



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 23, 2009

Mr. Gene F. St. Pierre
Site Vice President
c/o Michael O'Keefe
Seabrook Station
FLP Energy Seabrook, LLC
P.O. Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
CONTAINMENT ISOLATION VALVE – POST MAINTENANCE TESTING
(TAC NO. MD8068)

Dear Mr. St. Pierre:

The Commission has issued the enclosed Amendment No. 120 to Facility Operating License No. NPF-86 for the Seabrook Station, Unit No. 1 (Seabrook). This amendment consists of changes to the Technical Specifications (TSs) in response to your application dated February 8, 2008.

The amendment revises the Seabrook TSs to delete Surveillance Requirement 4.6.3.1, which specifies post-maintenance testing requirements for containment isolation valves.

A copy of our safety evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Egan", with a long horizontal flourish extending to the right.

Dennis Egan, P.E., Senior Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures:

1. Amendment No. 120 to NPF-86
2. Safety Evaluation

cc w/encls: Distribution via Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

FPL ENERGY SEABROOK, LLC, ET AL.*

DOCKET NO. 50-443

SEABROOK STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 120
License No. NPF-86

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment filed by FPL Energy Seabrook, LLC, et al. (the licensee), dated February 8, 2008, 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.

*FPL Energy Seabrook, LLC (FPLE Seabrook) is authorized to act as agent for the: Hudson Light & Power Department, Massachusetts Municipal Wholesale Electric Company, and Taunton Municipal Light Plant and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

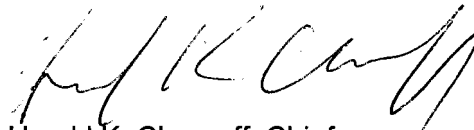
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-86 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 120 , and the Environmental Protection Plan contained in Appendix B are incorporated into the Facility License No. NFP-86. FPL Energy Seabrook, LLC 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 of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold K. Chernoff, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the License and
Technical Specifications

Date of Issuance: February 23, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 120

FACILITY OPERATING LICENSE NO. NPF-86

DOCKET NO. 50-443

Replace the following page of Facility Operating License No. NPF-86 with the attached revised page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

Remove
3

Insert
3

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages as indicated. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove
3/4 6-16
3/4 6-17

Insert
3/4 6-16
3/4 6-17

- (4) FPL Energy Seabrook, LLC, pursuant to the Act and 10 CFR 30, 40, and 70, to receive, possess, and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (5) FPL Energy Seabrook, LLC, pursuant to the Act and 10 CFR 30, 40, and 70, to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (6) FPL Energy Seabrook, LLC, pursuant to the Act and 10 CFR 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility authorized herein; and
- (7) DELETED

C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

FPL Energy Seabrook, LLC, is authorized to operate the facility at reactor core power levels not in excess of 3648 megawatts thermal (100% of rated power).

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 120, and the Environmental Protection Plan contained in Appendix B are incorporated into the Facility License No. NPF-86. FPL Energy Seabrook, LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) License Transfer to FPL Energy Seabrook, LLC

- a. On the closing date(s) of the transfer of any ownership interests in Seabrook Station covered by the Order approving the transfer, FPL Energy Seabrook, LLC, shall obtain from each respective transferring owner all of the accumulated decommissioning trust funds for the facility, and ensure the deposit of such funds and additional funds, if necessary, into a decommissioning trust or trusts for Seabrook Station established by FPL Energy Seabrook, LLC, such that the amount of such funds deposited meets or exceeds the amount required under 10 CFR 50.75 with respect to the interest in Seabrook Station FPL Energy Seabrook, LLC, acquires on such dates(s).

CONTAINMENT SYSTEMS

3/4.6.3 CONTAINMENT ISOLATION VALVES

LIMITING CONDITION FOR OPERATION

3.6.3 Each containment isolation valve shall be OPERABLE*.

APPLICABILITY: MODES 1, 2, 3, and 4.

ACTION:

With one or more of the isolation valve(s) inoperable, maintain at least one isolation valve OPERABLE in each affected penetration that is open and:

- a. Restore the inoperable valve(s) to OPERABLE status within 4 hours, or
- b. Isolate each affected penetration within 4 hours by use of at least one deactivated automatic valve secured in the isolation position, or
- c. Isolate each affected penetration within 4 hours by use of at least one closed manual valve or blind flange; or
- d. Be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.

SURVEILLANCE REQUIREMENTS

4.6.3.1 Not used.

4.6.3.2 Each containment isolation valve shall be demonstrated OPERABLE during shutdown at least once per 18 months by:

- a. Verifying that on a Phase "A" Isolation test signal, each Phase "A" Isolation valve actuates to its isolation position,
- b. Verifying that on a Phase "B" Isolation test signal, each Phase "B" Isolation valve actuates to its isolation position, and

*Locked or sealed closed valves may be opened on an intermittent basis under administrative control.

CONTAINMENT SYSTEMS

CONTAINMENT ISOLATION VALVES

SURVEILLANCE REQUIREMENTS

- c. Verifying that on a Containment Purge and Exhaust Isolation test signal, each purge and exhaust valve actuates to its isolation position.

4.6.3.3 The isolation time of each power-operated or automatic containment isolation valve shall be determined to be within its limit when tested pursuant to Specification 4.0.5.



UNITED STATES
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 120 TO FACILITY OPERATING LICENSE NO. NPF-86

FPL ENERGY SEABROOK, LLC

SEABROOK STATION, UNIT NO. 1

DOCKET NO. 50-443

1.0 INTRODUCTION

By letter dated February 8, 2008 (Agencywide Documents and Management System (ADAMS) Accession No. ML080440304), FPL Energy Seabrook, LLC (the licensee) submitted License Amendment Request (LAR) No. 07-04, requesting changes to the Technical Specifications (TSs) for Seabrook Station, Unit No. 1 (Seabrook). The requested change was to delete a post-maintenance Surveillance Requirement (SR) for Containment Isolation Valves (CIVs).

2.0 REGULATORY EVALUATION

The requirements for the content of plant TSs are contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36. This regulation requires, in part, that the TSs include SRs to assure that the necessary quality of systems and components is maintained.

Additionally, the requirements for inservice testing (IST) are found in 10 CFR 50.55a(f), which specifies testing requirements for pumps and valves. In accordance with 10 CFR 50.55a (f)(4)(ii), licensees are required to comply with the requirements of the latest edition and addenda of the American Society of Mechanical Engineers (ASME) Code for Operation and Maintenance of Nuclear Power Plants (OM Code).

Seabrook Station TS 3.6.3 requires that CIVs be operable in Modes 1 through 4.

TS 1.21 defines operability; stating that "A system, subsystem, train, component or device shall be OPERABLE or have OPERABILITY when it is capable of performing its specified function(s), and when all necessary attendant instrumentation, controls, electrical power, cooling or seal water, lubrication or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its function(s) are also capable of performing their related support function(s)."

SR 4.0.1 states that SRs shall be met during the operational modes or other conditions specified for individual limiting conditions for operation unless otherwise stated in an individual SR.

SR 4.6.3.2 requires that each CIV be demonstrated operable at least once every 18 months by verifying that each CIV actuates to its isolation position on their containment isolation signals.

SR 4.6.3.3 requires the isolation time of each CIV shall be determined to be within limits when tested pursuant to TS 4.0.5, SR for Inservice Inspection and Testing of ASME Code Class 1, 2, and 3 components.

3.0 TECHNICAL EVALUATION

The licensee proposed to delete the requirement, specified in SR 4.6.3.1, that each CIV be demonstrated to be operable by performance of a cycle test and verification of isolation time prior to returning the valve to service after maintenance, repair, or replacement work is performed on the valve or its associated actuator, control or power circuit. The licensee stated that deleting SR 4.6.3.1 would provide flexibility in determining the appropriate post-maintenance test based on the work performed.

The licensee stated that their post-maintenance testing program ensures that TS-required equipment satisfies all applicable requirements to establish operability before restoring the equipment to service as required by the TSs. Currently, Senior Reactor Operator (SRO) licensed personnel are responsible for determining the operability of TS-required equipment affected by maintenance activities. At the conclusion of the work activity, SRO approval of the completed work includes a determination that the post-maintenance test has restored the equipment to an operable status. Consistent with the definition of operable in TS 1.21, restoring equipment to operable status following post-maintenance testing means that the equipment will be capable of performing its specified functions and all necessary attendant instrumentation, controls, electrical power, cooling or seal water, lubrication or other auxiliary equipment that are required are also capable of performing their support functions.

For activities that could adversely affect isolation time, the licensee indicated that SR 4.0.1 requires the isolation time to be determined to be within limits in accordance with SR 4.6.3.3 before the affected valve could be restored to operable status. Accordingly, SR 4.6.3.1 is an overly restrictive and duplicative statement of requirements that already exist in the TS.

The Nuclear Regulatory Commission (NRC) staff notes that the licensee stated in Section 2.0, Detailed Description, of their request that “[f]or example, a maintenance activity that applies lubricant to a valve stem would neither render the valve inoperable nor adversely affect the valve’s ability to function.” The NRC staff notes that this may not always be true and thus should not be used as an example (see Inspection Reports – ADAMS Accession Nos. ML0519301421, ML0322406990, and Institute of Nuclear Power Operations Significant Operating Event Report 83-09). However, this does not change the acceptability of the request.

Based on the current definition of “operable” contained in TS 1.21, the CIV operability requirements of TS 3.6.3 and the requirements of SRs 4.0.1, 4.6.3.2, and 4.6.3.3, the NRC staff finds that there is reasonable assurance that each CIV will be capable of performing its intended functions, after surveillance testing, maintenance, repair, or replacement work is performed without the additional requirements specified in SR 4.6.3.1. Therefore, the NRC staff concludes that the proposed amendment is acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New Hampshire and Massachusetts State officials were notified of the proposed issuance of the amendment. The State officials provided 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 SRs. 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 also finds that the amendment involves no significant hazards consideration (see Safety Evaluation Section 6.0). Accordingly, the amendment meets 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 amendment.

6.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission issued a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing" for this Amendment in the *Federal Register* on August 26, 2008 (73 FR 50361). This Notice provided 60 days for the public to request a hearing. A hearing request on the license amendment was filed by Saporito Energy Consultants by and through its President, Thomas Saporito. The NRC Atomic Safety and Licensing Board issued an Order dated October 14, 2008 (ADAMS Accession No. ML082880540), denying the request.

Consistent with 10 CFR 50.91(a)(3), the Commission has made a final determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment does not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration which is presented below.

1. The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed amendment to the technical specifications, which is consistent with NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," removes the surveillance requirement related to post-maintenance testing of containment isolation valves (CIVs). Surveillance requirements are not initiators of accidents; consequently, the proposed change does not significantly increase the probability of an accident previously evaluated. The proposed change does not alter the requirements regarding operability of CIVs, and appropriate testing will continue to confirm the operability of these valves following maintenance activities. The CIVs will continue to be tested in a manner and at a frequency that demonstrates they remain capable of performing their intended safety function. As a result, the proposed amendment does not significantly affect the consequences of an accident previously evaluated.

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

2. The proposed changes do not create the possibility of a new or different kind of accident from any previously evaluated.

The proposed change does not introduce any new accident scenarios, failure mechanisms, or single failures. The change does not add new equipment to the plant, does not modify or remove existing equipment, and does not significantly change the operation of the plant. The ability of any operable equipment to perform its specified safety function is unaffected by this change. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. The proposed changes do not involve a significant reduction in the margin of safety.

The proposed change does not alter the initial conditions or results of any accident analyses. The operability requirements, performance, and design of the CIVs are unchanged with this proposed change. The CIVs will continue to meet the design bases for the containment isolation system as described in the Seabrook Station [updated final safety analysis report]. The proposed amendment will minimize unnecessary testing of CIVs. Therefore, the proposed change does not involve a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis. In the licensee's analysis of Standard 1, "The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated," the staff notes the statement "Surveillance requirements are not initiators of accidents; consequently, the proposed change does not significantly increase the probability of an accident previously evaluated." It is true that SRs are not initiators of accidents. Importantly, the proposed change does not alter the TS requirements regarding operability of CIVs or the SRs requiring regular testing to meet operability conditions. Also, appropriate testing to confirm the operability of these valves following repair, maintenance and IST activities will continue. Accordingly, the CIVs will remain capable of performing their intended safety function. These facts more clearly address that there will be no increase in the probability. Consequently, as stated, the proposed change does not significantly increase the probability of an accident previously evaluated.

Accordingly, based on the review of the licensee's input, as clarified above, the NRC staff has determined that the three standards of 10 CFR 50.92 are satisfied. Therefore, the NRC staff has determined that the amendment involves no significant hazards consideration.

7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) the amendment does not (a) involve a significant increase in the probability or consequences of an accident previously evaluated; or (b) create the possibility of a new or different kind of accident from any accident previously evaluated; or (c) involve a significant reduction in a margin of safety; (2) there is reasonable assurance that the health and safety of the public will not be endangered by the operation in the proposed manner; (3) such activities will be conducted in compliance with the Commission's regulations; and (4) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: Y. S. Huang
D. L. Egan

Date: February 23, 2009

February 23, 2009

Mr. Gene F. St. Pierre
Site Vice President
c/o Michael O'Keefe
Seabrook Station
FLP Energy Seabrook, LLC
P.O. Box 300
Seabrook, NH 03874

SUBJECT: SEABROOK STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT RE:
CONTAINMENT ISOLATION VALVE – POST MAINTENANCE TESTING
(TAC NO. MD8068)

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Sincerely,
/ra/

Dennis Egan, P.E., Senior Project Manager
Plant Licensing Branch I-2
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Office of Nuclear Reactor Regulation

Docket No. 50-443

Enclosures:

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* via email

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DATE	02/6/09	02/06/09	02/12/09	02/10/09	02/17/09	2/23/09