



April 22, 2007

L-2007-004
10 CFR 50.90

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: St. Lucie Units 1 and 2
Docket Nos. 50-335 and 50-389
Proposed License Amendments
Removal of Technical Specification Reporting
Requirements for License Condition Violations

In accordance with the provisions of Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), Florida Power and Light (FPL) is submitting a request for an amendment to the renewed facility operating license for DPR-67 for St. Lucie Unit 1 and NPF-16 for St. Lucie Unit 2.

The proposed amendments would delete the St. Lucie Unit 2 license condition that requires reporting of violations of other requirements (e.g., conditions listed in Section 3.H in the operating license) and delete the Technical Specification (TS) 6.6 for both units that require that the NRC be notified of reportable events pursuant to 10 CFR 50.73. Although the St. Lucie TSs are custom TS, the changes meet the intent of the notice published in the *Federal Register* on November 4, 2005 as part of the consolidated line item improvement process (CLIIP). This amendment request also includes an administrative TS change for both Units by changing references of the "Topical Quality Assurance Report" to the "Quality Assurance Topical Report" to be consistent with the FPL Quality Assurance program approved within the NRC's safety evaluation report (SER) dated December 29, 2006.

Attachment 1 provides a description of the proposed change and confirmation of applicability. Attachment 2 provides the existing pages marked-up to show the proposed change. Attachment 3 provides the word processed changes.

Note that this amendment request builds on a previously submitted amendment request (FPL letter L-2006-221 dated October 19, 2006) currently under review by the NRC Staff. FPL requests that the proposed license amendments be processed as normal amendment requests with implementation within 60 days of approval.

A001

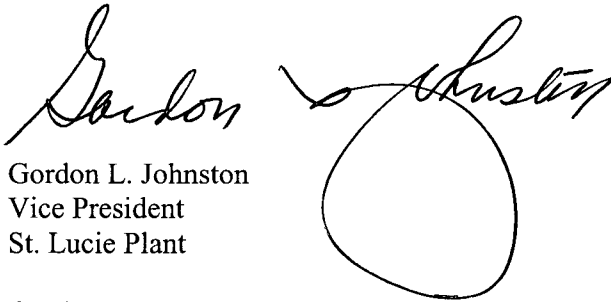
In accordance with 10 CFR 50.91, a copy of this application, with enclosures, is being provided to the designated Florida official.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 22nd day of April 2007.

If you should have any questions regarding this submittal, please contact Ken Frehafer at (772) 467-7748.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gordon L. Johnston". The signature is written in black ink and is positioned above the printed name and title.

Gordon L. Johnston
Vice President
St. Lucie Plant

GLJ/KWF

Attachments

cc: Mr. William A. Passetti, Florida Department of Health

St. Lucie Units 1 and 2
Docket Nos. 50-335 and 50-389
Proposed License Amendments
Removal of Technical Specification Reporting
Requirements for License Condition Violations

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ATTACHMENT 1

Description and Assessment

1.0 INTRODUCTION

The proposed amendments would delete the St. Lucie Unit 2 license condition that requires reporting of violations of other requirements (e.g., conditions listed in Section 3.H in the operating license) and delete the Technical Specification (TS) 6.6 for both units that require that the NRC be notified of reportable events pursuant to 10 CFR 50.73. The availability of this operating license improvement was announced in the *Federal Register* on November 4, 2005 as part of the consolidated line item improvement process (CLIIP).

This amendment request also includes an administrative TS change for both Units by changing references of the "Topical Quality Assurance Report" to the "Quality Assurance Topical Report" to be consistent with the FPL Quality Assurance program approved within the NRC's safety evaluation report (SER) dated December 29, 2006.

2.0 DESCRIPTION OF PROPOSED AMENDMENT

Consistent with the CLIIP Notice of Availability (70 FR 67202), the proposed amendment consists of deleting Section 3.H of Renewed Facility Operating License No. NPF-16. The current requirements of the license condition are as follows:

- 3.H. FPL shall report any violations of the requirements contained in Section 3, Items A, D, F, and G of this license within 24 hours by telephone and confirm by telegram, mailgram, or facsimile transmission to the NRC Regional Administrator, Region II, or his designee, no later than the first working day following the violation, with a written follow-up report within fourteen (14) days.

The existing conditions in Section 3.H that are subject to the current reporting requirement consist of the following:

- 3.A. Maximum Power Level FPL is authorized to operate the facility at steady state reactor core power levels not in excess of 2700 megawatts (thermal).

Commencing with the startup for Cycle 16 and until the Combustion Engineering Model 3410 Steam Generators are replaced, the maximum reactor core power shall not exceed 89 percent of 2700 megawatts (thermal) if:

- a. The Reactor Coolant System Flow Rate is less than 335,000 gpm but greater than or equal to 300,000 gpm, or
- b. The Reactor Coolant System Flow Rate is greater than or equal to 300,000 gpm AND the percentage of steam generator tubes plugged is greater than 30 percent (2520 tubes/SG) but less than or equal to 42 percent (3532 tubes/SG).

This restriction in maximum reactor core power is based on analyses provided by FPL in submittals dated October 21, 2005 and February 28, 2006, and approved by the NRC in Amendment No. 145, which limits the percent of steam generator tubes plugged to a maximum of 42 percent (3532 tubes) in either steam generator and limits the plugging asymmetry between steam generators to a maximum of 600 tubes.

- 3.D Antitrust Conditions FPL shall comply with the antitrust conditions in Appendices C and D to this renewed license.
- 3.F Physical Protection The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan, submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.
- 3.G Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement dated April 1982, FPL shall provide written notification to the Office of Nuclear Reactor Regulation.

The reporting requirement defined in Technical Specification (TS) 6.6 for St. Lucie Units 1 and 2 to notify the Commission for REPORTABLE EVENTS related to 10 CFR 50.73 will also be deleted. As discussed in the *Federal Register* notices associated with the use of the CLIIP to remove the reporting requirement of Section 3.H of the facility operating license, this application also includes the deletion of TS 6.6. Note that FPL letter L-2006-221 dated October 19, 2006, proposes to delete the TS 6.6.1.b requirements for the on and offsite review group functions for REPORTABLE EVENTS, as these requirements were relocated to the licensee controlled quality assurance program. The TS markups provided in Attachment 2 are based on the existing TS, and the word-processed changes in Attachment 3 assume that the proposed changes in L-2006-221 were approved.

Additionally, this amendment request also includes an administrative TS change for both Units by changing references of the TQAR to the QATR to be consistent with the December 29, 2006 NRC safety evaluation for FPL Quality Assurance program.

3.0 BACKGROUND

The background for this application is adequately addressed by the NRC Notice of Availability published on November 4, 2005 (70 FR 67202) and the Notice of Opportunity to Comment published on August 29, 2005 (70 FR 51098).

The background for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and the NRC safety evaluation report (SER) dated December 29, 2006.

4.0 REGULATORY REQUIREMENTS AND GUIDANCE

The applicable regulatory requirements and guidance associated with this application are adequately addressed by the NRC Notice of Availability published on November 4, 2005 (70 FR 67202) and the Notice of Opportunity to Comment published on August 29, 2005 (70 FR 51098).

The regulatory requirements and guidance for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and the NRC safety evaluation report (SER) dated December 29, 2006.

5.0 TECHNICAL ANALYSIS

Florida Power and Light has reviewed the safety evaluation (SE) published on August 29, 2005, as part of the CLIIP Notice of Opportunity to Comment. Florida Power and Light has concluded that the justifications presented in the SE prepared by the NRC staff are applicable to St. Lucie Units 1 and 2 and justify this amendment of the renewed facility operating license for St. Lucie Unit 2 and TSs for both St. Lucie units.

The technical analysis for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and the NRC safety evaluation report (SER) dated December 29, 2006.

6.0 REGULATORY ANALYSIS

A description of this proposed change and its relationship to applicable regulatory requirements and guidance was provided in the NRC Notice of Opportunity to Comment published on August 29, 2005 (70 FR 51098).

The regulatory analysis for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and the NRC safety evaluation report (SER) dated December 29, 2006.

7.0 NO SIGNIFICANT HAZARDS CONSIDERATION

Florida Power and Light has reviewed the proposed no significant hazards consideration determination published on August 29, 2005 (70 FR 51098), as part of the CLIIP Notice of Opportunity to Comment. Florida Power and Light has concluded that the proposed determination presented in the notice is applicable to St. Lucie and the determination is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

The no significant hazards consideration for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and remain bounding for this change.

8.0 ENVIRONMENTAL EVALUATION

Florida Power and Light has reviewed the environmental evaluation included in the model SE published on August 29, 2005 (70 FR 51098), as part of the CLIIP Notice of Opportunity to Comment. Florida Power and Light has concluded that the NRC staff's findings presented in that evaluation are applicable to St. Lucie and the evaluation is hereby incorporated by reference for this application.

The environmental evaluation for the administrative changes regarding the NRC approval of the FPL common QATR was previously docketed under FPL letter L-2006-067 dated March 31, 2006, its supplemental submittals L-2006-143 dated June 12, 2006, L-2006-208 dated September 21, 2006, and L-2006-246 dated November 15, 2006, and remain bounding for this change.

9.0 PRECEDENT

This application is being made in accordance with the CLIIP. Florida Power and Light is not proposing variations or deviations from the changes described in the NRC staff's model SE published on August 29, 2005 (70 FR 51098). The NRC granted similar

amendments for Wolf Creek, Perry, San Onofre, Nine Mile, Braidwood, Byron, Clinton, Dresden, LaSalle, Limerick, and Oyster Creek.

10.0 REFERENCES

1. *Federal Register* Notice of Opportunity to Comment on Model Safety Evaluation on Elimination of Typical License Condition Requiring Reporting of Violations of Section 2.C of Operating License Using the Consolidated Line Item Improvement Process, August 29, 2005 (70 FR 51098)
2. *Federal Register* Notice of Availability of Model Application Concerning Elimination of Typical License Condition Requiring Reporting of Violations of Section 2.C of Operating License Using the Consolidated Line Item Improvement Process, November 4, 2005 (70 FR 67202)

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MARK-UPS

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F. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan," submitted by letter dated September 23, 2004, and supplemented on October 15, October 22, and October 29, 2004.

- G. Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement dated April 1982, FPL shall provide written notification to the Office of Nuclear Reactor Regulation.

- H. FPL shall report any violations of the requirements contained in Section 3, Items A, D, F, and G of this license within 24 hours by telephone and confirm by telegram, mailgram, or facsimile transmission to the NRC Regional Administrator, Region II, or his designee, no later than the first working day following the violation, with a written follow up report within fourteen (14) days.

- I. FPL shall notify the Commission, as soon as possible but not later than one hour, of any accident at this facility which could result in an unplanned release of quantities of fission products in excess of allowable limits for normal operation established by the Commission.

- J. FPL shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

- K. The use of ZIRLO™ clad fuel at St. Lucie Unit 2 will be subject to the following restrictions:

FPL will limit the fuel duty for St. Lucie Unit 2 to a baseline modified Fuel Duty Index (mFDI) of 600 with a provision for adequate margin to account for variations in core design (e.g., cycle length, plant operating conditions, etc). This limit will be applicable until data is available demonstrating the performance of ZIRLO™ cladding at Combustion Engineering 16x16 plants.

FPL will restrict the mFDI of each ZIRLO™ clad fuel pin to 110 percent of the baseline mFDI of 600.

For a fraction of the fuel pins in a limited number of assemblies (8), FPL will restrict the fuel duty of ZIRLO™ clad fuel pins to 120 percent of the baseline mFDI of 600.

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6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

- 6.1.1 The plant manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.
- 6.1.2 The Shift Supervisor, or during his absence from the control room a designated individual, shall be responsible for the control room command function. A management directive to this effect, signed by the corporate officer with direct responsibility for the plant, shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

ONSITE AND OFFSITE ORGANIZATION

- 6.2.1 An onsite and an offsite organization shall be established for unit operation and corporate management. This onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.
- Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Topical Quality Assurance Report and updated in accordance with 10 CFR 50.54(a)(3). The plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications shall be documented in the UFSAR or the Topical Quality Assurance Report.
 - A specified corporate officer shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - The plant manager shall be responsible for overall safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the radiation protection manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ADMINISTRATIVE CONTROLS

6.6 REPORTABLE EVENT ACTION DELETED

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- b. Each REPORTABLE EVENT shall be reviewed by the FRG, and the results of the review shall be submitted to the CNRB, and the corporate officer responsible for overall plant nuclear safety.

6.7 DELETED

NOTE:
Removed by LAR dated
October 19, 2006 (FPL
Letter L-2006-221)

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6.0 ADMINISTRATIVE CONTROLS

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- 6.1.1 The plant manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.
- 6.1.2 The Shift Supervisor, or during his absence from the control room, a designated individual, shall be responsible for the control room command function. A management directive to this effect, signed by the corporate officer with direct responsibility for the plant, shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

ONSITE AND OFFSITE ORGANIZATION

- 6.2.1 An onsite and an offsite organization shall be established for unit operation and corporate management. This onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.
- Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Topical Quality Assurance Report and updated in accordance with 10 CFR 50.54(a)(3). The plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications shall be documented in the UFSAR or the Topical Quality Assurance Report.
 - A specified corporate officer shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - The plant manager shall be responsible for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the radiation protection manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ADMINISTRATIVE CONTROLS

6.6 ~~REPORTABLE EVENTS ACTION~~ DELETED

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- b. Each REPORTABLE EVENT shall be reviewed by the FRG, and the results of this review shall be submitted to the CNRB, and the corporate officer responsible for overall plant nuclear safety.

6.7 DELETED

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:

- a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978, and those required for implementing the requirements of NUREG 0737.
- b. Refueling operations.
- c. Surveillance and test activities of safety-related equipment.
- d. Not Used.
- e. Not Used.

NOTE:

Removed by LAR dated
October 19, 2006 (FPL
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WORD PROCESSED CHANGES

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G. Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement dated April 1982, FPL shall provide written notification to the Office of Nuclear Reactor Regulation.

H. DELETED

I. FPL shall notify the Commission, as soon as possible but not later than one hour, of any accident at this facility which could result in an unplanned release of quantities of fission products in excess of allowable limits for normal operation established by the Commission.

J. FPL shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.

K. The use of ZIRLO™ clad fuel at St. Lucie Unit 2 will be subject to the following restrictions:

FPL will limit the fuel duty for St. Lucie Unit 2 to a baseline modified Fuel Duty Index (mFDI) of 600 with a provision for adequate margin to account for variations in core design (e.g., cycle length, plant operating conditions, etc). This limit will be applicable until data is available demonstrating the performance of ZIRLO™ cladding at Combustion Engineering 16x16 plants.

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For a fraction of the fuel pins in a limited number of assemblies (8), FPL will restrict the fuel duty of ZIRLO™ clad fuel pins to 120 percent of the baseline mFDI of 600.

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ONSITE AND OFFSITE ORGANIZATION

- 6.2.1 An onsite and an offsite organization shall be established for unit operation and corporate management. This onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant:
- a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Quality Assurance Topical Report and updated in accordance with 10 CFR 50.54(a)(3). The plant-specific titles of those personnel fulfilling the responsibilities of the positions delineated in these Technical Specifications shall be documented in the UFSAR or the Quality Assurance Topical Report.
 - b. A specified corporate officer shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - c. The plant manager shall be responsible for overall safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the radiation protection manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

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6.6 DELETED

6.7 DELETED

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 - b. A specified corporate officer shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - c. The plant manager shall be responsible for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the radiation protection manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ADMINISTRATIVE CONTROLS

6.6 DELETED

6.7 DELETED

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:

- a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978, and those required for implementing the requirements of NUREG 0737.
- b. Refueling operations.
- c. Surveillance and test activities of safety-related equipment.
- d. Not Used.
- e. Not Used.