKobetz by memo dated | JNakoski by memo dated | TBoyce |
| DATE | 04/27/07 | 04/26/07 | 03/29/07 | 11/03/06 | 04/27/07 |

OFFICIAL RECORD COPY

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-250

TURKEY POINT PLANT, UNIT NO. 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 233
Renewed License No. DPR-31

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated April 27, 2006, as supplemented December 5, 2006, and March 1, 2007, 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, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-31 is hereby amended to read as follows:

(B) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 233, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of its date of issuance and shall be implemented within 90 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas H. Boyce, Branch 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: April 27, 2007

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-251

TURKEY POINT PLANT, UNIT NO. 4

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 228
Renewed License No. DPR-41

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated April 27, 2006, as supplemented December 5, 2006, and March 1, 2007, 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, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-41 is hereby amended to read as follows:

2. Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, as revised through Amendment No. 228, are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

4. This license amendment is effective as of its date of issuance and shall be implemented within 90 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas H. Boyce, Branch 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: April 27, 2007

ATTACHMENT TO LICENSE AMENDMENT

AMENDMENT NO. 233 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-31

AMENDMENT NO. 228 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-41

DOCKET NOS. 50-250 AND 50-251

Replace Page 3 of Renewed Facility Operating License DPR-31 with the attached Page 3.

Replace Page 3 of Renewed Facility Operating License DPR-41 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 numbers and contain marginal lines indicating the areas of change.

| <u>Remove page</u> | <u>Insert Page</u> |
|--------------------|--------------------|
| vii | vii |
| xvi | xvi |
| 1-3 | 1-3 |
| 1-4 | 1-4 |
| 3/4 3-37 | 3/4 3-37 |
| 3/4 4-11 | 3/4 4-11 |
| 3/4 4-12 | 3/4 4-12 |
| 3/4 4-13 | 3/4 4-13 |
| 3/4 4-14 | 3/4 4-14 |
| 3/4 4-15 | 3/4 4-15 |
| 3/4 4-16 | 3/4 4-16 |
| 3/4 4-17 | 3/4 4-17 |
| 3/4 4-18 | 3/4 4-18 |
| 3/4 4-19 | 3/4 4-19 |
| 3/4 4-20 | 3/4 4-20 |
| 6-18 | 6-18 |
| 6-18a | 6-18a |
| 6-18b | 6-18b |
| 6-22 | 6-22 |
| 6-22a | 6-22a |

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 233 TO
RENEWED FACILITY OPERATING LICENSE NO. DPR-31 AND
AMENDMENT NO. 228 TO RENEWED
FACILITY OPERATING LICENSE NO. DPR-41
FLORIDA POWER AND LIGHT COMPANY
TURKEY POINT UNIT NOS. 3 AND 4
DOCKET NOS. 50-250 AND 50-251

1.0 INTRODUCTION

By application dated April 27, 2006 (Agency Documents Access and Management System (ADAMS) Accession No. ML061300597), as supplemented by letters dated December 5, 2006 (ML063530484) and March 1, 2007 (ML070720495), Florida Power and Light Company (the licensee) requested changes to the Technical Specifications (TSs) for Turkey Point Units 3 and 4. The supplements dated December 6, 2006, and March 1, 2007, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the Nuclear Regulatory Commission (NRC) staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on July 18, 2006 (71 FR 40748).

The proposed changes would revise the existing steam generator (SG) tube surveillance program. The changes are modeled after Technical Specification Task Force (TSTF) traveler TSTF-449, Revision 4, "Steam Generator Tube Integrity," and the model safety evaluation prepared by the NRC and published in the *Federal Register* on March 2, 2005 (70 FR 10298). In this regard, the scope of the application includes changes to the definition of leakage, changes to the primary-to-secondary leakage requirements, changes to the SG tube surveillance program (SG tube integrity), changes to the SG reporting requirements, and associated changes to the TS Bases.

2.0 REGULATORY EVALUATION

The background, description, and applicability of the proposed changes associated with the SG tube integrity issue and the applicable regulatory requirements were included in the NRC staff's model safety evaluation (SE) published in the *Federal Register* on March 2, 2005 (70 FR 10298). The Notice of Availability of Model Application Concerning Technical Specification; Improvement To Modify Requirements Regarding Steam Generator Tube Integrity; Using the Consolidated Line Item Improvement Process, was published in the *Federal Register* on May 6, 2005 (70 FR 24126), and made the model SE available for licensees to reference.

3.0 TECHNICAL EVALUATION

3.1 Overview

In its April 27, 2006, application, as supplemented December 5, 2006, and March 1, 2007, the licensee proposed changes to the TSs that are modeled after TSTF-449. There were minor differences between TSTF-449 and the licensee's application. These included differences in the facility licensing basis (than that discussed in TSTF-449) and differences in TS numbering and format, since the licensee has a different TS format than that assumed in TSTF-449. These differences are discussed below.

With respect to the differences in the facility licensing basis, the differences did not invalidate the technical evaluation of TSTF-449; rather they resulted in the licensee having to slightly deviate from some of the modifications discussed in TSTF-449. For example, in the Bases section for Steam Generator Tube Integrity, TSTF-449 indicated that the accident analysis for an SG tube rupture assumed the contaminated secondary fluid was only briefly released to the atmosphere via safety valves and the majority is discharged to the main condenser. Since the licensee has a different licensing basis than the one described in the standard TSs (i.e., TSTF-449), it did not include this sentence. Instead it indicated that the analysis assumes the contaminated secondary fluid is released to the atmosphere via safety valves and/or atmospheric dump valves. Another example is that the licensee indicated in its Bases that the dose consequences are not only within the limits of General Design Criterion 19 and Title 10, Code of Federal Regulations (10 CFR) Part 100 (as indicated in TSTF-449), but also within the limits of 10 CFR 50.67 since the source term for the fuel-handling accident is based on 10 CFR 50.67. Since these differences were minor in nature, they were consistent with the plants licensing basis (e.g., in the level of detail incorporated into the TS Bases), or they were consistent with the intent of TSTF-449, the NRC staff determined they were acceptable.

Similarly, since the differences in numbering of the TSs is administrative in nature and did not affect the technical adequacy of the submittal, the NRC staff determined they were acceptable.

As a result of the differences in the format of its TSs, the licensee relocated many of the TSTF-449 requirements into the appropriate sections of its TSs. In addition, there were some changes in the Bases section of TSTF-449 that were not incorporated into the licensee's submittal, since the licensee did not have the corresponding paragraphs in its Bases. For example, the licensee did not have several references to its SG tube surveillance program in its existing Bases so it did not need to delete these changes in order to adopt TSTF-449. These differences in TS format also resulted in listing the requirements in sentence format rather than tabular format and using slightly different terminology. Since these differences were administrative in nature and did not affect the technical adequacy of the submittal, the NRC staff determined they were acceptable.

In addition to the above, the licensee proposed a few changes that went beyond TSTF-449. For example, the licensee's proposal to change the requirements pertaining to reactor coolant system (RCS) operational leakage went beyond TSTF-449. Specifically, the licensee proposed (1) to change the frequency for performing the RCS water inventory balance from 24 to 72 hours, and (2) to add a footnote to TS 3.4.6.1 to clarify that the inventory balance is not required to be performed until 12 hours after establishment of steady-state operation. Change

No. 2 provides operating flexibility and additional assurance of obtaining an accurate surveillance, without allowing excessive time before a surveillance is performed. The NRC staff finds this change acceptable.

Regarding change No. 1, short-term changes in the RCS pressure boundary leakage rate will be indicated by the Radiation Monitoring and Leakage Detection Systems. Performance of these systems is not affected by changing the frequency of the RCS inventory balance. Since the short-term indication is not affected, changing the frequency of the quantitative leak rate, which is used for assessment and trending purposes, will have no significant impact on safety. Consequently, the NRC staff finds the licensee's request to be acceptable.

In addition, the licensee proposed other changes to its Bases that went beyond TSTF-449. These changes included significantly modifying its Operational Leakage Bases section to be generally consistent with the standard TS as modified to reflect existing requirements and the plant's licensing basis. These changes also included adding additional detail regarding the assumptions made in its accident analyses (e.g., in the SG Tube Integrity Bases section), clarifying the temperature at which the operational leakage limit is determined (in places other than recommended by TSTF-449), and modifying the Specific Activity Bases section to be consistent with the plant's accident analyses. Since these proposed changes were consistent with the plant's licensing basis, the intent of TSTF-449, or the standard TSs, the NRC staff determined they were acceptable.

Another example of a change that went beyond TSTF-449 is that the licensee proposed, in part, to limit accident-induced leakage to 1 gallon per minute (gpm) for all SGs with no more than 500 gallons per day through any one SG. Since this proposal was more restrictive than that required by TSTF-449 (which limited accident-induced leakage, in part, to 1 gpm per SG), the NRC staff found it acceptable.

In addition, the licensee proposed to include previously approved alternate repair criteria into its proposed new TSs. The structure of the TSTF-449 allows licensees to incorporate alternate repair criteria into the TSTF-449 format. The NRC staff determined that the previously approved repair criteria were appropriately incorporated into the TSTF-449 format.

The remainder of the application was consistent with, or more limiting than, TSTF-449.

In summary, the NRC staff determined that the model safety evaluation is applicable to this review and finds the proposed changes acceptable.

Consistent with TSTF-449, the proposed TS changes include: (1) a revised definition of LEAKAGE, (2) a revised TS 3/4.4.6, "Reactor Coolant System Leakage," (3) a revised TS 3/4.4.5, "Steam Generator (SG) Tube Integrity," (4) a new TS 6.8.4.j, "Steam Generator (SG) Program," (5) a new TS 6.9.1.8, "Steam Generator Tube Inspection Report," (6) a revised TS 3/4.3.3, "Monitoring Instrumentation," and (6) revised Table of Content pages to reflect the proposed changes.

3.2 Conclusion

The proposed TS changes establish a programmatic, largely performance-based regulatory framework for ensuring SG tube integrity is maintained. The NRC staff finds that it addresses key shortcomings of the current framework by ensuring that SG programs are focused on accomplishing the overall objective of maintaining tube integrity. It incorporates performance criteria for evaluating tube integrity that the NRC staff finds consistent with the structural margins and the degree of leak tightness assumed in the current plant licensing basis. The NRC staff finds that maintaining these performance criteria provides reasonable assurance that the SGs can be operated safely without increase in risk.

The revised TSs will contain limited specific details concerning how the SG Program is to achieve the required objective of maintaining tube integrity; the intent being that the licensee will have the flexibility to determine the specific strategy for meeting this objective. However, the NRC staff finds that the revised TSs include sufficient regulatory constraints on the establishment and implementation of the SG Program such as to provide reasonable assurance that tube integrity will be maintained.

Failure to meet the performance criteria will be reportable pursuant to the requirements in 10 CFR 50.72 and 50.73. The NRC reactor oversight process provides a process by which the NRC staff can verify that the licensee has identified any SG Program deficiencies that may have contributed to such an occurrence and that appropriate corrective actions have been implemented.

In conclusion, the NRC staff finds that the TS changes proposed by the licensee in its April 27, 2006, application and the December 5, 2006, and March 1, 2007, supplements conform to the requirements of 10 CFR 50.36 and establish a TS framework that will provide reasonable assurance that SG tube integrity is maintained without undue risk to public health and safety.

The licensee included in its application the revised TS Bases to be implemented with the TS change. The NRC staff finds that the TS Bases Control Program is the appropriate process for updating the affected TS Bases pages and has, therefore, not included the affected Bases pages with this amendment.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Florida State official was notified of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes 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. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public

comment on such finding (71 FR 40748). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the 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.

Principal Contributors: Warren C. Lyon
Trent L. Wertz

Date: April 27, 2007

Florida Power and Light Company

cc:

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

Mr. William E. Webster
Vice President, Nuclear Operations
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

M. S. Ross, Managing Attorney
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

Marjan Mashhadi, Senior Attorney
Florida Power & Light Company
801 Pennsylvania Avenue, NW.
Suite 220
Washington, DC 20004

Terry O. Jones
Site Vice President
Turkey Point Nuclear Plant
Florida Power and Light Company
9760 SW. 344th Street
Florida City, FL 33035

County Manager
Miami-Dade County
111 Northwest 1 Street, 29th Floor
Miami, Florida 33128

Senior Resident Inspector
Turkey Point Nuclear Plant
U.S. Nuclear Regulatory Commission
9762 SW. 344th Street
Florida City, Florida 33035

Mr. William A. Passetti, Chief
Department of Health
Bureau of Radiation Control
2020 Capital Circle, SE, Bin #C21
Tallahassee, Florida 32399-1741

TURKEY POINT PLANT

Mr. Craig Fugate, Director
Division of Emergency Preparedness
Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100

Attorney General
Department of Legal Affairs
The Capitol
Tallahassee, Florida 32304

Michael O. Pearce
Plant General Manager
Turkey Point Nuclear Plant
Florida Power and Light Company
9760 SW. 344th Street
Florida City, FL 33035

James Connolly, Licensing Manager
Florida Power and Light Company
Turkey Point Nuclear Plant
9760 SW. 344th Street
Florida City, FL 33035

Becky Ferrare
Licensing Department Administrator
Florida Power and Light Company
Turkey Point Nuclear Plant
9760 SW. 344th Street
Florida City, FL 33035

Mark Warner, Vice President
Nuclear Operations Support
Florida Power and Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

Mr. Rajiv S. Kundalkar
Vice President - Nuclear Engineering
Florida Power & Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420