



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

November 5, 2010

MEMORANDUM TO: Douglas A. Broaddus, Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Jason C. Paige, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: TURKEY POINT UNIT 3 – VERBAL AUTHORIZATION OF RELIEF
REQUEST NO. 8, TRANSFER CANAL DRAIN LINE PIPING REPAIRS
(TAC NO. ME4901)

By letter dated October 21, 2010, Florida Power and Light (FPL), the licensee for Turkey Point Unit 3, submitted Relief Request No. 8, Transfer Canal Drain Line Piping Repairs. Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a, FPL requested Nuclear Regulatory Commission (NRC) approval of an alternative to the requirements of IWA-4000, "Repair/Replacement Activities," of the American Society of Mechanical Engineers (ASME) Code, Section XI. The relief request is related to the delayed repair of a non-isolable through-wall flaw on the spent fuel pool transfer canal drain piping at Turkey Point Unit 3.

The licensee proposed to use the alternative in ASME Code Case N-513-2 for the repair of the degraded transfer channel drain piping. Code Case N-513-2 requires that repair or replacement be performed no later than when the predicted flaw size exceeds the acceptance criteria or the next scheduled outage, whichever occurs first. However, the licensee requested modification to Code Case N-513-2 to defer the repair from the current refueling outage because the subject piping is needed to be operable during the refueling outage. The licensee proposed to complete the Code repair by December 31, 2010.

The NRC staff reviewed the licensee's submittal and determined that the proposed alternative will provide an acceptable level of quality and safety. During a conference call with the licensee on October 27, 2010, the NRC staff granted a verbal authorization on the use of Relief Request No. 8 in accordance with 10 CFR 5.55a(g)(6)(i). The script for the verbal authorization is enclosed.

NRC Participants:
D. Broaddus
T. Lupold
J. Tsao
J. Paige

Licensee Participants:
B. Tomonto
P. Barnes
A. Dunstan
S. Mihalakea

Docket No. 50-250

Enclosure: Verbal Authorization Script

VERBAL AUTHORIZATION FOR
RELIEF REQUEST NO. 8
REPAIR OF SPENT FUEL POOL TRANSFER CANAL DRAIN PIPING
TURKEY POINT UNIT 3

By letter dated October 21, 2010, Florida Power and Light Company submitted Relief Request No. 8 for Nuclear Regulatory Commission (NRC) review and approval for an alternative to the requirements of IWA-4000, "Repair/Replacement Activities," of the American Society of Mechanical Engineers (ASME) Code, Section XI. The relief request is related to the delayed repair of a non-isolable through-wall flaw on the spent fuel pool transfer canal drain piping at Turkey Point Unit 3.

The licensee proposed to use the alternative in ASME Code Case N-513-2 for the repair of the degraded transfer canal drain piping. However, the licensee requested modification to Code Case N-513-2 to defer the repair from the current refueling outage because the subject piping is needed to be operable during the refueling outage. The licensee proposed to complete the Code repair by December 31, 2010.

On October 27, 2010, the NRC staff held a teleconference with the licensee to obtain clarification on the technical basis of the proposed relief request. The NRC staff finds that it is more appropriate to review the relief request under the impracticality basis of Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a(g)(6)(i) in lieu of under the acceptable-level-of-quality-and-safety basis of 10 CFR 50.55a(a)(3)(i). The licensee has no objection with the staff suggested impracticality basis. The licensee also stated that until the degraded pipe is repaired, it will perform daily walkdowns while the spent fuel pool canal is filled and monthly ultrasonic examinations of the through-wall flaw unless the pipe is tagged out-of-service. The licensee has performed Prompt Operability Determination, CR 2010-2246, which includes the flaw evaluation of the degraded pipe.

On the basis of the NRC staff evaluation, pursuant to 10 CFR 50.55a(g)(6)(i), the NRC verbally authorizes the use of Relief Request No. 8 for the repair of the degraded spent fuel pool transfer canal drain pipe as of October 27, 2010. Relief Request No. 8 is authorized to be effective from October 27, 2010, to December 31, 2010. According to 10 CFR 50.55a(g)(6)(i), the Commission may grant such relief and may impose such alternative requirements as it determines is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest giving due consideration to the burden upon the licensee that could result if the requirements were imposed at Turkey Point Unit 3.

This verbal authorization does not preclude the NRC staff from asking additional clarification questions regarding Relief Request No. 8 while preparing the subsequent written safety evaluation (SE). The written SE should be issued within 150 days in accordance with Office of Nuclear Reactor Regulation standards. This verbal authorization summary will be publicly available in the NRC ADAMS in the next few days.

Enclosure

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