



April 17, 2009

NG-09-0242
10 CRF 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Duane Arnold Energy Center
Docket No. 50-331
License No. DPR-49

License Amendment Request (TSCR-116): Facility Operating License Change to
Reflect Corporation Name Change

On April 16, 2009, the name "FPL Energy Duane Arnold, LLC" was legally changed to "NextEra Energy Duane Arnold, LLC."

Pursuant to 10 CFR 50.90, NextEra Energy Duane Arnold, LLC (NextEra Energy Duane Arnold) hereby requests revision to the operating license for the Duane Arnold Energy Center (DAEC). The proposed Amendment revises Operating License No. DPR-49 by changing "FPL Energy Duane Arnold, LLC" to "NextEra Energy Duane Arnold, LLC," where appropriate, to reflect the renaming of FPL Energy Duane Arnold, LLC to NextEra Energy Duane Arnold, LLC.

The proposed Amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c).

NextEra Energy Duane Arnold requests that the amendment be effective as of the date of issuance.

This application has been reviewed by the DAEC Onsite Review Group. A copy of this submittal, along with the 10 CFR 50.92 evaluation of "No Significant Hazards Consideration," is being forwarded to our appointed state official pursuant to 10 CFR 50.91.

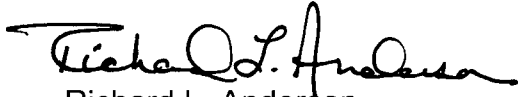
This letter makes no new commitments or changes to any existing commitments.

If you have any questions or require additional information, please contact Steve Catron at 319-851-7234.

MOOC
A001
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 17, 2009

A handwritten signature in black ink, appearing to read "Richard L. Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard L. Anderson
Vice President, Duane Arnold Energy Center
NextEra Energy Duane Arnold, LLC

Exhibits: A) EVALUATION OF PROPOSED CHANGE
 B) PROPOSED OPERATING LICENSE CHANGES (MARK-UP)
 C) PROPOSED ADDITIONAL CONDITIONS CHANGES (MARK-UP)

cc: Administrator, Region III, USNRC
 Project Manager, DAEC, USNRC
 Resident Inspector, DAEC, USNRC
 D. McGhee (State of Iowa)

EXHIBIT A

EVALUATION OF PROPOSED CHANGE

Subject: License Amendment Request (TSCR-116): Facility Operating License
Change to Reflect Corporation Name Change

1. SUMMARY DESCRIPTION
2. DETAILED DESCRIPTION
3. TECHNICAL EVALUATION
4. REGULATORY EVALUATION
 - 4.1. Applicable Regulatory Requirements/Criteria
 - 4.2. Significant Hazards Consideration
 - 4.3. Conclusion
5. ENVIRONMENTAL CONSIDERATION

1. SUMMARY DESCRIPTION

It is proposed that the Facility Operation License DPR-49 for Duane Arnold Energy Center (DAEC) be amended to reflect a change in the legal name of the Licensee from "FPL Energy Duane Arnold, LLC" to "NextEra Energy Duane Arnold, LLC."

On January 7, 2009, FPL Energy, LLC was renamed NextEra Energy Resources, LLC, in order to better reflect its clean energy mission and market focus and also to avoid confusion with its affiliate, Florida Power & Light Company, an electric utility. NextEra Energy Resources, LLC, remains an FPL Group, Inc., company. The NextEra Energy name is now being applied to various operating company subsidiaries of NextEra Energy Resources, LLC. On April 16, 2009, "FPL Energy Duane Arnold, LLC" was renamed "NextEra Energy Duane Arnold, LLC."

2. DETAILED DESCRIPTION

References to FPL Energy Duane Arnold, LLC or to FPL Energy Duane Arnold in Part 1 of the Facility Operating License and in the Additional Conditions contained in Appendix B of the License, which are written in the past tense, have been marked with an asterisk. A footnote, associated with the asterisk, informs the reader that on April 16, 2009, the name "FPL Energy Duane Arnold, LLC" or "FPL Energy Duane Arnold" was changed to "NextEra Energy Duane Arnold, LLC." Past tense references to "FPL Energy Duane Arnold, LLC" or "FPL Energy Duane Arnold" contained in the Facility Operating License, including Appendix B, remain unchanged.

Other references to FPL Energy Duane Arnold, LLC or to FPL Energy Duane Arnold in the Facility Operating License, including Appendix B, have been changed to the new name "NextEra Energy Duane Arnold."

Exhibit B provides the existing Facility Operating License pages marked up to show the proposed changes.

Exhibit C provides the existing Additional Conditions (Appendix B) pages marked up to show the proposed changes.

3. TECHNICAL EVALUATION

The proposed changes are administrative and involve only a name change. The corporate existence continues uninterrupted and all legal characteristics remain the same. Thus, there is no change in the ownership, state of incorporation, registered agent, registered office, directors, officers, rights or liabilities of the Corporation, nor is there a change in the function of the Corporation or the way in which it does business. The Corporation's financial responsibility for the Duane Arnold Energy Center and its

sources of funds to support the facility will remain the same. Further, this name change does not impact the Corporation's ability to comply with any of its obligations or responsibilities under the license. The change of the corporation name from "FPL Energy Duane Arnold, LLC" to "NextEra Energy Duane Arnold, LLC" is an administrative change. It does not require a technical, financial qualification, or an antitrust review. Therefore, this change does not reduce the level of safety imposed by the current Facility Operating License or Technical Specifications.

4. REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria

The proposed license changes are administrative in nature. These changes reflect the change in the legal name of the Licensee from "FPL Energy Duane Arnold, LLC" to "NextEra Energy Duane Arnold, LLC." These changes are considered administrative since the proposed changes reflect no change to the company structure or governance. No physical changes will be made and there will be no change in the day-to-day operations of the facility. Therefore, the proposed license amendment does not adversely affect nuclear safety or safe plant operations.

4.2 Significant Hazards Consideration

NextEra Energy Duane Arnold, LLC, has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

This request is for administrative changes only. No actual facility equipment or accident analyses will be affected by the proposed changes. Therefore, this request will have no impact on the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

This request is for administrative changes only. No actual facility equipment or accident analyses will be affected by the proposed changes and no failure modes not bounded by previously evaluated accidents will be created. Therefore, this request will not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

Margin of safety is associated with confidence in the ability of the fission product barriers (i.e., fuel cladding, Reactor Coolant System pressure boundary, and containment structure) to limit the level of radiation dose to the public. This request is for administrative changes only. No actual plant equipment or accident analyses will be affected by the proposed changes. Additionally, the proposed changes will not relax any criteria used to establish safety limits, will not relax any safety system settings, and will not relax the bases for any limiting conditions of operation. Therefore, these proposed changes will not involve a significant reduction in a margin of safety.

Based on the above, NextEra Energy Duane Arnold, LLC, concludes that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

4.3 Conclusion

In conclusion, based on the considerations discussed above, (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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

5. ENVIRONMENTAL CONSIDERATION

The function of this administrative change is merely to facilitate the orderly conduct of the licensee's business and to ensure that the information needed by the Commission to perform its regulatory functions is readily available.

The proposed amendment is confined to (i) changes to surety, insurance, and/or indemnity requirements, or (ii) changes to recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(10), as explained in the Federal Register on March 12, 1984 (49 FR 9373), when the categorical exclusion rule was published. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

EXHIBIT B
PROPOSED OPERATING LICENSE
(MARK-UP)

NextEra
FPL ENERGY DUANE ARNOLD, LLC
CENTRAL IOWA POWER COOPERATIVE
CORN BELT POWER COOPERATIVE
DOCKET 50-331
DUANE ARNOLD ENERGY CENTER
FACILITY OPERATING LICENSE

License No. DPR-49

1. The Atomic Energy Commission (the Commission) having found that:

- A. The application for license filed by FPL Energy Duane Arnold, LLC, Central Iowa Power Cooperative and Corn Belt Power Cooperative (the licensees) 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 and all required notifications to other agencies or bodies have been duly made;
- B. Construction of the Duane Arnold Energy Center (facility) has been substantially completed in conformity with Construction Permit No. DPPR-70; the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;
- C. The facility will operate in conformity with the application, as amended; the provisions of the Act; and the rules and regulations of the Commission;
- D. There is reasonable assurance: (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public; and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- E. FPL Energy Duane Arnold, LLC is technically qualified and FPL Energy Duane Arnold, LLC, Central Iowa Power Cooperative and Corn Belt Power Cooperative are financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;
- F. The licensees have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations;

* On April 16, 2009, the name "FPL Energy Duane Arnold, LLC" was changed to "NextEra Energy Duane Arnold, LLC."

- G. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;
- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-49 is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied;
- I. The receipt, possession, and use of source, by-product and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Part 30 and 70, including 10 CFR Section 30.33, 70.23 and 70.31.
2. Facility Operating License No. DPR-49 is hereby issued to FPL Energy Duane Arnold, LLC, Central Iowa Power Cooperative (CIPCO) and Corn Belt Power Cooperative (Corn Belt) to read as follows:
- A. This license applies to the Duane Arnold Energy Center, a boiling water reactor and associated equipment (the facility), owned by FPL Energy Duane Arnold, LLC, Central Iowa Power Cooperative and Corn Belt Power Cooperative and operated by FPL Energy Duane Arnold, LLC. The facility is located on FPL Energy Duane Arnold, LLC's, Central Iowa Power Cooperative's and Corn Belt Power Cooperative's site near Palo in Linn County, Iowa. This site consists of approximately 500 acres adjacent to the Cedar River and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 1 through 14) and the Environmental Report as supplemented and amended (Supplements 1 through 5).
- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
- (1) FPL Energy Duane Arnold, LLC, pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use and operate the facility; and CIPCO and Corn Belt to possess the facility at the designated location in Linn County, Iowa, in accordance with the procedures and limitations set forth in this license;

NextEra

2.B.(2) FPL Energy Duane Arnold, LLC, pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Updated Final Safety Analysis Report, as supplemented and amended as of June 1992 and as supplemented by letters dated March 26, 1993, and November 17, 2000.

NextEra

2.B.(3) FPL Energy Duane Arnold, LLC, pursuant to the Act and 10 CFR Parts 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;

NextEra

2.B.(4) FPL Energy Duane Arnold, LLC, pursuant to the Act and 10 CFR Parts 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 radioactive apparatus components;

NextEra

2.B.(5) FPL Energy Duane Arnold, LLC, pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

- C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I; Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

Maximum Power Level

NextEra

2.C.(1) FPL Energy Duane Arnold, LLC is authorized to operate the Duane Arnold Energy Center at steady state reactor core power levels not in excess of 1912 megawatts (thermal).

(2) Technical Specifications

NextEra


The Technical Specifications contained in Appendix A, as revised through Amendment No. 272, are hereby incorporated in the license. FPL Energy Duane Arnold, LLC shall operate the facility in accordance with the Technical Specifications.


- (a) For Surveillance Requirements (SRs) whose acceptance criteria are modified, either directly or indirectly, by the increase in authorized maximum power level in 2.C.(1) above, in accordance with Amendment No. 243 to Facility Operating License DPR-49, those SRs are not required to be performed until their next scheduled performance, which is due at the end of the first surveillance interval that begins on the date the Surveillance was last performed prior to implementation of Amendment No. 243.

(b) Deleted.




(3) Fire Protection

NextEra  FPL Energy Duane Arnold, LLC shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the Duane Arnold Energy Center and as approved in the SER dated June 1, 1978, and Supplement dated February 10, 1981, subject to the following provision:

NextEra  FPL Energy Duane Arnold, LLC may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

- (4) The licensee is authorized to operate the Duane Arnold Energy Center following installation of modified safe-ends on the eight primary recirculation system inlet lines which are described in the licensee letter dated July 31, 1978, and supplemented by letter dated December 8, 1978.

(5) Physical Protection

NextEra  FPL Energy Duane Arnold, LLC 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 provisions 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: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated May 16, 2006.



2.C.(6) Deleted

2.C.(7) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 260, are hereby incorporated into this license. FPL Energy Duane Arnold, LLC shall operate the facility in accordance with the Additional Conditions.

NextEra

2.C.(8) The licensee is authorized to revise the Updated Final Safety Analysis Report by deleting the footnote for Section 9.1.4.4.5 which states: "*The NRC has not endorsed the reactor building crane as single-failure proof (Reference 9)," and by deleting Reference 9 of the references for Section 9.1.

2.C.(9) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel
- (b) Operations to mitigate fuel damage considering the following:
 - 1. Protection and use of personnel assets
 - 2. Communications
 - 3. Minimizing fire spread
 - 4. Procedures for implementing integrated fire response strategy
 - 5. Identification of readily-available pre-staged equipment
 - 6. Training on integrated fire response strategy
 - 7. Spent fuel pool mitigation measures
- (c) Actions to minimize release to include consideration of:
 - 1. Water spray scrubbing
 - 2. Dose to onsite responders

2.C.(10) The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.

D. This license is effective as of the date of issuance and shall expire at midnight February 21, 2014.

Amendment No.

Revised by letter dated August 9, 2007

FOR THE ATOMIC ENERGY COMMISSION

Original signed by Roger Boyd for

A. Giambuso, Deputy Director
for Reactor Projects
Directorate of Licensing

Enclosures:

Appendix A Technical Specifications

Appendix B Additional Conditions

Date of Issuance: February 22, 1974

EXHIBIT C

PROPOSED APPENDIX B TO OPERATING LICENSE DPR-49

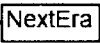

ADDITIONAL CONDITIONS CHANGES

(MARK-UP)

APPENDIX B

ADDITIONAL CONDITIONS

OPERATING LICENSE NO. DPR-49


 FPL Energy Duane Arnold, LLC (the term licensee in Appendix B refers to  FPL Energy Duane Arnold, LLC) shall comply with the following conditions on the schedule noted below:

Amendment
Number

Additional Conditions

Implementation Date


223

 FPL Energy Duane Arnold, LLC is authorized to relocate certain requirements included in Appendix A to licensee-controlled documents. Implementation of this amendment shall include the relocation of these requirements to the appropriate documents, as described in the licensee's application dated October 30, 1996, as supplemented and consolidated in its March 31, 1998, submittal. These relocations were evaluated in the NRC staff's Safety Evaluation enclosed with this amendment.

This amendment is effective immediately and shall be implemented within 180 days of the date of this amendment.

260

(1)

At the time of the closing of the transfer of the license from Interstate Power and Light Company (IPL) to FPLE Duane Arnold, IPL shall transfer to FPLE Duane Arnold IPL's decommissioning funds accumulated as of such time, with a aggregate minimum value of at least \$186 million, and FPLE Duane Arnold shall deposit such funds in an external  FPLE Duane Arnold shall take all necessary steps to ensure that this external trust fund is maintained in accordance with the requirements of the order approving the license transfer, NRC regulations, and consistent with the safety evaluation supporting the order. The trust agreement shall be in a form acceptable to the NRC.

This amendment is effective immediately and shall be implemented within 30 days of the date of this amendment.

* On April 16, 2009, the name "FPL Energy Duane Arnold, LLC" was changed to "NextEra Energy Duane Arnold, LLC."

Amendment No.  260

<u>Amendment Number</u>	<u>Additional Conditions</u>	<u>Implementation Date</u>
260 ↓ (2)	<p>By the date of closing of the transfer of the 70 percent ownership interest in DAEC from IPL to FPLE Duane Arnold, FPLE Duane Arnold shall obtain a parent company guarantee from FPL Group Capital in an initial amount of at least \$75 million (in 2005 dollars) to provide additional decommissioning funding assurance regarding such ownership interest, which guarantee must be in accordance with NRC regulations regarding such documents.</p> <p>Required funding levels shall be recalculated annually and, as necessary, FPLE Duane Arnold shall either obtain appropriate adjustments to the parent guarantee or otherwise provide any additional decommissioning funding assurance necessary for FPLE Duane Arnold to meet NRC requirements under 10 CFR 50.75.</p>	<p>This amendment is effective immediately and shall be implemented within 30 days of the date of this amendment.</p>
260 ↓ (3)	<p>FPLE Duane Arnold shall take no action to cause FPL Group Capital, or its successors and assigns, to void, cancel, or modify its \$50 million contingency commitment to FPLE Duane Arnold, as represented in the license transfer application, or cause it to fail or perform or impair its performance under the commitment, or remove or interfere with FPLE Duane Arnold's ability to draw upon the commitment, without the prior written consent from the NRC. An executed copy of the Support Agreement shall be submitted to the NRC no later than 30 days after completion of the license transfer. Also, FPLE Duane Arnold shall inform the NRC in writing any time that it draws upon the \$50 million commitment.</p>	

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