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AUTH. NAME    AUTHOR AFFILIATION  
GOLDBERG, J.H.    Florida Power & Light Co.  
RECIP. NAME    RECIPIENT AFFILIATION  
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SUBJECT: Application for amend to License DPR-41, deleting LC 3.J,  
"IAEA Safeguards."

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TITLE: Part 75 IAEA Safeguards Data

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NOVEMBER 1-7 1989

L-89-391

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  
International Atomic Energy Agency (IAEA) Safeguards

In accordance with 10 CFR 50.90, Florida Power & Light Company (FPL) requests that Appendix A of Facility Operating License DPR-41 be amended to delete License Condition 3.J, "IAEA Safeguards". By letter dated December 2, 1988, the NRC informed FPL, in accordance with 10 CFR 75.41 and the termination provisions of License Condition 3.J, that the license condition was terminated, and that it could be deleted. 6

FPL has determined that the proposed amendment does not involve a significant hazards consideration pursuant to 10 CFR 50.92. A description of the amendment request and the basis for a no significant hazards determination is provided in Attachment 1.

In accordance with 10 CFR 50.91(b)(1), a copy of this proposed license amendment is being forwarded to the State Designee for the State of Florida.

In accordance with 10 CFR 170.12(a)(10), no fee is required.

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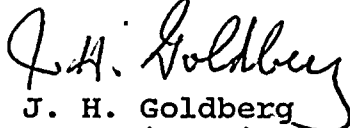
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The proposed amendment has been reviewed by the Turkey Point Plant Nuclear Safety Committee and the FPL Company Nuclear Review Board.

Should there be any questions on this request, please contact us.

Very truly yours,



J. H. Goldberg  
Executive Vice President

JHG/TCG/gp

Attachments

cc: Stewart D. Ebnetter, Regional Administrator, Region II, USNRC  
Senior Resident Inspector, USNRC, Turkey Point Plant  
Mr. Jacob Daniel Nash, Florida Department of Health and  
Rehabilitative Services

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


J. H. Goldberg being first duly sworn, deposes and says:

That he is Executive Vice President, of Florida Power and 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.

  
\_\_\_\_\_  
J. H. Goldberg

Subscribed and sworn to before me this  
17 day of November, 1989.

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

My Commission expires \_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires June 1, 1993  
Bonded Thru Troy Fain - Insurance Inc.

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ATTACHMENT 1

DESCRIPTION OF AMENDMENT REQUEST AND  
BASIS FOR NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION



**TURKEY POINT UNIT 4**  
**PROPOSED LICENSE AMENDMENT**

**TITLE:** International Atomic Energy Agency (IAEA) Safeguards

**DESCRIPTION OF AMENDMENT REQUEST:**

The United States of America is committed by treaty to permit the IAEA to apply safeguards in the U.S. in the same manner as in non-nuclear weapons countries. On July 19, 1985, Florida Power & Light Company's (FPL) Turkey Point Plant, Unit 4, was selected by the IAEA under Article 39(b) of the US/IAEA Safeguards Agreement for application of IAEA safeguards. The IAEA safeguards inspection program permits the IAEA to verify that source or special nuclear material at the facility is not withdrawn (except as provided in the US/IAEA agreement) from the facility while such material is being safeguarded under the agreement. By letter dated September 5, 1985 the NRC informed FPL of the Turkey Point Plant selection. Amendment No. 117 to Facility Operating License DPR-41, issued April 10, 1987, implemented the IAEA safeguards inspection program at Turkey Point Unit 4 by adding License Condition 3.J, "IAEA Safeguards".

In early 1988, the IAEA informed the U.S. Department of State that Turkey Point Unit 4 had been deleted from the subsidiary arrangement listing as provided for in Article 39(A)(1). Consequently, the unit would no longer be subject to IAEA safeguards inspections. By letter dated December 2, 1988, the NRC informed FPL, in accordance with 10 CFR 75.41, and the termination provisions of License Condition 3.J, that the license condition was terminated and that the license condition could now be deleted.

This proposed amendment would delete License Condition 3.J.

**BASIS FOR NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION**

The Commission has provided standards in 10 CFR 50.92(c) for determining whether a significant hazards consideration exists. A proposed amendment to an operating license for a 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.



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In addition, the Commission has provided guidance for the application of the criteria in 10 CFR 50.92(c) specified above by providing examples of changes that are not likely to involve a significant hazards consideration (50 FR 7751). Example (i): a purely administrative change to technical specifications: for example, a change to achieve consistency throughout the technical specifications, correction of an error, or a change in nomenclature.

The proposed deletion of the License Condition 3.J is a purely administrative change. The IAEA Safeguards inspection program implemented by the license condition has been completed, and the NRC has informed FPL that the license condition is terminated and can be deleted. The IAEA Safeguards inspection program did not affect the existing design nor did it result in any operational limitations to the facility.

Based on the above, operation of the facility in accordance with the proposed amendment would pose no threat to the public health and safety, and would not involve a significant hazards consideration.