



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

April 15, 2011

Mr. Mano Nazar
Executive Vice President and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: TURKEY POINT UNITS 3 AND 4 - WITHDRAWAL OF AN AMENDMENT
REQUEST (TAC NOS. ME5775 AND ME5776)

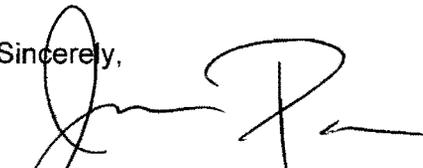
Dear Mr. Nazar:

By letter dated March 3, 2011, Florida Power & Light Company (FPL, the licensee) applied for an amendment to the Turkey Point, Units 3 and 4 Operating Licenses No. DPR-31 and DPR-41, respectively. The proposed change would have modified the facility technical specifications surveillance requirements 4.8.2.1 pertaining to periodic verification of battery bank capacity and intercell and connection resistance. While the Nuclear Regulatory Commission (NRC) staff was completing its acceptance review, three draft acceptance review questions were sent to you via email. See Enclosure for the draft acceptance review questions.

On April 5, 2011, the NRC staff and FPL held a teleconference to discuss the draft acceptance review questions. During the call, the NRC staff categorized item 1 as an acceptance review question and items 2 and 3 as nonconservatisms identified by the staff while reviewing the application and the associated licensing basis. In its draft acceptance review questions for item 1, the NRC staff provided two options to the licensee, either, supplement the license amendment request or withdraw and resubmit. In regards to items 2 and 3, the licensee stated during the teleconference that they would follow-up with the items by entering them into Turkey Point's corrective action program, and notify the NRC staff of its conclusions. Subsequently, by letter dated April 13, 2011, FPL withdrew the amendment request.

The purpose of this letter is to advise that the above-cited application is being treated as withdrawn. Notice of Consideration of Issuance of the proposed amendment had not been published in the *Federal Register*.

Sincerely,



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

Docket Nos. 50-250 and 50-251

Enclosure: Draft Acceptance Review Questions

cc w/encl: Distribution via Listserv

DRAFT ACCEPTANCE REVIEW QUESTIONS

DC SOURCES SURVEILLANCE REQUIREMENTS

LICENSE AMENDMENT REQUEST

FLORIDA POWER & LIGHT CO.

TURKEY POINT, UNITS 3 AND 4

DOCKET NOS. 50-250 AND 50-251

1. Deletion of measurement of battery cell connection resistances from TS (SRs 4.8.1.b.2 and c.3) and move to plant battery maintenance procedures

CDBI inspection, in 2008, identified that the battery cell interconnection resistance values ≤ 150 micro-ohms in technical specification (TS) surveillance requirements (SRs) 4.8.1.b.2 and c.3 do not match with the values used in safety related battery voltage drop calculation. The calculation considered much lower values of cell interconnection resistance (30-40 micro-ohms) based on plant maintenance procedures.

In the license amendment request (LAR), the licensee proposed to delete measurement of battery cell connection resistances from the TSs (SRs 4.8.1.b.2 and c.3) and move to plant battery maintenance procedures. The licensee stated in the LAR that TS SR battery discharge and capacity demonstrate the battery is capable of meeting the design basis requirements. The licensee cited NUREG-1431 as part of its basis for relocating the battery resistance SR criteria to a battery monitoring and maintenance program based on the parameters of IEEE Standard 450-1995. Technical Specification Task Force (TSTF)-360, "DC Sources Rewrite," which was incorporated into NUREG-1431, was the initial step by the NRC, and the industry/utility group to collectively address DC battery SRs for disseminating between operability issues versus maintenance issues. However, after TSTF-360 was issued, many deficiencies and issues were identified (these issues and industry response can be found in meeting summaries dated July 21, 2006, Agencywide Document and Management System (ADAMS) Accession No. ML062200549 and August 15, 2006, ADAMS Accession No. ML062060207). As such, the TSTF working group decided to perform a comprehensive review to resolve the past deficiencies and to incorporate the lessons learned from TSTF-360 into a new TSTF (TSTF-500). At the same time, it was also decided to continue reviewing the in-house amendment requests at that time. Since the TSTF working group initiated the TSTF-500, the Nuclear Regulatory Commission (NRC) staff has not approved any amendment requests based on TSTF-360 (i.e., NUREG-1431). This includes not approving the relocation of battery resistance measurements (see recent precedents for Catawba/McGuire, Cooper, and Wolf Creek). Furthermore, TSTF-360 and 500 were both written from a holistic standpoint and were not intended to allow partial implementation.

The NRC staff review finds that the amendment request does not contain sufficient information based on the above referenced past precedents. Based on the above, the NRC staff finds this portion of the license amendment request unacceptable with the opportunity to supplement. Therefore, the licensee can either supplement the amendment request to provide specific battery resistance values (in lieu of relocating to an administrative program) or withdraw and

resubmit the license amendment request in accordance with TSTF-500 (when approved). Currently, TSTF-500 is in the review stage and is expected to be issued by the middle of 2011.

2. TS SR 4.8.2.1.e reads: "At least once per 18 months during shutdown**, by giving performance discharge tests....."

While reviewing the subject LAR, the NRC staff identified that TS SR 4.8.2.1.e provides a surveillance requirement of 18 months instead of 12 months for completing the performance discharge tests.

It is the NRC staff's position that SR 4.8.2.1.e should be consistent with industry standard IEEE 450-1995 Section 5.2.c which recommends "Annual performance tests of battery capacity should be made on any battery that shows signs of degradation or has reached 85% of the service life expected for the application. Degradation is indicated when the battery capacity drops more than 10% from its capacity on the previous performance test, or is below 90% of the manufacturer's rating." The NRC staff requests that you provide the technical basis for why an 18 month surveillance requirement is acceptable as opposed to "at least once per 12 months."

3. Service and Performance Tests Duration

According to the Final Safety Analysis Report (Section 8.2.2.3.1): "Each battery has been sized to support operation of its required loads for two hours without terminal voltage falling below its minimum required value. The capability of the safety related batteries to provide required power is demonstrated by the performance of 30 minute service and performance tests in accordance with the plant's Technical Specifications. This service testing time of 30 minutes is conservatively based on the time required to manually load a charger during a station blackout event." According to the LAR (Page 9 of the enclosure): "Each battery shall be sized to provide power to its loads for **two hours** during a design basis accident concurrent with a Loss of Offsite Power (LOOP). . ."

It is the NRC staff's position that the service test duration should match the designed duty cycle (two hours) of safety-related loads. The performance discharge test to verify the battery capacity is typically more than 30 minutes. Provide justification why the service test is not performed for two hours to match the designed duty cycle of safety-related loads of batteries. Provide justification for duration of the performance discharge test to verify the battery capacity.

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/RA/

Jason C. Paige, Project Manager
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