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AUTH. NAME AUTHOR AFFILIATION
WOODY, C. O. Florida Power & Light Co.
RECIP. NAME RECIPIENT AFFILIATION
Document Control Branch (Document Control Desk)

SUBJECT: Application for amend to License DPR-41, adding license conditions to implement IAEA safeguards at facility. Bases for proposed amend & no significant hazzards determination evaluation encl.

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FPL

FEBRUARY 20 1987

L-87-80

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555

Gentlemen:

Re: Turkey Point Unit 4
Docket No. 50-251
Proposed License Amendment
IAEA Safeguards License Conditions

In accordance with 10 CFR 50.90, Florida Power & Light Company (FPL) requests that Facility Operating License DPR 41 be amended to add license conditions to implement International Atomic Energy Agency (IAEA) Safeguards at Turkey Point Unit 4, incorporating by reference Facility Attachment No. 12, Safeguards Agreement between the USA and IAEA, dated October 1, 1986. FPL has reviewed that Facility Attachment and there were no further comments. The proposed license conditions are included in Attachment 1.

The proposed amendment has been reviewed by the Turkey Point Plant Nuclear Safety Committee and the FPL Company Nuclear Review Board.

In accordance with 10 CFR 91(b)(1), a copy of the proposed amendment is being forwarded to the State Designee for the state of Florida.

No application fee is being submitted in accordance with 10 CFR 70.11(a)(10).

Attachment 2 provides an evaluation of the proposed action in light of the no significant hazards standards contained in 10 CFR 50.92.

Very truly yours,

C. O. Woody
Group Vice President
Nuclear Energy

Attachments

cc: Dr. J. Nelson Grace, NRC Region II
Senior Resident Inspector, USNRC, Turkey Point Plant
Mr. Lyle Jerrett, Florida Dept. of Health and Rehabilitative Services

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STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

C. O. Woody being first duly sworn, deposes and says:

That he is a Group Vice President of Florida Power & Light Company, the Licensee herein;

That he has executed the foregoing document; that the statements made in this document are true and correct to the best of his knowledge, information, and belief, and that he is authorized to execute the document on behalf of said Licensee.

C. O. Woody

Subscribed and sworn to before me this

20 day of February, 1987.

NOTARY PUBLIC, in and for the County of Palm Beach, State of Florida

My Commission expires: NOTARY PUBLIC STATE OF FLORIDA MY COMMISSION EXP SEPT 18,1989 BONDED THRU GENERAL INS. UND.

ATTACHMENT I

TURKEY POINT UNIT 4 (TP4)

PROPOSED IAEA SAFEGUARDS LICENSE CONDITIONS

1. Incorporation of Facility Attachment:

   - Pursuant to 10 CFR 75.8, NRC License No. DPR-41 is hereby amended to incorporate by reference Codes 1. through 7. of Facility Attachment No. 12 dated October 1, 1986, to the US/IAEA Safeguards Agreement.

2. Facility Attachment Code 7.9

   The specific facility health and safety rules and regulations to be observed by the Agency's (IAEA) inspectors, as specified in Paragraph 5 of the design information as of October 11, 1985, provided by the USA mean:

   - Agency inspectors who have previously visited the facility will be informed as necessary at the time of entry into the facility of health and safety rules and ad hoc rules as might be required in view of a special situation that has occurred at the facility since the inspectors' last visit to the facility. The briefing will be of a short duration, not to exceed 30 minutes, covering topics deemed relevant by the licensee.

   - Agency inspectors who have not previously visited the facility will be informed as necessary at the time of entry into the facility of health and safety rules and ad hoc rules as might be required in view of a special situation that has occurred at the facility. The briefing will be of an appropriate duration, not to exceed three hours, and consist of topics deemed relevant by the licensee.

   - In either case, the licensee should take into account the Agency inspector's prior training, expertise and experience. In neither case shall the Agency inspector be subject to any form of evaluation or testing by facility representatives or representatives of the U. S. Government.

   - For health and safety reasons, Agency inspectors will be escorted by qualified facility personnel at times deemed appropriate by the licensee.

3. Termination:

   - Pursuant to the provisions of 10 CFR 75.41, the Commission will inform the licensee, in writing, when its installation is no longer subject to Article 39(b) of the principal text of the US/IAEA Safeguards Agreement. The IAEA Safeguards License Conditions incorporating Code 7. of the Facility Attachment as part of NRC License No. DPR-41 will be terminated as of the date of such notice from the Commission. However, since the IAEA may elect to maintain the licensee's installation under Article 2(a) of the Protocol, provisions equivalent to Codes 1. through 6. of the Facility Attachment (with possible appropriate modifications) may still apply, and accordingly all other IAEA Safeguards License Conditions to NRC License No. DPR-41 will remain in effect until the Commission notifies the licensee otherwise. If this option is not selected by the IAEA, the Commission will then notify the licensee that all License Conditions pertaining to the US/IAEA Safeguards Agreement are terminated.

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ATTACHMENT II

BASES FOR PROPOSED LICENSE AMENDMENT AND NO SIGNIFICANT HAZARDS DETERMINATION EVALUATION

Description of Amendment Request:

The proposed amendment would implement International Atomic Energy Agency (IAEA) Safeguards at Turkey Point Unit 4 (the facility) by the addition of license conditions subjecting the facility to IAEA safeguards inspections. The purpose of IAEA safeguards inspection is to permit the IAEA to verify that source or special fissionable material at the facility is not withdrawn (except as provided in the US/IAEA Safeguards Agreement) from the facility while such material is being safeguarded under the Agreement. The Agreement was ratified as a treaty on July 2, 1980. Under the US's Treaty with the IAEA on the Non-Proliferation of Nuclear Weapons, the US is committed to permit the IAEA to apply safeguards in the US in the same manner as the IAEA does in non-nuclear weapons states.

By letter dated September 5, 1985, FPL was informed that Turkey Point Unit 4 had been identified by the IAEA under Article 39(b) of the Agreement for the application of IAEA Safeguards. Under the Agreement, the IAEA is allowed to identify the facilities (from among the list provided by the US in accordance with Article 1(b) of the Agreement) in which it wishes to apply safeguards. In the same letter, FPL was advised that the US and the IAEA would develop a Facility Attachment, which would define the IAEA safeguards inspection program, for Turkey Point Unit 4 in consultation with the licensee. By letter dated November 4, 1985, FPL provided the NRC staff with a description of the Turkey Point Unit 4 facility design, the nuclear material control procedures and the accounting procedures. Using the information provided in the above Letter, a draft Facility Attachment was developed in accordance with the requirements in 10 CFR Part 75 and transmitted to FPL by letter dated June 5, 1986 for its review and comment.

Part 75 provides that a Facility Attachment will be referenced in a license condition and it authorizes the Commission to issue license amendments, as necessary, for the implementation of the principal text of the US/IAEA Safeguards Agreement and the Facility Attachment (as amended from time to time). FPL provided comments on the Facility Attachment in a letter dated July 18, 1986 (L-86-301). The proposed amendment would specify through reference to the Facility Attachment:

(1) The features of the facility and nuclear material relevant to the application of safeguards to nuclear material in sufficient detail to facilitate verification;

(2) The material balance areas to be used for IAEA accounting purposes and those strategic points which are key measurement points and which will be used to determine flow and inventory of nuclear material;

(3) The nominal timing and procedures for taking of physical inventory of nuclear material for IAEA accounting purposes;

(4) The records and reports requirements and records evaluation procedures;

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(5) Requirements and procedures for verification of the quantity and location of nuclear material;

(6) Appropriate combinations of containment and surveillance methods and techniques at the strategic points at which they are to be applied;

(7) Loss limits and changes in containment pertaining to special report requirements;

(8) Actions required to be taken at the request of an IAEA inspector;

(9) Types of modifications with respect to which information is required in advance;

(10) Procedures to be used for documentation of requests pertaining to expenses; and

(11) Requirements related to the installed IAEA instruments and devices, namely seals in the containment and surveillance cameras in the containment and in the spent fuel pool area.

Basis for No Significant Hazards Consideration Determination:

The Commission has provided standards for determining whether a significant hazards consideration exists (10 CFR 50.92(c)). A proposed amendment to an operating license for the facility involves no significant hazards consideration if 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 IAEA safeguards inspection program, and any equipment used as part of the program, is not related to any accident previously evaluated, does not alter any safety related design basis of the facility or its operation, and does not affect any margin of safety.

Therefore, operation of the facility in accordance with the proposed amendment would not involve a signficant hazards consideration and would pose no threat to the public health and welfare.

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