

## **SAFEGUARDS INFORMATION**



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

March 10, 2022

Mr. Bob Coffey  
Executive Vice President, Nuclear  
and Chief Nuclear Officer  
Florida Power & Light Company  
Mail Stop: EX/JB  
700 Universe Boulevard  
Juno Beach, FL 33408

**SUBJECT: DUANE ARNOLD ENERGY CENTER - ISSUANCE OF AMENDMENT NO. 317  
TO RENEWED FACILITY LICENSE OPERATING TO IMPLEMENT THE  
INDEPENDENT SPENT FUEL STORAGE INSTALLATION PHYSICAL  
SECURITY PLAN (EPID L-2021-LLA-0107)**

Dear Mr. Coffey:

The U.S. Nuclear Regulatory Commission (Commission, NRC) has issued the enclosed Amendment No. 317 to Renewed Facility Operating License No. DPR-49, for the Duane Arnold Energy Center (DAEC). The amendment consists of changes to the technical specifications in response to your application dated June 3, 2021, as supplemented by letters dated August 5, 2021, and August 17, 2021. Notice of the application was published in the *Federal Register* (FR) on September 7, 2021 (86 FR 50190); the supplemental letters provided additional information that clarified the application, but did not expand the scope of the application as originally noticed, or change the NRC's original proposed no significant hazards consideration determination.

The amendment revises the DAEC Physical Security Plan to reflect the requirements associated with the security changes for the independent spent fuel storage installation (ISFSI) only configuration, consistent with the permanent removal of all spent fuel from the DAEC spent fuel pool. Portions of the letters dated June 3, 2021, August 5, 2021, and August 17, 2021, contain safeguards information, and have been withheld from public disclosure.

The amendment is provided as Enclosure 1. This license amendment is effective upon NRC receipt of written notification from NextEra Energy Duane Arnold that all spent fuel is in dry storage located onsite at the ISFSI and shall be implemented within 90 days of the effective date. A copy of the related safety evaluation is also enclosed as Enclosure 2. A Notice of Issuance will be included in the Commission's monthly *Federal Register* notice.

ENCLOSURE 2 CONTAINS "SAFEGUARDS INFORMATION." THIS ENCLOSURE MUST BE PROTECTED ACCORDINGLY. UPON REMOVAL OF ENCLOSURE 2, THIS LETTER IS DECONTROLLED.

**SAFEGUARDS INFORMATION**

## **SAFEGUARDS INFORMATION**

B. Coffey

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In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you or your staff have any questions regarding the above, please contact me at 301-415-3178 or via email at [marlayna.doell@nrc.gov](mailto:marlayna.doell@nrc.gov).

Sincerely,



Signed by Doell, Marlayna  
on 03/10/22

Marlayna V. Doell, Project Manager  
Reactor Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 50-331

Enclosures:

1. Amendment No. 317 to  
Renewed License No. DPR-49
2. Safety Evaluation

cc: Duane Arnold Listserv

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**SAFEGUARDS INFORMATION**

B. Coffey

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SUBJECT: DUANE ARNOLD ENERGY CENTER - ISSUANCE OF AMENDMENT NO. 317 TO RENEWED FACILITY LICENSE OPERATING TO IMPLEMENT THE INDEPENDENT SPENT FUEL STORAGE INSTALLATION PHYSICAL SECURITY PLAN (EPID L-2021-LLA-0107) Dated: March 10, 2022

DISTRIBUTION:

PUBLIC

- Duane Arnold Listserv
- RidsACRS\_MailCTR Resource
- RidsNmssDuwpRdb Resource
- RidsOgcMailCenter Resource
- RidsRgn3MailCenter Resource
- DGarner, NSIR
- DHills, RIII

**ADAMS Accession No. ML22059A746**

**\*via email**

<b>OFFICE</b>	NMSS/DUWP/RDB/PM	NMSS/DUWP/RDB/Peer	NSIR/DPCP/MSB/BC
<b>NAME</b>	KConway	CDennes	ARivera
<b>DATE</b>	03/09/2022	03/09/2022	03/09/2022
<b>OFFICE</b>	OGC - NLO (SER)*	NMSS/DUWP/RDB/BC	NMSS/DUWP/RDB/PM
<b>NAME</b>	JMaltese	BWatson	MDoell
<b>DATE</b>	2/2/2022	03/10/2022	03/10/2022

**OFFICIAL RECORD COPY**

ENCLOSURE 2 CONTAINS "SAFEGUARDS INFORMATION." THIS ENCLOSURE MUST BE PROTECTED ACCORDINGLY. UPON REMOVAL OF ENCLOSURE 2, THIS LETTER IS DECONTROLLED.
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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

NEXTERA ENERGY DUANE ARNOLD, LLC

DUANE ARNOLD ENERGY CENTER

DOCKET NO. 50-331

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 317  
Renewed License No. DPR-49

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by NextEra Energy Duane Arnold, LLC dated June 3, 2021, as supplemented by letters dated August 5, 2021 and August 17, 2021, 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 as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-49 is hereby amended to read as follows:

The Technical Specifications contained in Appendix A, as revised through Amendment No. 317, are hereby incorporated in the license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Technical Specifications.

In addition, paragraph 2.C.(5) of Renewed Facility Operating License No. DPR-49 is hereby amended to read as follows:

NextEra Energy Duane Arnold, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to 10 CFR 72.212(b)(9) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated June 3, 2021.

3. This license amendment is effective upon NRC receipt of written notification from NextEra Energy Duane Arnold that all spent fuel is in dry storage located onsite at the ISFSI and shall be implemented within 90 days of the effective date.

FOR THE NUCLEAR REGULATORY COMMISSION



Signed by Watson, Bruce  
on 03/10/22

Bruce A. Watson, CHP, Chief  
Reactor Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety and Safeguards

Attachment:  
Changes to the Renewed Facility  
Operating License and Technical  
Specifications

Date of Issuance: March 10, 2022

ATTACHMENT TO LICENSE AMENDMENT NO. 317

DUANE ARNOLD ENERGY CENTER

RENEWED FACILITY OPERATING LICENSE NO. DPR-49

DOCKET NO. 50-331

Renewed Facility Operating License No. DPR-49

Replace the following pages of Renewed Facility Operating License No. DPR-49 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

INSERT

Page 3

Page 4

REMOVE

Page 3

Page 4

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I; Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; 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 or incorporated below:

(1) Deleted

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 317, are hereby incorporated in the license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Permanently Defueled Technical Specifications.

(3) Deleted

(4) Deleted

(5) Physical Protection

NextEra Energy Duane Arnold, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification,

and safeguards contingency plans including amendments made pursuant to 10 CFR 72.212(b)(9) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated June 3, 2021, as supplemented.

(6) Deleted

(7) Additional Conditions

The Additional Conditions contained in Appendix B, as revised through Amendment No. 279, are hereby incorporated into this license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Additional Conditions.

(8) The licensee is authorized to revise the Updated Final Safety Analysis Report by deleting the footnote for Section 9.1.4.4.5 which states: "\*The NRC has not endorsed the reactor building crane as single-failure proof (Reference 9)," and by deleting Reference 9 of the references for Section 9.1.

(9) Mitigation Strategy License Condition

Develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

(a) Fire fighting response strategy with the following elements:

1. Pre-defined coordinated fire response strategy and guidance
2. Assessment of mutual aid fire fighting assets
3. Designated staging areas for equipment and materials
4. Command and control
5. Training of response personnel

(b) Operations to mitigate fuel damage considering the following:

1. Protection and use of personnel assets
2. Communications
3. Minimizing fire spread
4. Procedures for implementing integrated fire response strategy
5. Identification of readily-available pre-staged equipment
6. Training on integrated fire response strategy
7. Spent fuel pool mitigation measures

(c) Actions to minimize release to include consideration of:

1. Water spray scrubbing
2. Dose to onsite responders

(10) The licensee shall implement and maintain all Actions required by Attachment 2 to NRC Order EA-06-137, issued June 20, 2006, except the last action that requires incorporation of the strategies into the site security plan, contingency plan, emergency plan and/or guard training and qualification plan, as appropriate.

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SAFETY EVALUATION BY

THE OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS

RELATED TO AMENDMENT NO. 317

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-49

NEXTERA ENERGY DUANE ARNOLD, LLC

DUANE ARNOLD ENERGY CENTER

DOCKET NO. 50-331

**SAFEGUARDS INFORMATION**

Enclosure 2