

November 5, 2012

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

TURKEY POINT NUCLEAR GENERATING STATION UNIT NOS. 3 AND 4 -SUBJECT: ISSUANCE OF AMENDMENTS REGARDING REVISION TO TECHNICAL SPECIFICATIONS 3.7.5, "CONTROL ROOM EMERGENCY VENTILATION SYSTEM" (TAC NOS. ME9211 AND ME9212)

Dear Mr. Nazar:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 253 to Renewed Facility Operating License No. DPR-31 and Amendment No. 249 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Nuclear Generating Station (TPN), Unit Nos. 3 and 4, respectively. The amendments consist of changes to the Technical Specifications (TSs) in response to your application dated August 7, 2012.

The amendments revise TPN Unit Nos. 3 and 4 TS 3.7.5, "Control Room Emergency Ventilation System." The TS change adds a footnote that modifies system requirements for operations during MODES 5 and 6.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

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Farideh E. Saba, Senior Project Manager Plant Licensing Branch II-2 Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosures:

- 1. Amendment No. 253 to DPR-31
- 2. Amendment No. 249 to DPR-41
- 3. Safety Evaluation

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# FLORIDA POWER AND LIGHT COMPANY

# DOCKET NO. 50-250

# TURKEY POINT NUCLEAR GENERATING STATION UNIT NO. 3

### AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 253 Renewed License No. DPR-31

- 1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Florida Power and Light Company (the licensee) dated August 7, 2012, 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.

- 2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-31 is hereby amended to read as follows:
  - B. <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A, as revised through Amendment No.253 are hereby incorporated into this renewed license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into this renewed license. The licensee 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Jessie F. Quichocho, Acting Chief Plant Licensing Branch II-2 Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating License and Technical Specifications

Date of Issuance: November 5, 2012



# FLORIDA POWER AND LIGHT COMPANY

# DOCKET NO. 50-251

### TURKEY POINT NUCLEAR GENERATING STATION UNIT NO. 4

### AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 249 Renewed License No. DPR-41

- 1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Florida Power and Light Company (the licensee) dated August 7, 2012, 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.

- 2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 3.B of Renewed Facility Operating License No. DPR-41 is hereby amended to read as follows:
  - B. <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A, as revised through Amendment No. <sup>249</sup>are hereby incorporated into this renewed license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into this renewed license. The licensee 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 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION

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Plant Licensing Branch II-2 Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating License and Technical Specifications

Date of Issuance: November 5, 2012

### ATTACHMENT TO LICENSE AMENDMENT

# AMENDMENT NO. 253 RENEWED FACILITY OPERATING LICENSE NO. DPR-31 AMENDMENT NO. 249 RENEWED FACILITY OPERATING LICENSE NO. DPR-41

### DOCKET NOS. 50-250 AND 50-251

Replace Page 3 of Renewed Operating License DPR-31 with the attached Page 3.

Replace Page 3 of Renewed Operating License DPR-41 with the attached Page 3.

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

Remove pages

Insert pages

3/4 7-16b

3/4 7-16b

- E. Pursuant to the Act and 10 CFR Parts 40 and 70 to receive, possess, and use at any time 100 milligrams each of any source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactively contaminated apparatus;
- F. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Turkey Point Units Nos. 3 and 4.
- This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; 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, and is subject to the additional conditions specified below:
  - A. <u>Maximum Power Level</u>

3.

The applicant is authorized to operate the facility at reactor core power levels not in excess of 2644 megawatts (thermal).

#### B. <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A, as revised through Amendment No. 253 are hereby incorporated into this renewed license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into this renewed license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

### C. Final Safety Analysis Report

The licensee's Final Safety Analysis Report supplement submitted pursuant to 10 CFR 54.21(d), as revised on November 1, 2001, describes certain future inspection activities to be completed before the period of extended operation. The licensee shall complete these activities no later than July 19, 2012.

The Final Safety Analysis Report supplement as revised on November 1, 2001, described above, shall be included in the next scheduled update to the Final Safety Analysis Report required by 10 CFR 50.71(e)(4), following the issuance of this renewed license. Until that update is complete, the licensee may make changes to the programs described in such supplement without prior Commission approval, provided that the licensee evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

- E. Pursuant to the Act and 10 CFR Parts 40 and 70 to receive, possess, and use at any time 100 milligrams each of any source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactively contaminated apparatus;
- F. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Turkey Point Units Nos. 3 and 4.
- 3. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; 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, and is subject to the additional conditions specified below:
  - A. <u>Maximum Power Level</u>

The applicant is authorized to operate the facility at reactor core power levels not in excess of 2644 megawatts (thermal).

B. <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A, as revised through Amendment No. 249 are hereby incorporated into this renewed license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into this renewed license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

### C. Final Safety Analysis Report

The licensee's Final Safety Analysis Report supplement submitted pursuant to 10 CFR 54.21(d), as revised on November 1, 2001, describes certain future inspection activities to be completed before the period of extended operation. The licensee shall complete these activities no later than April 10, 2013.

The Final Safety Analysis Report supplement as revised on November 1, 2001, described above, shall be included in the next scheduled update to the Final Safety Analysis Report required by 10 CFR 50.71(e)(4), following the issuance of this renewed license. Until that update is complete, the licensee may make changes to the programs described in such supplement without prior Commission approval, provided that the licensee evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

#### PLANT SYSTEMS

#### 3/4.7.5 CONTROL ROOM EMERGENCY VENTILATION SYSTEM

#### LIMITING CONDITION FOR OPERATION (continued)

- b. With the Control Room Emergency Ventilation System inoperable due to an inoperable CRE boundary, immediately suspend all movement of irradiated fuel in the spent fuel pool, and immediately initiate action to implement mitigating actions, and within 24 hours, verify mitigating actions ensure CRE occupant radiological and chemical hazards will not exceed limits, and CRE occupants are protected from smoke hazards, and restore CRE boundary to OPERABLE status within 90 days, or:
  - 1) With the requirements not met, be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours.
  - 2) If this ACTION applies to both units simultaneously, be in HOT STANDBY within 12 hours and in COLD SHUTDOWN within the following 30 hours.

#### MODES 5 and 6:

c. With the Control Room Emergency Ventilation System inoperable++, immediately suspend all operations involving CORE ALTERATIONS, movement of irradiated fuel in the spent fuel pool, or positive reactivity changes. This ACTION shall apply to both units simultaneously.

#### SURVEILLANCE REQUIREMENTS

- 4.7.5 The Control Room Emergency Ventilation System shall be demonstrated OPERABLE:
  - At least once per 12 hours by verifying that the control room air temperature is less than or equal to 120°F;
  - b. At least once per 31 days by initiating, from the control room, flow through the HEPA filters and charcoal adsorbers and verifying that the system operates for at least 15 minutes\*\*\*;
  - c. At least once per 18 months or (1) after 720 hours of system operation, or (2) after any structural maintenance on the HEPA filter or charcoal adsorber housings, or (3) following exposure of the filters to effluents from painting, fire, or chemical release in any ventilation zone communicating with the system that may have an adverse effect on the functional capability of the system, or (4) after complete or partial replacement of a filter bank by:

<sup>++</sup> If action per ACTIONS a.4, a.6, a.7, a.8, or a.9 is taken that permits indefinite operation and the system is placed in recirculation mode, then CORE ALTERATIONS, movement of irradiated fuel in the spent fuel pool, and positive reactivity changes may resume.

<sup>\*\*\*</sup>As the mitigation actions of TS 3.7.5 Action a.5 may include the use of the compensatory filtration unit, the unit shall meet the surveillance requirements of TS 4.7.5.b, by manual initiation from outside the control room and TS 4.7.5.c and d.



# SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

# RELATED TO AMENDMENT NO. 253 TO

# RENEWED FACILITY OPERATING LICENSE NO. DPR-31 AND

# AMENDMENT NO. 249 TO TO RENEWED FACILITY OPERATING LICENSE NO. DPR-41

# FLORIDA POWER AND LIGHT COMPANY

# TURKEY POINT PLANT, UNIT NOS. 3 AND 4

# DOCKET NOS. 50-250 AND 50-251

### 1.0 INTRODUCTION

By application dated August 7, 2012 (Agencywide Documents Access and Management System Accession No. ML12221A392), Florida Power and Light (the licensee) proposed an amendment to the Technical Specifications (TSs) for Turkey Point Nuclear Generating Station (TPN) Unit Nos. 3 and 4. The requested change adds a footnote to TPN Unit Nos. 3 and 4 TSs 3.7.5, "Control Room Emergency Ventilation System [CREVS]," that would modify system requirements for operations during MODES 5 and 6.

The U.S. Nuclear Regulatory Commission (NRC, Commission) staff's original proposed no significant hazards consideration determination was published in the *Federal Register* on October 2, 2012 (77 FR 60151). The Commission final determination that the amendment request involves no significant hazards consideration is provided in Section 4 of this safety evaluation.

# 2.0 <u>REGULATORY EVALUATION</u>

The NRC's regulatory requirements related to the content of TS are set forth in Section 50.36 of Title 10 of *Code of Federal Regulations* (10 CFR). This regulation requires that the TS include items in five specific categories. These categories include (1) safety limits, limiting safety system settings and limiting control settings, (2) limited condition of operations, (3) surveillance requirements, (4) design features, and 5) administrative controls.

The NRC staff reviewed the proposed changes for compliance with 10 CFR 50.36. In general, licensees must fully describe and justify the desired TS changes.

Licensees may revise the TSs provided that plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative, or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee's current requirement, or (3) the change is less restrictive than the licensee's current requirement, but nonetheless still affords reasonable assurance of safety when judged

against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of specific proposed changes.

The NRC staff evaluated the TS changes contained in the licensee's amendment request by comparing them to the requirements of 10 CFR 50.36.

### 3.0 TECHNICAL EVALUATION

TS 3.7.5 contains requirements for the operation of CREVS. The CREVS is required to be operable in all MODES. Actions "a.1" through "a.9" describe the required actions for cases when the CREVS is inoperable in MODES 1 through 4. Action "c" contains required actions for cases when the CREVS is inoperable in MODES 5 and 6.

On June 23, 2011, the NRC issued a license amendment that, among other things, changed TS 3.7.5. The changes facilitated the licensee's request to use the alternative source term analysis. One of the TS changes was a footnote that applied to actions "a.4," "a.6," "a.7," "a.8," and "a.9." The actions require, among other things, immediate suspension of all irradiated fuel movement. Action "a.4" applies for the case of an inoperable recirculation damper. Action "a.6" applies for the case of an inoperable damper in the normal outside air intake. Action "a.7" applies for the case of an inoperable damper in the emergency outside air intake. Action "a.8" applies for the case of an inoperable isolation damper in the kitchen area exhaust duct. Action "a.9" applies for the case of an inoperable isolation damper in the toilet area exhaust duct. The footnote stated that if action is taken such that indefinite operation is permitted and the system is placed in recirculation mode, then movement of irradiated fuel may resume. Turkey Point is currently in long term actions "a.8" and "a.9," for the kitchen area and toilet exhaust dampers. The motor-operated dampers are closed and both exhaust ducts are blanked off pending further design review.

Action "c" applies when the CREVS is inoperable in MODES 5 and 6 and requires immediate suspension of all operations involving CORE ALTERATIONS, movement of irradiated fuel in the spent fuel pool or positive reactivity changes and applies to both units simultaneously.

The licensee proposed adding a similar footnote applicable to Action "c" that would allow resumption of CORE ALTERATIONS, movement of irradiated fuel in the spent fuel pool and positive reactivity changes if action is taken such that the CREVS function is fully restored. The licensee proposed the following footnote to apply to Action "c":

<sup>++</sup>If action per ACTIONS a.4, a.6, a.7, a.8, or a.9 is taken such that indefinite operation is permitted and the system is placed in recirculation mode, then CORE ALTERATIONS, movement of irradiated fuel in the spent fuel pool, or positive reactivity changes may resume.

The licensee justified the proposed change by stating:

The annotation of the modified <sup>++</sup>footnote to TS 3.7.5 Action "c" is required to assure the plant's ability to offload and load fuel. TS 3.7.5 Action "c," as currently worded, would prevent the offload of the core at the commencement of the Unit 4 Cycle 27 refueling

outage if Turkey Point is in a long term action (e.g., a.8 and a.9, as expected for the kitchen area and toilet exhaust dampers noting that the motor-operated dampers are closed and both exhaust ducts are blanked off pending further design review).

The NRC staff reviewed the proposed change as well as the licensee's justification for the change. The staff categorized the change as less restrictive since it reduces the restrictions on operations. While the change is less restrictive, the staff noted it still affords adequate assurance of safety when judged against current regulatory standards because, like the existing footnote for Actions "a.4," "a.6," "a.7," "a.8," and "a.9," prevents operations until CREVS function is fully restored. The NRC staff also determined that the proposed change meets the requirements of 50.36. Therefore, the NRC staff determined that the proposed footnote addition for Action "c" is acceptable.

### 4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission may issue the license amendments before the expiration of the 60-day period provided that its final determination is that the amendment involve no significant hazards consideration. These amendments are being issued prior to the expiration of the 60-day period. Therefore, a final finding of no significant hazards consideration follows.

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

Response: No.

The proposed amendments do not change or modify the fuel, fuel handling processes, fuel storage racks, number of fuel assemblies that may be stored in the spent fuel pool (SFP), decay heat generation rate, or the spent fuel pool cooling and cleanup system. The proposed TS change will allow core alterations, fuel movement, and positive reactivity changes in Modes 5 and 6 subject to the conditions specified in the <sup>++</sup>footnote that actions have been taken to permit indefinite system/component operation and the system is in recirculation mode. The proposed change corrects a clerical error by annotating TS 3.7.5 Action "c" with a modified footnote consistent with the stated intent of the original license submittals. The proposed amendments do not cause any physical change to the existing spent fuel storage configuration or fuel makeup. The proposed amendments do not affect any precursors to any accident previously evaluated or do not affect any known mitigation equipment or strategies.

Therefore, the proposed changes do not involve a significant increase in 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.

The proposed amendments do not change or modify the fuel, fuel handling processes, fuel racks, number of fuel assemblies that may be stored in the pool, decay heat generation rate, or the spent fuel pool cooling and cleanup system. The proposed TS change will allow core alterations, fuel movement, and positive reactivity changes in Modes 5 and 6 subject to the conditions specified in the ++footnote that actions have been taken to permit indefinite system/component operation and the system is in recirculation mode. The proposed change corrects a clerical error by annotating TS 3.7.5 Action "c" with a modified footnote consistent with the stated intent of the original license submittals.

Therefore, it is concluded that this change does 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.

The proposed amendments do not change or modify the fuel, fuel handling processes, fuel racks, number of fuel assemblies that may be stored in the pool, decay heat generation rate, or the spent fuel pool cooling and cleanup system. Therefore, the proposed amendments have no impact to the existing margin of safety for subcriticality required by 10 CFR 50.68 (b)(4).

Therefore, it is concluded that the proposed change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and based on this review, determined that the three standards of 10 CFR 50.92 are satisfied. Therefore, the NRC staff has determined that the amendments involve no significant hazards consideration.

# 5.0 STATE CONSULTATION

Based upon a letter dated May 2, 2003, from Michael N. Stephens of the Florida Department of Health, Bureau of Radiation Control, to Brenda L. Mozafari, Senior Project Manager, U.S. Nuclear Regulatory Commission, the State of Florida does not desire notification of issuance of license amendments.

#### 6.0 ENVIRONMENTAL CONSIDERATION

These amendments involve a change in the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendments involve 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 has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (77 FR 60151). Accordingly, these amendments meet 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 amendments.

### 5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: Mathew E. Hamm

Date: November 5, 2012

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 NUCLEAR GENERATING STATION UNIT NOS. 3 AND 4 -ISSUANCE OF AMENDMENTS REGARDING REVISION TO TECHNICAL SPECIFICATIONS 3.7.5, "CONTROL ROOM EMERGENCY VENTILATION SYSTEM" (TAC NOS. ME9211 AND ME9212)

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A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

#### /RA by Tracy Orf for/

Farideh E. Saba, Senior Project Manager Plant Licensing Branch II-2 Division of Operating Reactor Licensing Office of Nuclear Reactor Regulation

\* By Memo

Docket Nos. 50-250 and 50-251

Enclosures:

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- 2. Amendment No. 249 to DPR-41

3. Safety Evaluation

cc w/enclosures: Distribution via Listserv

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