

UNITED STATES NUCLEAR REGULATORY COMMISSIONFLORIDA POWER AND LIGHT COMPANY, ET ALDOCKET NO. 50-389

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE AND PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-16, issued to Florida Power and Light Company (FP&L), Orlando Utilities Commission of the City of Orlando, Florida and Florida Municipal Power Agency (the Licensees), for operation of the St. Lucie Plant, Unit 2 located in St. Lucie County, Florida.

The amendment would make several administrative and/or editorial changes to the Technical Specifications (TS) for St. Lucie 2, in accordance with the licensee's application dated June 17, 1983.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed 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 would 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.

The Commission has provided guidance for the application of these criteria

by providing examples of amendments that are considered not likely to involve

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a significant hazards consideration (48 FR 14870). One such example (see example (i) of 10 CFR 50.92) is a purely administrative change to technical specifications; for example, a change to achieve consistency throughout the TS or correction of an error. The purpose of the changes being proposed by the licensee and discussed below is to achieve consistency throughout the technical specifications and correct errors. The sections of the TS changes are as follows:

A. Section 3.4.1.1 - In the footnote, delete "and 3.10.6".

Initially, there was a Special Test Exception 3.10.6 to facilitate Natural Circulation Testing; however due to the approval of a less involved procedure for Natural Circulation Testing, the exceptions necessary to facilitate the testing were incorporated into the individual technical specifications and the Special Test Exception 3.10.6 was deleted. This reference to Special Test Exception 3.10.6 was mistakenly left in the text.

B. Section 4.7.1.6b - Change the "5.6" and the "5.35" to "4.2".

Unlike most CE plants, St. Lucie does not have main feedwater line check valves and as a result required a technical specification for the main feedwater isolation valve. During the development of this technical specification the valve closure times for the Main Steam Isolation Valves (MSIV) was incorrectly inserted into the valve closure times for the Main Feedwater Isolation Valves (MFIVs), which are required to close faster than the MSIVs. This change will make the valve closure times for the MFIVs consistent with the safety analysis.

C. Sections 3.7.2, 3.7.2a, 4.7.2 and Bases 3/4.7.2 - Change "275" to "200"; also in Bases 3/4.7.2, change "30" to "20".

The bases for the "275" to "200" change is to ensure that pressure

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toughness of steam generator materials. The pressure-temperature limits for the steam generators are reviewed in accordance with the fracture toughness requirements of Standard Review Plan SRP 5.4.2.1, "Steam Generator Materials". This SRP requires that the primary side steam generator materials must meet the fracture toughness requirements of Appendix G, 10 CFR Part 50, and that the secondary side steam generator materials must meet the fracture toughness requirements of Section III, Subarticle NC 2300 of the ASME Code. The Edition and Addenda of the ASME Code applicable to the secondary side materials is described in Section 50-55a, 10 CFR Part 50, as the 1980 Edition and Addenda through the Winter 1980 Addenda. Pressure-temperature limits, which meet these code and regulatory requirements, will ensure that pressure induced stresses in the steam generator do not exceed the fracture toughness of the steam generator materials. Our review indicates that the pressure-temperature limits proposed by the licensee meet the fracture toughness requirements of SRP 5.4.2.1. The reason for the "30" to "20" change is that the current limits are based on a steam generator RT<sub>NDT</sub> of 20°F.

D. Section 6.9.1.10-Delete the words "first half year".

The deletion of the words "first half year" from the second footnote on page 6-20 is acceptable because we find this change to be editorial, serving to clarify the statement in the footnote.

Therefore, based on the discussion above and the three criteria cited above, it is determined that the changes proposed in this amendment request involve no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will

be considered in making any final determination. The Commission will not normally

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make a final determination unless it receives a request for a hearing. Comments should be addressed to the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, ATTN: Docketing and Service Branch.

By October 21, 1983, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has

filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.



If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

--A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, .

Washington, D.C. 20555; Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W. Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 in (Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to George W. Knighton: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Harold F. Reis, Esq., Lowenstein, Newman, Reis, Axelrad & Toll, 1025 Connecticut Avenue, N.W., Washington, D.C. 20036, attorney for the licensees.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).



For further details with respect to this action, see the application for amendment which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Indian River Community College Library, 3209 Virginia Avenue, Ft. Pierce, Florida 33450.

Dated at Bethesda, Maryland, this 15th day of September 1983.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by:  
George W. Knighton

George W. Knighton, Chief  
Licensing Branch No. 3  
Division of Licensing

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