



MAR 02 2001

L-2001-036
10 CFR 50.80
10 CFR 50.90

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

Re: St. Lucie Units 1 and 2
Docket Nos. 50-335, 50-389
Turkey Point Units 3 and 4
Docket Nos. 50-250, 50-251
Application for Order and Conforming License Amendments
Transfer of Operating Authority

Florida Power & Light Company (FPL) hereby files the enclosed application seeking the Nuclear Regulatory Commission's consent, pursuant to 10 CFR 50.80, to the transfer of operating authority for the Turkey Point Nuclear Plant, Units 3 and 4 operating licenses (DPR-31, DPR-41) and the St. Lucie Nuclear Plant, Units 1 and 2 operating licenses (DPR-67, NPF-16) from FPL to Entergy Operations, Inc. (EOI).¹ In connection with the proposed merger between FPL Group, Inc. (FPL Group) and Entergy Corporation (Entergy), a reorganization will occur simultaneous with or shortly after the merger that will result in EOI, which is a direct wholly owned subsidiary of Entergy, becoming a direct wholly owned subsidiary of WCB Holding Corporation (WCB), a company that will hold the independent businesses of FPL Group and Entergy. At that time, EOI's name will be changed to reflect the name of the new holding company, and until that occurs EOI will be referred to in this application as WCB Operations, Inc. (WCB Operations). FPL will notify the NRC once the final name is selected, which will be in advance of the time requested for issuance of an NRC order approving the transfer of operating authority and associated conforming license amendments.

The enclosed application also requests, pursuant to 10 CFR 50.90, conforming amendments to Operating Licenses Nos. DPR-31, DPR-41, DPR-67, and NPF-16 to include WCB Operations as a licensee thereunder and to designate WCB Operations as the licensee authorized to possess, use and operate Turkey Point and St. Lucie in accordance with the terms and conditions of the licenses. This operating arrangement is expected to maintain the already high level of safe and efficient operation of Turkey Point and St. Lucie.

¹ EOI has reviewed this application and has consented to its filing.

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This request to transfer operating authority and conforming license amendments involves no change in plant ownership. FPL will remain as owner of Turkey Point and St. Lucie.² All costs associated with the safe operation, maintenance, and decommissioning of Turkey Point and St. Lucie will continue to be borne by the plant owners.

The enclosed application and related enclosures contain the information to support the request for transfer of operating authority pursuant to 10 CFR 50.80 and supporting license amendments pursuant to 10 CFR 50.90. Enclosure 1 is the application. Enclosure 2 depicts the proposed organization and associated business relationship between FPL and WCB Operations.

Enclosure 3 is a summary of the proposed changes to the Turkey Point and St. Lucie Operating Licenses. Enclosure 4 provides a copy of the Operating Licenses marked up with proposed changes.

By separate application, FPL is seeking NRC consent to the indirect transfers of control of the Turkey Point and St. Lucie operating licenses that will take place as a result of the FPL-Entergy merger. The affected Entergy subsidiaries will also seek, in a separate application, the NRC consent to the indirect transfers of control of the operating licenses for the nuclear units currently operated by EOI that will result from EOI becoming a direct subsidiary of WCB.

It is intended that the proposed operations of Turkey Point and St. Lucie by WCB Operations begin on the day of the merger between FPL and Entergy. FPL and Entergy intend to consummate the merger as soon as reasonably possible after all the necessary approvals have been obtained, which is targeted for October 1, 2001. We respectfully request that the NRC coordinate the reviews of this application and issue an order consenting to the transfer of operating authority as soon as possible, and in any event no later than September 1, 2001, with the order remaining effective until October 1, 2002. FPL will keep the NRC staff informed of the status of the merger between FPL and Entergy and will notify the NRC staff when we are ready for the conforming license amendments to be issued.³

Pursuant to 10 CFR 2.1315(a), the request for conforming license amendments to reflect the proposed transfer of operating authority involves no significant hazards

² FPL is the licensed operator and owner of 85.10449 percent of St. Lucie Unit 2. The Florida Municipal Power Agency owns 8.80600 percent and the Orlando Utilities Commission owns 6.08951 percent of St. Lucie Unit 2. The proposed transfer will not affect this ownership arrangement.

³ FPL respectfully requests, that notwithstanding the pendency of this application, the NRC staff not delay the approval of FPL's separate application for the indirect transfer of control as a result of the merger so that the proposed merger with Entergy may proceed.

consideration. There are no issues concerning the proposed transfer that would conflict with this conclusion. Moreover, the requests for the conforming license amendments are categorically excluded from environmental review pursuant to 10 CFR 51.22(c)(21).

The Turkey Point Plant Nuclear Safety Committee, the St. Lucie Facility Review Group, and the Company Nuclear Review Board have reviewed and approved the attached application and associated proposed license changes.

FPL will supplement this application with the final corporate names of the merged entity, the principal place of business of WCB Operations, Inc., and the name and qualifications of the Chief Nuclear Officer. In addition, the operating agreements discussed in the application will be in place prior to the transfer of operating authority from FPL to WCB Operations, Inc.

Should you have any questions concerning FPL's application for direct transfer of control of its NRC licenses, please contact Mitchell Ross, FPL counsel, at 561-691-7126.

Sincerely yours,



Thomas F. Plunkett
President
Nuclear Division

cc: NRC Regional Administrator – Region II Office
Senior Resident Inspector – St. Lucie Plant
Senior Resident Inspector – Turkey Point Plant
Richard P. Correia - NRC Chief, LPD2 - Division of Licensing and Project Management
Robert Wood – NRC Senior Licensing Financial Policy Advisor
W. A. Passetti, Florida Department of Health

Enclosures

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

Thomas F. Plunkett being first duly sworn, deposes and says:

That he is President, Nuclear Division, 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.

Thomas F. Plunkett
Thomas F. Plunkett

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

Sworn to and subscribed before me

this 2nd day of MARCH, 2001
by Thomas F. Plunkett, who is personally known to me.

Roberta S. Economy
Name of Notary Public - State of Florida



Roberta S. Economy
MY COMMISSION # CC633464 EXPIRES
June 1, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

Print, type or stamp Commissioned Name of Notary Public

St. Lucie Units 1 and 2 and Turkey Point Units 3 and 4
Docket Nos. 50-335, 50-389, 50-250, and 50-251
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ENCLOSURE 1
LICENSE TRANSFER APPLICATION

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
Turkey Point Nuclear Plant,)	
Units 3 and 4)	
)	Docket Nos. 50-250, 50-251, 50-335, 50-389
St. Lucie Nuclear Plant,)	
Units 1 and 2)	
)	

**APPLICATION FOR CONSENT AND CONFORMING
LICENSE AMENDMENTS
TO TRANSFER OPERATING AUTHORITY TO
WCB OPERATIONS, INC., A NUCLEAR OPERATING COMPANY**

Pursuant to 10 CFR 50.80, Florida Power & Light Company (FPL) hereby applies for an order consenting to the transfer of the operating authority in Facility Operating Licenses No. DPR-31, DPR-41, DPR-67, and NPF-16 from the current licensee to Entergy Operations, Inc. (EOI),¹ the name of which will be changed as explained further below.

FPL is a wholly owned subsidiary of FPL Group, Inc. Under the terms of the proposed merger between FPL Group, Inc. and Entergy Corporation (Entergy), each entity will become separate, wholly owned subsidiaries of a new holding company, currently named WCB Holding Corp. (WCB). Pursuant to the merger agreement, each holder of FPL Group common stock will receive 1.00 share of WCB common stock for each share of FPL Group common stock, and each holder of Entergy common stock will receive 0.585 of a share of WCB common stock for each share of Entergy common stock, in a tax-free, stock-for-stock exchange. Based on the number of common shares currently outstanding, FPL Group shareholders will own approximately 57 percent of the common equity of the combined company, and Entergy shareholders will own approximately 43 percent. On the effective date of the merger, WCB will change its name to an as yet undetermined name.

In connection with the proposed merger, a reorganization will occur simultaneous with or shortly after the merger that will result in EOI, which is a direct wholly owned subsidiary of Entergy Corporation, becoming a direct wholly owned subsidiary of WCB. At that time, EOI's name will be changed to reflect the name of the new holding company, and until that occurs EOI will be referred to in this application as WCB Operations, Inc. (WCB Operations). FPL also requests conforming amendments to Facility Operating License Nos. DPR-31, DPR-41, DPR-67, and NPF-16 to authorize

¹ EOI has reviewed this application and has consented to its filing.

WCB Operations to possess, use, and operate Turkey Point Nuclear Plant, Units 3 and 4, and St. Lucie Nuclear Plant, Units 1 and 2, and to possess and use related licensed materials, under the same conditions and authorizations included in the current facility operating licenses. The proposed transfer of operating authority to WCB Operations, dedicated to the sole purpose of nuclear power plant operation, is expected to enhance the already high level of safe and efficient plant operation.

This transfer will not affect ownership of the plants. FPL will continue to own 100 percent of Turkey Point Units 3 and 4 and St. Lucie Unit 1. FPL will continue to own approximately 85 percent of St. Lucie Unit 2. Florida Municipal Power Agency and the Orlando Utilities Commission, minority owners of interests in St. Lucie Unit 2, will continue to retain their existing ownership interests in that unit. The owners will be responsible for the costs of operating, maintaining, and decommissioning the facilities. This transfer also involves no changes to the plant or to the conduct of operations, other than those administrative and organizational changes relating to the new operator. Enclosure 2 depicts the proposed organization and associated business relationship between FPL and WCB Operations.

Enclosure 3 is a summary of the proposed changes to the Turkey Point and St. Lucie Operating Licenses, Technical Specifications, and Environmental Protection Plans. Enclosure 4 provides a copy of the Operating Licenses, Technical Specifications, and Environmental Protection Plans for each facility marked-up with proposed changes.

I. SUMMARY OF REQUEST

FPL hereby requests that the Nuclear Regulatory Commission (NRC), pursuant to 10 CFR 50.80, issue an order consenting to the transfer of operating authority for the Turkey Point Nuclear Plant, Units 3 and 4 (Turkey Point) and the St. Lucie Nuclear Plant, Units 1 and 2 (St. Lucie) from FPL to WCB Operations. This application also requests, pursuant to 10 CFR 50.90, conforming amendments to Facility Operating License Nos. DPR-31 and DPR-41 for Turkey Point, and DPR-67 and NPF-16 for St. Lucie, to include WCB Operations as a licensee thereunder and to designate WCB Operations as the licensee authorized to possess, use, and operate Turkey Point and St. Lucie, and to receive, possess, and use related licensed nuclear materials in accordance with the same conditions and authorizations included in the current operating licenses.

FPL is the licensed operator of Turkey Point and St. Lucie. FPL is the sole owner of Turkey Point Units 3 and 4 and St. Lucie Unit 1. FPL owns a majority interest in St. Lucie Unit 2. The operating licenses presently authorize FPL to possess Turkey Point and St. Lucie, and to use and operate Turkey Point and St. Lucie in accordance with the terms and conditions of the licenses. The Florida Municipal Power Agency and the Orlando Utilities Commission also own minority interests in St. Lucie Unit 2 and are authorized by the NRC to possess that plant.

As explained in more detail below, FPL will enter into an operating agreement with WCB Operations.² WCB Operations will be a wholly owned subsidiary of WCB Holding Corp, the entity that will be formed as the result of the merger between FPL and Entergy. In accordance with the operating agreement, WCB Operations will assume exclusive responsibility for the operation and maintenance of Turkey Point and St. Lucie. This arrangement is expected to maintain the already high level of public safety, operational efficiency, and cost-effective operations at Turkey Point and St. Lucie.

The proposed transfer of operating authority will not affect ownership of Turkey Point and St. Lucie. FPL and the minority participants in St. Lucie will retain their current ownership interests. WCB Operations will not own any portion of Turkey Point and St. Lucie. The transfer of operating authority will not affect the entitlement of FPL and the St. Lucie Unit 2 minority participants to capacity and energy from Turkey Point and St. Lucie.

WCB Operations will be dedicated to operating and maintaining the nuclear units owned by FPL and the St. Lucie Unit 2 minority participants, along with the five regulated nuclear units in the Entergy system (Arkansas Nuclear One, Units 1 and 2, Grand Gulf Nuclear Station, River Bend Station, and Waterford 3). Concurrent with the transfer of operating authority to WCB Operations, it is expected that substantially all FPL operating personnel who are dedicated to Turkey Point and St. Lucie will be transferred to WCB Operations, as WCB Operations employees or as FPL employees under the supervision and control of WCB Operations.³ In addition, corporate support functions currently provided to FPL's Nuclear Division by FPL personnel, such as Corporate Records, Environmental Services, Transmission Operations, Information Management, and Integrated Supply Chain will be provided to WCB Operations pursuant to agreements that will provide that WCB Operations controls the services necessary to support nuclear operations. Therefore, with respect to Turkey Point and St. Lucie, the technical qualifications of the proposed WCB Operations organization will be substantially equivalent to those of the existing FPL Nuclear Division, and personnel qualification requirements defined in the Turkey Point and St. Lucie Technical Specifications will continue to be met.

Under the terms of the operating agreement between FPL and WCB Operations, all costs associated with operating Turkey Point and St. Lucie will continue to be borne by

² Pursuant to Section 12 of the "St. Lucie Unit No. 2 Participation Agreement" between FPL and the Orlando Utilities Commission, and Section 12 of the "St. Lucie Unit No. 2 Participation Agreement" between FPL and the Florida Municipal Power Agency, FPL has exclusive authority to enter into agreements for operation of St. Lucie Unit 2 on behalf of the co-owners.

³ Some of the current FPL Nuclear Division employees may be transferred to Entergy Services, Inc., which provides administrative support to Entergy's nuclear operations. See footnote 5. The name of Entergy Services, Inc. will be changed to reflect the name of the new holding company.

FPL and the St. Lucie Unit 2 minority participants to the same extent as they are now. Further, the status of FPL and the St. Lucie Unit 2 minority participants as "electric utilities" under the NRC financial qualifications requirements of 10 CFR 50.33(f) will be unaffected by this transaction. Accordingly, there will be no change in the financial qualifications of the parties financially responsible for the safe operation, maintenance, and decommissioning of St. Lucie and Turkey Point.

II. BACKGROUND AND DESCRIPTION OF ORGANIZATION

Turkey Point is a two unit nuclear powered electric generating facility (Westinghouse pressurized water reactors) located approximately 25 miles south of Miami, Florida. As the owner and plant operator, FPL has exclusive responsibility and control over operation and maintenance of Turkey Point. St. Lucie is a two unit nuclear powered electric generating facility (Combustion Engineering pressurized water reactors) located in St. Lucie County, Florida. As the majority owner and plant operator, FPL has exclusive responsibility and control over operation and maintenance of St. Lucie.

Entergy Operations, Inc. is the current entity licensed to operate Arkansas Nuclear One, Units 1 and 2, Grand Gulf Nuclear Station, River Bend Station, and Waterford 3, on behalf of their utility owners. By separate application, EOI will seek NRC consent to the indirect transfers of control of operating licenses for the nuclear units currently operated by EOI that will take place as a result of the merger, as well as amendments to change EOI's name.⁴ WCB Operations (as EOI is presently) will remain a Delaware corporation that will operate Turkey Point and St. Lucie (as well as the regulated nuclear plants in the Entergy System) and will be a wholly owned subsidiary of WCB Holding Corporation (WCB). WCB Operations will provide services in connection with the operation, maintenance, and eventual decommissioning of licensed nuclear facilities on behalf of and for the benefit of FPL and the contracting utilities in the Entergy system.

This proposed organization and the associated business relationships between WCB Operations, FPL, and the post-merger organization are depicted in Enclosure 2.

The relationship between FPL and WCB Operations will be established in an operating agreement, which will set forth the rights, responsibilities, and limitations of WCB Operations authority regarding the operation of Turkey Point and St. Lucie and will establish that WCB Operations has the sole authority, as operator of Turkey Point and St. Lucie, to make all decisions regarding public health and safety. FPL and the St. Lucie Unit 2 minority participants will continue to provide all funds for the safe operation and maintenance of Turkey Point and St. Lucie to WCB Operations, including the funds necessary to ensure the ability of WCB Operations to comply with the operating

⁴ By separate application, FPL is also seeking NRC consent to the indirect transfers of control of the Turkey Point and St. Lucie operating licenses that will take place as a result of the FPL-Entergy merger.

licenses, Technical Specifications, and commitments to the NRC. FPL and the St. Lucie Unit 2 minority participants will also continue to fund the decommissioning trust funds. The financial responsibility of FPL and the St. Lucie Unit 2 minority participants includes providing the funding and support for any emergency situations that might arise at Turkey Point and St. Lucie, continuing all financial protection as required by 10 CFR Part 140, and site insurance coverage as required by 10 CFR 50.54(w). Any necessary conforming changes in the insurance and indemnity agreements will be requested in due course by separate correspondence.

III. SUPPORTING INFORMATION

A. Statement of Purpose of the Transfer and Nature of the Transaction Making the Transfer Necessary or Desirable

The purpose of the proposed transfer is to consolidate operating authority for the nine WCB plants in cost of service jurisdictions (Arkansas Nuclear One, Units 1 and 2, Grand Gulf Nuclear Station, River Bend Station, St. Lucie Units 1 and 2, Turkey Point Units 3 and 4, and Waterford 3) into a single operating company dedicated to the safe and efficient operation of the nuclear plants. The consolidation of authority to operate nine nuclear plants in a single operating company will promote safety and excellence by focusing all the attention of the organization and management on nuclear operations, without other distractions, facilitating the sharing of experience and best practices, and providing better career opportunities for employees. The consolidation of operating authority will also promote efficient and cost-effective operation of the plants.

The assumption of operational authority for Turkey Point and St. Lucie by WCB Operations will provide significant benefits. Some of the expected benefits are as follows:

- WCB Operations senior management will be devoted to the business of nuclear plant operation. Such single-purpose management will be able to focus on overall excellence in nuclear power operations.
- WCB Operations will be a repository of FPL's and Entergy's nuclear operating and management expertise and experience. The consolidation of nuclear operations talent from several successful organizations into one company will provide opportunities to maintain both public safety, reliability, and economy of plant operations.

B. Name of New Licensee

The final name of WCB Operations has yet to be determined. FPL will notify the NRC once the final name is selected, which will be in advance of the time requested for issuance of the NRC order approving the transfer of operating authority and associated conforming amendments.

C. Address

The business address of WCB Operations has yet to be determined. FPL will notify the NRC once the business address of WCB Operations has been determined.

D. Description of Business or Occupation

WCB Operations will be a wholly owned subsidiary of WCB whose purpose will be to operate nuclear generating stations. After approval of this requested transfer of control and after issuance of conforming license amendments, WCB Operations, as distinct from the owner utilities, will be responsible for the operation and maintenance of the nine regulated nuclear plants in the WCB system (Arkansas Nuclear One, Units 1 and 2, Grand Gulf Nuclear Station, River Bend Station, St. Lucie Units 1 and 2, Turkey Point Units 3 and 4, and Waterford 3).

E. Corporate Information

1. State in which WCB Operations is incorporated and the principal location where it does business

As EOI is presently, WCB Operations will remain organized under the law of the State of Delaware. Its principal place of business has yet to be determined. FPL will notify the NRC once the principal place of business of WCB Operations has been determined.

2. Names, addresses and citizenship of its directors and principal officers

The business and affairs of WCB Operations will be conducted under the direction of a Chief Nuclear Officer (CNO). The CNO has not yet been determined and FPL will advise the NRC as soon as this decision has been made.

The directors and principal officers of WCB Operations will be drawn from the current directors and principal officers of EOI and Florida Power & Light Company's Nuclear Division. All officers are citizens of the United States. Their names and addresses follow.

Craig G. Anderson
Vice President, Operations, ANO
Entergy Operations, Inc.
1448 S. R. 333
Russellville, AR 72802

William R. Campbell, Jr.
Vice President, Engineering
Entergy Operations, Inc.
1340 Echelon Parkway
Jackson, Mississippi 39213

William A. Eaton
Vice President, Operations, GGNS
Entergy Operations, Inc.
P. O. Box 756
Port Gibson, MS 39150

Randall K. Edington
Vice President, Operations, RBS
Entergy Operations, Inc.
P. O. Box 220
St. Francisville, LA 70775

John T. Herron
Vice President, Operations, Waterford 3
Entergy Operations, Inc.
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Killona, LA 70066-0751

Paul Hinnenkamp
Vice President, Operations Support
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1340 Echelon Parkway
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Donald C. Hintz
President
Entergy Corporation
639 Loyola Avenue
New Orleans, Louisiana 70113

R. J. Hovey
Vice President, Turkey Point Nuclear Plant
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9760 SW 344th Street
Florida City, Florida 33035

R. S. Kundalkar
Vice President, St. Lucie Nuclear Plant
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Sr. Vice President
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C. John Wilder
Chief Financial Officer
Entergy Corporation
639 Loyola Avenue
New Orleans, Louisiana 70113

Jerry W. Yelverton
Chairman
Entergy Operations, Inc.
1340 Echelon Parkway
Jackson, Mississippi 39213

3. Whether WCB Operations is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government

WCB Operations will not be owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government.

4. No Agency

In seeking to become the licensed operator of Turkey Point and St. Lucie, WCB Operations is not acting as the agent or representative of another person (other than that of FPL, Florida Municipal Power Agency, or the Orlando Utilities Commission).

F. Technical Qualifications

The technical qualifications of WCB Operations to carry out its responsibilities under the operating licenses for Turkey Point and St. Lucie, as amended, will be substantially equivalent to or exceed the present technical qualifications of FPL. Concurrent with transfer of operational authority, the Turkey Point and St. Lucie on-site organizations and off-site support organizations will transfer substantially intact to WCB Operations. It is expected that substantially all FPL operating personnel responsible for plant operations and nuclear safety who are dedicated to Turkey Point and St. Lucie will be transferred to WCB Operations, as WCB Operations employees or as FPL employees under the supervision of WCB Operations. It is possible that some of the current FPL employees providing administrative support to Turkey Point and St. Lucie may be transferred to Entergy Services Inc., a separate entity providing administrative services⁵ to the nuclear units in the Entergy system, the name of which will be changed to reflect the name of the new holding company. The technical qualifications of the proposed WCB Operations organization, therefore, will be substantially equivalent to those of the existing organization and personnel qualification requirements defined in the Turkey Point and St. Lucie Technical Specifications will continue to be met.

Enclosure 2 is a general organizational chart for WCB Holding Corp. illustrating the post-transfer management structure and reporting structure for Turkey Point and St. Lucie. Direct responsibility and accountability for the safe and reliable operation of the plants will reside in line management from the Site Vice President up to the CNO. Lines of authority, responsibility, and communication will be established and defined from the highest management levels, through intermediate levels to and including all operating organization positions. These relationships will be documented and updated, as appropriate, in the form of organization charts.

⁵ For purposes of this application, "administrative services" include external financial reporting, tax services, pension and benefit administration, insurance, treasury, corporate finance, and legal services.

The primary objective of the proposed transfer of employees, or their supervision, and operating responsibilities from FPL to WCB Operations is to enhance safety and reliability while ensuring there is no disruption to the operation of the plants and to maintain the integrity of the existing, successful organizations. When the transfer of operational authority becomes effective, WCB Operations will operate, manage, and maintain Turkey Point and St. Lucie in accordance with the Operating Licenses, conditions, and requirements established by the NRC and with the same regard for public and personnel safety heretofore exemplified by FPL.

The transfer of FPL personnel to WCB Operations will be conducted with minimal organizational changes or disruption to the existing, dedicated site organizations. Further, ongoing plant improvement plans and other initiatives will not be adversely impacted.

G. Financial Qualifications

The proposed transfer of operating authority will not adversely impact FPL's ability to obtain or provide the funds necessary to cover all costs for the operation, maintenance, repair, and decommissioning of Turkey Point and St. Lucie. FPL will remain liable for such costs under the operating agreement with WCB Operations, and the St. Lucie Unit 2 minority participants will remain liable to FPL for their share of these costs pursuant to the St. Lucie Unit 2 Participation Agreements with FPL. FPL's financial responsibility for Turkey Point and St. Lucie and its sources of funds to support those facilities will remain the same as under the present operating licenses.

To summarize, the following interrelations will be established by the operating agreement between FPL and WCB Operations:

- WCB Operations will not have any ownership interest in Turkey Point or St. Lucie; however, it will have overall responsibility for the safe operation of Turkey Point and St. Lucie. WCB Operations will operate Turkey Point and St. Lucie in accordance with the Operating Licenses.
- FPL will retain its current authority to review and approve budgets. This will not encumber the ability of WCB Operations to make operational safety decisions and will have no impact on safe operation of Turkey Point and St. Lucie. Under the operating agreement, WCB Operations will have the sole authority to make all decisions relating to public health, safety, and security, and FPL will be required to pay all of the costs relating to such decisions.
- Pursuant to the operating agreement, all costs, including costs for the operation, maintenance, repair, decontamination, and decommissioning of Turkey Point and St. Lucie incurred and accrued are liabilities of FPL when incurred or accrued, and FPL will commit to provide WCB Operations with funds to pay these costs.

Additionally, the St. Lucie Unit 2 minority participants will continue to have responsibility to contribute their proportionate share of costs, as defined in the Participation Agreements between FPL and each of the participants. Thus, the sources of funds for operating Turkey Point and St. Lucie will remain unchanged.

A financial qualification review is not necessary as a result of the proposed transfer of operating authority. All costs associated with operating Turkey Point and St. Lucie will continue to be borne by FPL and the St. Lucie Unit 2 minority owners to the same extent they are now, and accordingly, there will be no change in the financial qualifications associated with Turkey Point and St. Lucie. Further, the status of FPL and the St. Lucie Unit 2 minority owners as "electric utilities" under the NRC financial qualifications rule will be unaffected by this reorganization. Therefore, the information required by 10 CFR 50.33(f) regarding the financial qualifications of FPL and St. Lucie Unit 2 minority participants to carry out the activities described in this application is not required.

H. Decommissioning Funding

No changes in decommissioning funding will be required as a result of the proposed transfer of operating authority. By letter dated March 12, 1999, in accordance with 10 CFR 50.75, FPL and the St. Lucie Unit 2 minority participants certified that sufficient funding will be made available for the proper decommissioning of Turkey Point and St. Lucie. The funding mechanisms for Turkey Point and St. Lucie are in place, and the proposed change to the licensed operator for Turkey Point and St. Lucie will not impact FPL's and the St. Lucie minority participants' obligations for plant decommissioning costs. The owners will continue to collect their decommissioning costs through cost-of-service based rates.

I. Antitrust

The NRC has found that antitrust reviews of post-operating authority transfer applications are neither required nor authorized by the Atomic Energy Act. Final Rule, Antitrust Review Authority: Clarification, 65 Fed. Reg. 44,649 (July 19, 2000); See also Kansas Gas and Electric Co. (Wolf Creek Generating Station, Unit 1), CLI-99-19, 49 NRC 441 (1999). Accordingly, no antitrust review is required with respect to this transfer of operating authority. Additionally, the NRC lacks antitrust jurisdiction over nuclear power plant operating licenses issued pursuant to Section 104.b of the Atomic Energy Act of 1954, as amended. Ft. Pierce Utils. Auth. v. United States, 606 F.2d 986 (D.C. Cir.), cert. denied, 444 U.S. 842 (1979). Since the operating licenses for Turkey Point Units 3 and 4 and St. Lucie Unit 1 were issued under Section 104.b of the Act, the NRC lacks antitrust authority over those units. Moreover, FPL is not requesting changes to the antitrust conditions to the St. Lucie Unit 2 operating license (Appendices C and D to that license). In any event, this transfer does not involve any transfer of the owners' entitlement to capacity and energy, and WCB Operations will have no responsibility for marketing that capacity and energy.

J. Other Licensing Considerations

1. Public Health and Safety Considerations

The proposed transfer of operating authority and related amendments designates WCB Operations as a licensee and authorizes WCB Operations to manage, operate, and maintain Turkey Point and St. Lucie on behalf of FPL. It will not affect the physical configuration of the facilities or alter any Technical Specifications requirements under which Turkey Point and St. Lucie operate. Moreover, as described in this application, the technical qualifications of WCB Operations will be substantially equivalent to those of FPL. Consistent with the generic determination of 10 CFR 2.1315(a), the proposed transfer of operating authority and related conforming amendments will not have any adverse impact on the public health and safety.

2. Offsite Power Reliability

Offsite power is currently provided to Turkey Point and St. Lucie over transmission facilities owned and operated by FPL. This arrangement will not change as a result of the change in operational control requested by this application. The proposed transfer of operating authority to authorize assumption of operating responsibility by WCB Operations involves no changes in ownership or design of the offsite power system for Turkey Point or St. Lucie, or in its operation, maintenance, or testing. Upon transfer of operating authority to WCB Operations, FPL will continue to fulfill its current responsibilities with respect to compliance with the design requirements as defined in the updated Final Safety Analysis Reports (FSAR) for Turkey Point and St. Lucie.

Pursuant to an agreement that will be executed between FPL and WCB Operations, FPL will continue to maintain the switchyards subject to the control of WCB Operations over any changes that could affect the safe operation of Turkey Point and St. Lucie. The agreement will define responsibility for switchyard maintenance and security; the process for coordination of procedure changes or design changes that could affect the design bases of the plant or the source of offsite power to Turkey Point and St. Lucie; and will set forth requirements for training of FPL personnel on NRC offsite power supply requirements.

Based on the foregoing, there is adequate assurance that independent sources of offsite power will continue to be provided to Turkey Point and St. Lucie and that the requirements of 10 CFR 50.63 will be met.

3. Control of Exclusion Area

Concurrent with the transfer of operating authority, WCB Operations will have authority to determine and control all activities within the Turkey Point exclusion zone and St. Lucie exclusion area, to the extent required by 10 CFR Part 100.

As the owner and current plant operator, FPL has authority to exercise appropriate exclusion area control. Under an operating agreement, WCB Operations will have unrestricted access to and the right to control the property constituting the St. Lucie and Turkey Point sites including all land, facilities, switchyard, equipment, and personal property on the site. This agreement will also grant WCB Operations authority to exercise complete control over the St. Lucie exclusion area and Turkey Point exclusion zone as defined in the updated Final Safety Analysis Reports (FSAR) and Section 5 of the Technical Specifications and to determine all activities in that area, including the exclusion of FPL personnel, contractors, visitors, guests, and other persons from the exclusion areas in the event of an emergency.

With respect to the activities unrelated to plant operations that will occur within the exclusion area identified in the updated FSAR, there will be no change. WCB Operations will assume responsibility for the Emergency Plan as discussed below.

4. Emergency Preparedness

Concurrent with the transfer of operating authority, WCB Operations will assume authority and responsibility for functions necessary to fulfill the emergency planning requirements specified in 10 CFR 50.47(b) and Part 50, Appendix E. No substantive changes will be made to the existing Turkey Point and St. Lucie Emergency Plans presently implemented by FPL.

FPL will retain ownership of the FPL telecommunications infrastructure, Emergency Operations Facilities, Emergency News Center, and Prompt Notification System (siren system in the 10-mile Emergency Planning Zones) for Turkey Point and St. Lucie. Pursuant to an emergency planning support agreement, FPL will grant WCB Operations unrestricted access to, use of, and control of these facilities and supporting equipment for all emergency preparedness functions required by NRC regulations, including emergency training exercises, emergency drills, and on a first priority basis for an actual emergency. FPL will also provide personnel support for the Turkey Point and St. Lucie Emergency Plans, and will continue to maintain the emergency facilities and supporting equipment, pursuant to the emergency planning support agreement between FPL and WCB Operations.

Appropriate action will also be taken with respect to existing agreements for support from outside organizations and agencies, to notify the parties to such agreements of WCB Operations relationship with FPL and WCB Operations responsibility for the management and operation of Turkey Point and St. Lucie, and to assign such agreements to WCB Operations, where appropriate. This will be accomplished by FPL prior to the transfer of operating authority.

In sum, the proposed transfer of operating authority and conforming amendments will not impact compliance with emergency planning requirements. Because the

effectiveness of the Emergency Plans will not be decreased, specific Emergency Plan and procedure changes will be submitted to the NRC within 30 days after the changes are made, in accordance with 10 CFR 50.54(q) and Appendix E, Section V, as appropriate.

5. Security

The proposed transfer of operating authority from FPL to WCB Operations will not impact compliance with the physical security requirements of 10 CFR Part 73. Upon assumption of operating responsibility, WCB Operations will assume ultimate responsibility for implementation of all aspects of the present security programs at Turkey Point and St. Lucie. Appropriate action will be taken with respect to existing agreements for support from outside organizations and agencies to notify the parties to such agreements of WCB Operations relationship with FPL and WCB Operations responsibility for management and operation of Turkey Point and St. Lucie, and to assign such agreements to WCB Operations, where appropriate. Changes to the security plans reflecting this transition will not decrease the effectiveness of the plans and will be submitted to the NRC within two months after the changes are made, in accordance with 10 CFR 50.54(p).

6. Quality Assurance

The proposed transfer of operating authority from FPL to WCB Operations will not impact compliance with the quality assurance requirements of 10 CFR 50, Appendix B, nor will it reduce the commitments in the NRC-accepted quality assurance program for Turkey Point and St. Lucie. Upon assumption of operating authority, WCB Operations will assume ultimate responsibility for present functions associated with the FPL Quality Assurance Program. The organizational independence of the Quality Assurance organization will not be reduced. Therefore, transfer of operating authority to WCB Operations will not reduce the effectiveness of this organization. Changes to reflect the transition, which will be handled in accordance with 10 CFR 50.54(a), will not reduce the commitments in the quality assurance program description. Corporate support functions currently provided to the FPL Nuclear Division by FPL personnel such as Corporate Records, Environmental Services, Transmission Operations, Information Management, and Integrated Supply Chain will continue to meet all applicable requirements of the present FPL quality assurance program description after transfer of operating authority to WCB Operations. Also, any administrative support functions affecting quality transferred to Entergy Services, Inc., (the name of which will be changed consistent with the name of the new holding company) will meet all applicable requirements in the present FPL quality assurance program description.

7. Nuclear Insurance

Prior to the transfer of operating authority, FPL will add WCB Operations as a named insured to all nuclear liability and property insurance coverage.

A new endorsement to the Price Anderson indemnity agreement will be requested by separate correspondence.

8. Updated Final Safety Analysis Report

With the exception of the areas discussed in this application, the proposed transfer of operating authority will not change or invalidate information presently appearing in the Turkey Point or St. Lucie updated FSARs. Revisions to the updated FSARs necessary to reflect the assumption of operating authority by WCB Operations will be incorporated into the Turkey Point and St. Lucie updated FSARs following NRC approval of the proposed transfer of operating authority in accordance with 10 CFR 50.71(e).

9. Training and Operator Qualifications

The proposed transfer of operating authority from FPL to WCB Operations will not impact compliance with the operator requalification program requirements of 10 CFR 50.54 and related sections, and there will be no impact on the maintenance of the Institute of Nuclear Power Operations accreditation program for licensed and non-licensed personnel training. Upon assumption of operating responsibility of Turkey Point and St. Lucie, WCB Operations will assume ultimate responsibility for implementation of present operator training programs. Changes to the programs to reflect the transition will not decrease the scope of the approved operator requalification program in accordance with 10 CFR 50.54(i).

10. Correspondence

On the effective date of the transfer of operating authority, all NRC correspondence related to Docket Nos. 50-250, 50-251, 50-335, 50-389, including any NRC response to pending licensing actions that were submitted earlier than and remain outstanding as of the effective date of the transfer, should be directed to the individuals currently receiving correspondence from the NRC. WCB Operations will notify NRC of any exceptions to this policy.

K. Agreement to Limit Access to Restricted Data

This application does not involve any Restricted Data or other classified defense information, and it is not expected that any such information will be raised or required by the licensed activities at Turkey Point or St. Lucie. In the event that licensed activities do involve Restricted Data in the future, WCB Operations agrees that it will appropriately safeguard such information and it will not permit any individual to have access to Restricted Data until the Office of Personnel Management investigates and reports to the NRC on the character, associations, and loyalty of such individual, and the NRC determines that permitting such person to have access to Restricted Data will not endanger the common defense and security of the United States.

L. Environmental Review

The proposed transfer will not result in any change in the types, or any increase in the amounts, of any effluents that may be released offsite, and will not cause any increase in individual or cumulative occupational radiation exposure. Further, the NRC has determined, pursuant to 10 CFR 51.22(c)(21), that transfers of operating authority are categorically exempt from further environmental review. Accordingly, the NRC actions will involve no significant environmental impact.

FPL has described the proposed changes to the Environmental Protection Plans, Appendix B to each operating license in Enclosure 3, and provided a marked up copy, to indicate appropriate changes, in Enclosure 4.

M. No Significant Hazards Consideration

Pursuant to 10 CFR 2.1315(a), the request for conforming license amendments to reflect the proposed transfer of operating authority involves no significant hazards consideration. There are no issues concerning the proposed transfer that would conflict with this conclusion.

IV. EFFECTIVE DATE

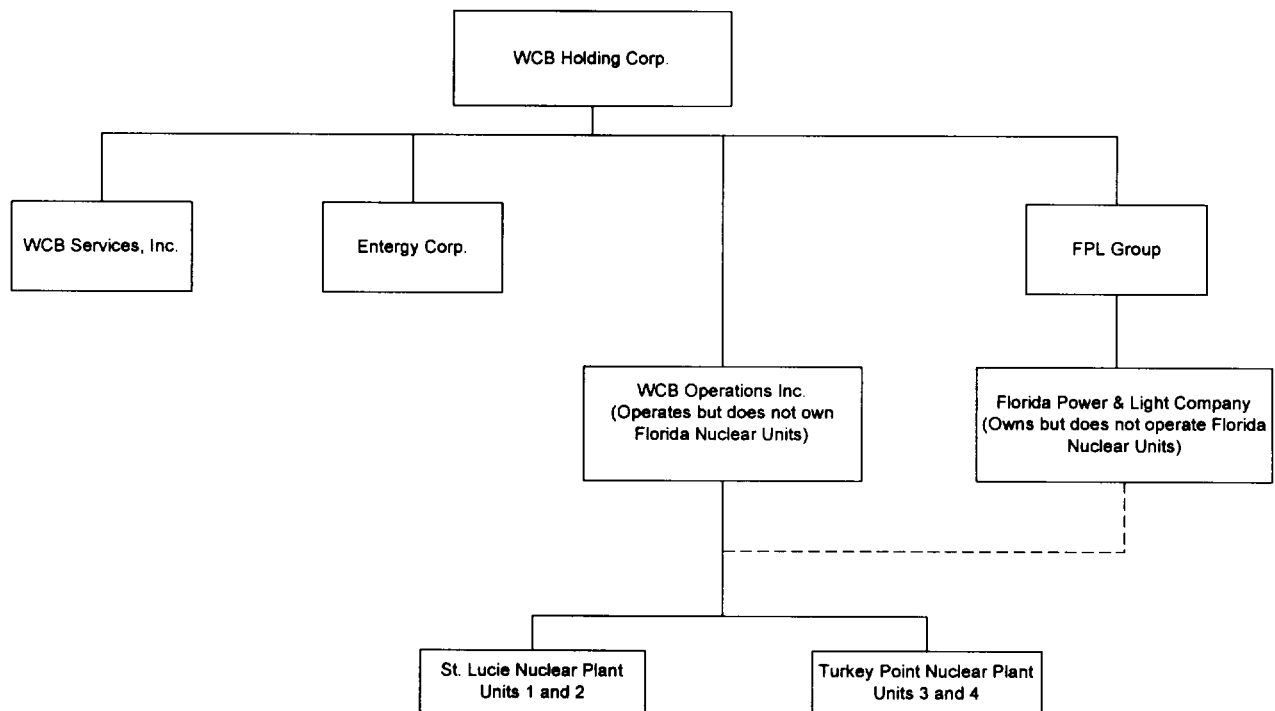
The proposed operation of Turkey Point and St. Lucie by WCB Operations is conditioned upon the consummation of proposed business agreements and applicable regulatory approvals, in addition to NRC approvals. It is intended that the change in licensed operator of Turkey Point and St. Lucie take place as soon as possible after all regulatory approvals are obtained. It is requested that the NRC review this request on a schedule that will permit issuance of an immediately effective order consenting to the transfer as soon as possible and in any event no later than September 1, 2001. It is requested that the order remain effective through October 1, 2002, subject to extension for good cause. FPL will keep the NRC staff informed as to the status of any changes in the estimated date of consummation and will notify the NRC staff when it is ready for the conforming license amendments to be issued.

V. CONCLUSION

Based upon the foregoing information, WCB Operations will be qualified to be the licensed operator of Turkey Point and St. Lucie. The requested transfer of operating authority is consistent with applicable provisions of law, regulations, and orders of the NRC. Accordingly, FPL respectfully requests that NRC issue an order approving the transfer of operating authority and issue the associated conforming administrative license amendments as requested in this submittal.

ENCLOSURE 2
SUMMARY OF ORGANIZATION

SUMMARY OF ORGANIZATION



ENCLOSURE 3

DESCRIPTION OF PROPOSED OPERATING LICENSE CHANGES

Section A - St. Lucie Unit 1 DPR-67

Section B - St. Lucie Unit 2 NPF -16

Section C - Turkey Point Units 3 and 4 DPR-31 and DPR-41

Section A

Description of Proposed Operating License Changes

St. Lucie Unit 1 DPR-67

**Description of Proposed Operating License Changes
St. Lucie Unit 1 DPR-67**

- I. **The proposed amendment would make the following changes to Facility Operating License DPR-67:**
 1. Revise Facility Operating License (FOL) title to add [AND] and [WCB OPERATIONS, INC.]
 2. Revise the FOL 1.A. to delete the words [(the licensee)] and add an [*] after Florida Power & Light Company. Add a footnote [*FPL retained for historical purposes only.]
 3. Revise FOL 1.E. to replace the reference to [The licensee] with [WCB Operations, Inc.** (WCB)], insert [qualified] between [technically] and [and], and insert [Florida Power & Light Company (FPL) and WCB together are] between [and] and [financially]. Add a footnote [**WCB succeeds FPL as operator of the St. Lucie Plant, Unit 1. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over physical construction, operation, and maintenance of the facility.]
 4. Revise FOL 1.F. change [The licensee] to [FPL]
 5. Revise FOL 2 to add [WCB Operations, Inc. and] between [to] and [the Florida]
 6. Revise FOL 2.A to change [licensee's] to [St. Lucie Plant] and delete [on Hutchinson Island]
 7. Revise FOL 2.B. to delete [Florida Power & Light Company]
 8. Revise FOL 2.B.(1) to insert [FPL] between [Facilities,"] and [to possess,] and add [and WCB to possess,] between [to possess,] and [use]. Change [licensee's] to [FPL's*] and add footnote [*FPL retained for historical purposes only.]
 9. Revise FOL 2.B.(2) to insert [WCB] between [Part 70,] and [to receive]
 10. Revise FOL 2.B.(3) to insert [WCB] between [70,] and [to receive]
 11. Revise FOL 2.B.(4) to insert [WCB] between [70,] and [to receive]
 12. Revise FOL 2.B.(5) to insert [WCB] between [70,] and [to possess]
 13. Revise FOL 2.C.(1) to change [The licensee] to [WCB]
 14. Revise FOL 2.C.(2) to change [The licensee] to [WCB]

15. Revise FOL 2.C.(3) to change [The licensee] to [WCB] in the first sentence and to change [licensee submittals] to [FPL* submittals] in the statement in parentheses. Add a footnote [*FPL retained for historical purposes only]. In the indented fire protection change criteria paragraph, change [The licensee] to [WCB]
 16. Revise FOL 2.D. to change [This licensee] to [WCB]
 17. Revise FOL 2.F. to change [The licensee] to [WCB]
 18. Revise FOL 2.F.(4) to change [the licensee] to [WCB]
 19. Revise FOL page 5 note to change [FPL] to [FPL*] and add footnote at the bottom of the page [*FPL retained for historical purposes only]
 20. Revise Enclosure 1 of the FOL to change [The licensee] to [FPL*] in the first paragraph. Add a footnote at the bottom of the page [*FPL retained for historical purposes only.]
- II. The proposed amendment would make the following changes to Appendix A, Technical Specifications (TS), of Facility Operating License DPR-67:**
1. Revise the TS Definition 1.30, SITE BOUNDARY, to change [licensee] to [licensees]
 2. Revise the TS Definition 1.35, UNRESTRICTED AREA, to change [licensee] to [licensees]
 3. Revise the footnote on TS page 3/4 1-22 to change [The licensee] to [WCB]
 4. Revise TS 4.7.9.1.1.a. to change [The licensee] to [WCB]
 5. Revise TS Figure 5.1-1 to delete reference to [Florida Power & Light Company] in the Figure title box
 6. Revise TS 6.2.1.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
 7. Revise TS 6.5.1.6.e. to change [President-Nuclear Division] to [Chief Nuclear Officer]
 8. Revise TS 6.5.1.6.k. to change [President-Nuclear Division] to [Chief Nuclear Officer]
 9. Revise TS 6.5.1.7.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]

10. Revise TS 6.5.1.8. to change [President-Nuclear Division] to [Chief Nuclear Officer]
11. Revise TS 6.5.2.2. to change [President-Nuclear Division] to [Chief Nuclear Officer] in two places in the paragraph
12. Revise TS 6.5.2.8.e. to change [President-Nuclear Division] to [Chief Nuclear Officer]
13. Revise TS 6.5.2.9. to change [President-Nuclear Division] to [Chief Nuclear Officer]
14. Revise TS 6.5.2.10.a. to change [President-Nuclear Division] to [Chief Nuclear Officer]
15. Revise TS 6.5.2.10.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
16. Revise TS 6.5.2.10.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]
17. Revise TS 6.6.1.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
18. Revise TS 6.7.1.a. to change [President-Nuclear Division] to [Chief Nuclear Officer]
19. Revise TS 6.7.1.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]
- III. **The proposed amendment would make the following changes to Appendix B-PART II, Environmental Protection Plan (EPP), of Facility Operating License DPR-67:**
 1. Revise the title page of Appendix B-PART II, Environmental Protection Plan (EPP), of Facility Operating License DPR-67 to delete [Florida Power & Light Company]
 2. Revise EPP 3.1 paragraph 1 to change [The licensee] to [WCB]. Revise EPP 3.1 paragraph 2 to change [the licensee] to [WCB] in two places. Revise EPP 3.1 paragraph 4 to change [The licensee] to [WCB].
 3. Revise EPP 3.2.2 to change [The licensee] to [WCB]
 4. Revise EPP 3.2.4 to change [The licensee] to [WCB]

5. Revise EPP 4.2 to change [FPL] to [FPL*] and add a footnote to the bottom of the page [*FPL retained for historical purposes only.]
6. Revise EPP 4.2.2 paragraph 1 to change [the licensee] to [WCB]
7. Revise EPP 4.2.2.2. 1) to change [FPL] to [WCB]
8. Revise EPP 4.2.2.2. 3) to change [FPL] to [WCB] three places in the paragraph.
9. Revise EPP 4.2.2.2. 6) to change [FPL] to [WCB]
10. Revise EPP 4.2.2.2. 7) to change [FPL] to [WCB]
11. Revise EPP 4.2.2.2. 8) to change [FPL] to [WCB]
12. Revise EPP 4.2.2.2. 9) change [FPL] to [WCB]
13. Revise EPP 4.2.2.2. 10) c) to change [between FPL] to [among WCB]
14. Revise EPP 4.2.3. to change [FPL owner] to [WCB]
15. Revise EPP 4.3. to change [licensee] to [WCB] in two places and change [the licensee] to [WCB] in the last sentence
16. Revise EPP 5.1. to change [The licensee] to [WCB]
17. Revise EPP 5.4.1.2 to change [the licensee] to [WCB]

Section B

Description of Proposed Operating License Changes

St. Lucie Unit 2 NPF-16

**Description of Proposed Operating License Changes
St. Lucie Unit 2**

- I. **The proposed amendment would make the following changes to Facility Operating License NPF-16:**
 1. Revise Facility Operating License (FOL) title to relocate the [AND] and add [WCB OPERATIONS, INC.]
 2. Revise FOL 1.A. to add [(FPL)] after Florida Power & Light Company and replace [(licensees)] with [*] and add a footnote [*FPL, Orlando Utilities Commission, and Florida Municipal Power Agency retained for historical purposes only.]
 3. Revise FOL 1.E. replace [The Florida Power & Light Company*] with [WCB Operations, Inc.** (WCB)]. Change the footnote to read [****WCB succeeds FPL as operator of the St. Lucie Plant, Unit 2. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over physical construction, operation, and maintenance of the facility. Florida Power & Light Company is authorized to act as agent for the Orlando Utilities Commission of the City of Orlando, Florida, and the Florida Municipal Power Agency.**]
 4. Revise FOL 1.F. to change [licensees] to [Florida Power & Light Company, the Orlando Utilities Commission of the City of Orlando, Florida, and the Florida Municipal Power Agency (owners)]
 5. Revise FOL 2. to add [WCB Operations, Inc. and] between [issued to] and [the Florida Power]
 6. Revise FOL 2.A. to change [licensees] to [owners] in the first sentence. Change [licensee's] to [St. Lucie Plant] in the second sentence. Change [Company's] to [Company's*] in 2 places in the last sentence and add the footnote [***FPL retained for historical purposes only.**] at the bottom of the page
 7. Revise FOL 2.B.(1) to change [FP&L to] to [WCB to possess,] between [and] and [use]
 8. Revise FOL 2.B.(2) to change [FP&L] to [WCB] and change [FP&L's] to [FP&L's*] between [and] and [letter L-83-207]
 9. Revise FOL 2.B.(3) change [FP&L] to [WCB]
 10. Revise FOL 2.B.(4) to change [FP&L] to [WCB]
 11. Revise FOL 2.B.(5) to change [FP&L] to [WCB]
 12. Revise FOL 2.C.(1) to change [Florida Power & Light Company] to [WCB]

13. Revise FOL 2.C.(2) to change [The licensee] to [WCB]
 14. Revise FOL 2.C.(20) to change [The licensee] to [WCB] in the first sentence and to change [licensee submittals] to [FPL* submittals] in the statement in parentheses. Add a footnote [*FPL retained for historical purposes only.]. In the indented fire protection change criteria paragraph, change [The licensee] to [WCB].
 15. Revise FOL 2.D. to change [The licensees] to [WCB]
 16. Revise FOL 2.E. to change [the licensees] to [WCB]
 17. Revise FOL 2.F. to change [The licensees] to [WCB]
 18. Revise FOL 2.G. to change [The licensees] to [WCB]
 19. Revise FOL 2.H. to change [licensees] to [owners]
 20. Revise the note to change [FPL] to [FPL*] and add footnote [*FPL retained to for historical purposes only.]
- II. The proposed amendment would make the following changes to Appendix A, Technical Specifications (TS), of Facility Operating License NPF-16:**
1. Revise the TS Definition 1.30, SITE BOUNDARY, to change [licensee] to [licensees]
 2. Revise the TS Definition 1.35, UNRESTRICTED AREA, to change [licensee] to [licensees]
 3. Revise the footnote on TS page 3/4 1-20 to change [The licensee] to [WCB]
 4. Revise TS 4.7.10.1.a. to change [The licensee] to [WCB]
 5. Revise TS Figure 5.1-1 to delete reference to [Florida Power & Light Company] in the Figure title box
 6. Revise TS 6.2.1.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
 7. Revise TS 6.5.1.6.e. to change [President-Nuclear Division] to [Chief Nuclear Officer]
 8. Revise TS 6.5.1.6.k. to change [President-Nuclear Division] to [Chief Nuclear Officer]

9. Revise TS 6.5.1.7.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]
10. Revise TS 6.5.1.8. to change [President-Nuclear Division] to [Chief Nuclear Officer]
11. Revise TS 6.5.2.2. to change [President-Nuclear Division] to [Chief Nuclear Officer] in two places in the paragraph
12. Revise TS 6.5.2.8.e. to change [President-Nuclear Division] to [Chief Nuclear Officer]
13. Revise TS 6.5.2.10. to change [President-Nuclear Division] to [Chief Nuclear Officer]
14. Revise TS 6.5.2.11.a. to change [President-Nuclear Division] to [Chief Nuclear Officer]
15. Revise TS 6.5.2.11.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
16. Revise TS 6.5.2.11.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]
17. Revise TS 6.6.1.b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
18. Revise TS 6.7.1.a. to change [President-Nuclear Division] to [Chief Nuclear Officer]
19. Revise TS 6.7.1.c. to change [President-Nuclear Division] to [Chief Nuclear Officer]
- III. **The proposed amendment would make the following changes to Appendix B, Environmental Protection Plan (EPP), of Facility Operating License NPF-16:**
 1. Revise EPP 3.1 paragraph 1 to change [The licensee] to [WCB]. Revise EPP 3.1 paragraph 2 to change [the licensee] to [WCB] in two places. Revise EPP 3.1 paragraph 4 to change [The licensee] to [WCB].
 2. Revise EPP 3.2.2 to change [The licensee] to [WCB]
 3. Revise EPP 3.2.4 change [The licensee] to [WCB] in two places.
 4. Revise EPP 4.2 to change [FPL] to [FPL*] and add a footnote to the bottom of the page [*FPL retained for historical purposes only.]

5. Revise EPP 4.2.2 to change [the licensee] to [WCB].
6. Revise EPP 4.2.2.2. 1) to change [FPL] to [WCB]
7. Revise EPP 4.2.2.2. 3) to change [FPL] to [WCB] in three places . Change [its] to [the].
8. Revise EPP 4.2.2.2. 6) to change [FPL] to [WCB].
9. Revise EPP 4.2.2.2. 7) to change [FPL] to [FPL*] and add footnote [*FPL retained for historical purposes only.]
10. Revise EPP 4.2.2.2. 8) to change [FPL] to [WCB]
11. Revise EPP 4.2.2.2. 9) to change [FPL] to [WCB]
12. Revise EPP 4.2.2.2. 10) c) to change [between FPL] to [among WCB]
13. Revise EPP 4.2.3. to change [FPL owner] to [WCB]
14. Revise EPP 4.3. to change [licensee] to [WCB] in two places and [the licensee] to [WCB] in the last sentence
15. Revise EPP 5.1. to change [The licensee] to [WCB]
16. Revise EPP 5.4.1.2 to change [the licensee] to [WCB]

Section C

Description of Proposed Operating License Changes

Turkey Point Units 3 and 4

DPR-31 and DPR-41

**Description of Proposed Operating License Changes
Turkey Point Units 3 and 4**

- I. **The proposed amendment would make the following changes to Facility Operating License DPR-31:**
 1. Revise Facility Operating License (FOL) title to add [AND WCB OPERATIONS, INC.].
 2. Revise FOL d. to change [Florida Power and Light Company] to [WCB Operations, Inc. (WCB)*]. Add a footnote [*WCB succeeds FPL as operator of Turkey Point Unit 3. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.] Replace [is technically and financially qualified to engage in the activities] with [is technically qualified and Florida Power and Light Company (FPL) and WCB together are financially qualified to engage in the activities]
 3. Revise FOL second section statement to replace [Facility Operating License No. DPR-31 is hereby issued to Florida Power and Light Company (FPL) as follows:] with [Facility Operating License No. DPR-31 is hereby issued to WCB and FPL as follows:]
 4. Revise FOL 2. to delete [FPL]
 5. Revise FOL 2.A. to replace ["Licensing of Production and Utilization Facilities," to possess, use, and operate the facility] with ["Licensing of Production and Utilization Facilities" FPL to possess, and WCB to possess, use and operate the facility].
 6. Revise FOL 2.B. to insert [WCB] between [Part 70,] and [to receive]
 7. Revise FOL 2.C. to insert [, WCB] between [70] and [to receive]
 8. Revise FOL 2.D to insert [, WCB] between [Part 30] and [to receive]
 9. Revise FOL 2.E to insert [, WCB] between [70] and [to receive]
 10. Revise FOL 2.F to insert [WCB] between [70,] and [to possess]
 11. Revise FOL 3.A. to change [The applicant] to [WCB]
 12. Revise FOL 3.B. to change [The licensee] to [WCB]
 13. Revise FOL 3.C. to change [FPL] to [WCB]
 14. Revise FOL 3.D. to change [FPL] to [WCB]

15. Revise FOL 3.G. to change [FPL] to [WCB] and FOL 3.G. subparagraph to change [The licensee] to [WCB]

16. Revise FOL 3.L. to change [The license] to [WCB]

II. The proposed amendment would make the following changes to Facility Operating License DPR-41:

1. Revise Facility Operating License (FOL) title to add [and WCB Operations, Inc.].

2. Revise the FOL a. to add [*(FPL)] and to delete [(the applicant)]. Add footnote at the bottom of the page [*FPL retained for historical purposes only.]

3. Revise the FOL e. to delete the words [The applicant] and replace them with [WCB Operations, Inc. (WCB)**]. Add a footnote [**WCB succeeds FPL as operator of Turkey Point Unit 4. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over the physical construction, operation, and maintenance of the facility.] Replace [is technically and financially qualified to engage in activities] with [is technically qualified and FPL and WCB together are financially qualified to engage in the activities]

4. Revise the FOL f. to change [The applicant] to [FPL]

5. Revise FOL second section statement to replace [Facility Operating License No. DPR-41 is hereby issued to the Florida Power and Light Company (the applicant),] with [Facility Operating License No. DPR-41 is hereby issued to WCB and FPL (the licensees),]

6. Revise FOL 1 to change [applicant's] to [Turkey Point Plant]

7. Revise FOL 2 to replace [the Commission hereby licenses Florida Power and Light Company (the applicant):] with [the Commission hereby licenses:]

8. Revise FOL 2.A. to replace ["Licensing of Production and Utilization Facilities," to possess, use, and operate the facility] with ["Licensing of Production and Utilization Facilities," FPL to possess, and WCB to possess, use and operate the facility]

9. Revise FOL 2.B. to insert [WCB] between [Part 70,] and [to receive]

10. Revise FOL 2.C. to insert [, WCB] between [Parts 30, 40, and 70] and [to receive]

11. Revise FOL 2.D to insert [, WCB] between [Part 30] and [to receive]

12. Revise FOL 2.E to insert [, WCB] between [Parts 40 and 70] and [to receive]

13. Revise FOL 2.F to insert [WCB] between [Parts 30 and 70,] and [to possess]

14. Revise FOL 3.A. to change [applicant's] to [FPL*] in the first sentence. Add a footnote to read [*FPL is retained for historical purposes only.]
 15. Revise FOL 3.A. to change [the applicant] to [WCB] in the second sentence
 16. Revise FOL 3.B. to change [The licensee] to [WCB]
 17. Revise FOL 3.C.(1) to change [The applicant] to [FPL*]. Add a footnote to read [*FPL is retained for historical purposes only.]
 18. Revise FOL 3.C.(2) to change [The applicant] to [WCB] in the first sentence and to change [the applicant] to [WCB] in the second sentence
 19. Revise FOL 3.F. to change [FPL] to [WCB] and FOL 3.F subparagraph to change [The licensee] to [WCB]
 20. Revise FOL 3.L. to change [The license] to [WCB]
- III. The proposed amendment would make the following changes to Appendix A, Technical Specification (TS), of Facility Operating Licenses DPR-31 and DPR-41:**

Note: The Plant Nuclear Safety Committee and Company Nuclear Review Board requirements were previously relocated to the Turkey Point Units 3 and 4 Updated Final Safety Analysis Report (UFSAR) by Amendment 201 for Unit 3 and Amendment 195 for Unit 4.

1. Revise the TS Definition 1.27, SITE BOUNDARY, to change [licensee] to [licensees]
2. Revise the TS Definition 1.34, UNRESTRICTED AREA, to change [licensee] to [licensees]
3. Revise TS 4.7.7.1a. to change [The licensee] to [WCB]
4. Revise TS 6.2.1b. to change [President-Nuclear Division] to [Chief Nuclear Officer]
5. Revise TS 6.7.1a. to change [President-Nuclear Division] to [Chief Nuclear Officer]
6. Revise TS 6.7.1c. to change [President-Nuclear Division] to [Chief Nuclear Officer]

7. Revise TS 6.9.1.7, page 6-22 to change [Topical Report NF-TR-95-01 was approved by the NRC for use by Florida Power & Light Company] to [Topical Report NF-TR-95-01 was approved by the NRC for use by the licensee]

IV. The proposed amendment would make the following changes to Appendix B, Environmental Protection Plan (EPP), of Facility Operating Licenses DPR-31 and DPR-41:

1. Revise EPP 3.1, first paragraph to change [The licensee] to [WCB]
2. Revise EPP 3.1, second paragraph, both sentences, to change [the licensee] to [WCB]
3. Revise EPP 3.1, fourth paragraph to change [The licensee] to [WCB]
4. Revise EPP 3.2 3, first sentence to change [the licensee] to [WCB]; second sentence to change [The licensee] to [WCB]
5. Revise EPP 4.1, to change [The licensee] to [WCB]

ENCLOSURE 4

MARKED-UP OPERATING LICENSES WITH PROPOSED CHANGES

Section A - St. Lucie Unit 1 DPR-67

Section B - St. Lucie Unit 2 NPF -16

Section C - Turkey Point Units 3 and 4 DPR-31 and DPR-41

Section A

MARKED-UP OPERATING LICENSES WITH PROPOSED CHANGES

St. Lucie Unit 1

Facility Operating License DPR-67

1 through 6

Technical Specifications

1-6

1-7

3/4 1-22

3/4 7-27

5-2

6-1

6-7

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Environmental Protection Plan

Appendix B-Part II Title Page

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Updated per Amendment 168 dated 12/7/00

FLORIDA POWER & LIGHT COMPANY

DOCKET NO. 50-335

ST. LUCIE UNIT NO. 1

FACILITY OPERATING LICENSE

AND
WCB OPERATIONS, INC.

1. The Nuclear Regulatory Commission (the Commission) having found that:

- A. The application for license filed by Florida Power & Light Company ~~(the licensee)~~ 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 1 and all required notifications to other agencies or bodies have been duly made;
- B. Construction of the St. Lucie Plant, Unit No. 1 (facility) has been substantially completed in conformity with Construction Permit No. CPPR-74 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
- C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- D. There is reasonable assurance: (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
- E. ~~The licensee~~ ^{qualified} is technically and financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission; ^{Florida Power & Light Company (FPL) and WCB TOGETHER ARE}
- F. ~~The licensee~~ ^(FPL) has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- G. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public;

Add footnotes:

* FPL retained for historical purposes only.

** WCB succeeds FPL as operator of St. Lucie Plant, Unit 1.
WCB is authorized to act as agent for FPL and has exclusive responsibility and control over physical construction, operations, and maintenance of the facility.

Updated per Amendment 168 dated 12/7/00

- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Facility Operating License No. DPR-67, subject to the conditions for protection of the environment set forth herein, is in accordance with 10 CFR Part 51 (and with former Appendix D to 10 CFR Part 50) of the Commission's regulations and all applicable requirements of said Part 51 (and with former Appendix D) have been satisfied; and
- I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31.
2. Facility Operating License No. DPR-67 is hereby issued to the Florida Power & Light Company to read as follows:
- A. This license applies to the St. Lucie Plant, Unit No. 1, a pressurized water nuclear reactor and associated equipment (the facility), owned by the Florida Power & Light Company. The facility is located on the ~~licensee's~~ site ~~on Hutchinson Island~~ in St. Lucie County, Florida, and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 12 through 57) and the Environmental Report as supplemented and amended (Supplements 1 through 9).
- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses ~~Florida Power & Light Company~~ ^{FPL} and WCB to possess,
- (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the licensee's site on Hutchinson Island in St. Lucie County, Florida, in accordance with the procedures and limitations set forth in this license with repaired fuel assemblies as described in the ~~licensee's~~ filing dated October 25, 1976 and November 18, 1976. ^{FPL's}
- (2) Pursuant to the Act and 10 CFR Part 70, ^{WCB} to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemental and amended;
- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, ^{WCB} to receive, possess and use at any time byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;

add footnote

**FPL retained for historical purposes only.*

Updated per Amendment 168 dated 12/7/00

- (4) Pursuant to the Act, and 10 CFR Parts 30, 40, and 70, ^{WCB} to receive, possess and use in amounts as required any byproduct source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components;
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, ^{WCB} to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter : Part 20, Sections 30.34 of Part 30, Section 40.41 of Part 40, Section 50.54 and 50.59 of Part 50, and Section 70.32 of 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 or incorporated below;
- (1) Maximum Power Level
^{WCB} The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 2700 megawatts (thermal), provided that the construction items, preoperational tests, startup tests, and other items identified in Enclosure 1 to this license have been completed as specified in Enclosure 1. Enclosure 1 is an integral part of, and is hereby incorporated in this license. [Amendment 48]
- (2) Technical Specifications
The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 168 are hereby incorporated in the license. ^{WCB} The licensee shall operate the facility in accordance with the Technical Specifications. [Amendment 168]
- (3) Fire Protection
^{WCB} The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report for the facility (The fire protection program and features were originally described in licensee submittals L-83-514 dated October 7, 1983, L-83-227 dated April 22, 1983, L-83-261 dated April 25, 1983, L-83-453 dated August 24, 1983, L-83-488 dated September 16, 1983, L-83-588 dated December 14, 1983, L-84-346 dated November 28, 1984, L-84-390 dated December 31, 1984, and L-85-71 dated February 21, 1985) and as approved in by NRC letter dated July 17, 1984 and supplemented by NRC letters dated ^{FPL*}

add footnote

* FPL retained for historical purposes only.

Updated per Amendment 168 dated 12/7/00

February 21, 1985, March 5, 1987, and October 4, 1998 subject to the following provision:

WCB
The licensee may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire. [Amendment 115]

- (4) DELETED PER AMENDMENT #88, DATED JANUARY 13, 1988.
- (5) DELETED PER AMENDMENT #88, DATED JANUARY 13, 1988.
- (6) SUSTAINED CORE UNCOVERY ACTIONS

Procedural guidance shall be in place to instruct operators to implement actions which are designed to mitigate a small break loss of coolant accident prior to a calculated time of sustained core uncovery. [Amendment No. 151]

- WCB
- D. This licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "St. Lucie Plant Security Plan," with revisions submitted through April 11, 1988; "St. Lucie Plant Training and Qualification Plan", with revisions submitted through August 8, 1985; and "St. Lucie Plant Safeguards Contingency Plan," with revisions through December 8, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein. [Amendment 97]

- E. DELETED PER AMENDMENT #46, DATED NOVEMBER 3, 1981.

- WCB
F. The licensee shall implement the following requirements for the protection of the environment:

- (1) DELETED PER AMENDMENT #162, DATED JULY 2, 1999.
- (2) DELETED PER AMENDMENT #50, DATED MAY 21, 1982.
- (3) DELETED PER AMENDMENT #39, DATED MARCH 10, 1981.

Updated per Amendment 168 dated 12/7/00

- (4) If significant detrimental effects or evidence of irreversible damage are detected by the monitoring programs required by Appendix B of this license, ~~the licensee~~ ^{WCB} will provide the Commission with an analysis of the problem and plan of action to be taken subject to Commission approval to eliminate or significantly reduce the detrimental effects or damage.

Appendix B to this license, the Environmental Technical Specifications, contains requirements that implement these and other environmental conditions of this license. [Original OL]

- G. This license is effective as of the date of issuance and shall expire at midnight, March 1, 2016. [Amendment 82]

FOR THE NUCLEAR REGULATORY COMMISSION

Roger S. Boyd, Director
Division of Project Management
Office of Nuclear Reactor Regulation

Note: A change to the Updated Final Safety Analysis Report (UFSAR) to reflect the evaluation of the effects of a postulated main steam safety valve (MSSV) inadvertent opening as set forth in FPL letter L-97-158, dated July 22, 1997, titled, "UFSAR Evaluation of MSSV Inadvertent Opening," is authorized. [Amendment 154]

Enclosures:

1. Incomplete Construction Items,
Preoperational Tests, Startup
Tests, and Other Items Which
Must be Completed
2. Appendices A & B –
Technical Specifications

Date of Issuance: March 01, 1976

add footnote

* FRL Retained for historical purposes only.

Updated per Amendment 168 dated 12/7/00

REVISED

ENCLOSURE 1 TO LICENSE NO. DPR-67

ST. LUCIE PLANT UNIT NO. 1

ITEMS WHICH MUST BE COMPLETED

This enclosure identifies certain items which shall be completed to the satisfaction of the Commission prior to (1) achieving certain specified operating conditions or (2) proceeding with operations beyond certain specified dates. ~~The licensee~~ shall neither operate the facility beyond the specified operating conditions, nor operate the facility after the specified dates without prior written authorization from the Commission. All items in this enclosure shall be conducted and/or completed (a) in accordance with the applicable section(s) of the Final Safety Analysis Report, as approved in the Safety Evaluation Report, and Supplements to the Safety Evaluation Report of (b) as approved by Amendment to the license.

- A. (Deleted by Amendment No. 4 to license issued on April 16, 1976)
- B. (Deleted by Amendment No. 5 to license issued on April 30, 1976)
- C. (Deleted by Amendment No. 14 to license issued on March 25, 1977)
- D. (Deleted by Amendment No. 32 to license issued on May 27, 1979)
- E. (Deleted by Amendment No. 6 issued June 30, 1976, and Amendment No. 8 to license issued on August 31, 1976)
- F. (Deleted by Amendment No. 18 to license issued on December 21, 1977)
- G. (Deleted by Amendment No. 18 to license issued on December 21, 1977)
- H. (Deleted by Amendment No. 8 to license issued on August 31, 1976)
- I. (Deleted by Amendment No. 27 to license issued on May 26, 1978)
- J. (Deleted by Amendment No. 12 to license issued on February 16, 1977)
- K. (Deleted by Amendment No. 13 to license issued on February 18, 1977)
- L. (Deleted - Only effective through August 31, 1976)
- M. (Deleted by Amendment No. 27 to license issued on May 26, 1978)
- N. (Deleted by Amendment No. 27 to license issued on May 26, 1978)

add footnote

**FPL retained for historical purposes only.*

DEFINITIONS

RATED THERMAL POWER

1.25 RATED THERMAL POWER shall be a total reactor core heat transfer rate to the reactor coolant of 2700 MWt.

REACTOR TRIP SYSTEM RESPONSE TIME

1.26 The REACTOR TRIP SYSTEM RESPONSE TIME shall be the time interval from when the monitored parameter exceeds its trip setpoint at the channel sensor until electrical power is interrupted to the CEA drive mechanism.

REPORTABLE EVENT

1.27 A REPORTABLE EVENT shall be any of those conditions specified in Section 50.73 to 10 CFR Part 50.

SHIELD BUILDING INTEGRITY

1.28 SHIELD BUILDING INTEGRITY shall exist when:

- a. Each door is closed except when the access opening is being used for normal transit entry and exit;
- b. The shield building ventilation system is in compliance with Specification 3.6.6.1, and
- c. The sealing mechanism associated with each penetration (e.g., welds, bellows or O-rings) is OPERABLE.

SHUTDOWN MARGIN

1.29 SHUTDOWN MARGIN shall be the instantaneous amount of reactivity by which the reactor is subcritical or would be subcritical from its present condition assuming all full-length control element assemblies (shutdown and regulating) are fully inserted except for the single assembly of highest reactivity worth which is assumed to be fully withdrawn.

SITE BOUNDARY

1.30 SITE BOUNDARY means that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee. *licensees*

SOURCE CHECK

1.31 A SOURCE CHECK shall be the qualitative assessment of channel response when the channel sensor is exposed to a radioactive source.

DEFINITIONS

STAGGERED TEST BASIS

1.32 A STAGGERED TEST BASIS shall consist of:

- a. A test schedule for n systems, subsystems, trains or other designated components obtained by dividing the specified test interval into n equal subintervals, and
- b. The testing of one system, subsystem, train or other designated component at the beginning of each subinterval.

THERMAL POWER

1.33 THERMAL POWER shall be the total reactor core heat transfer rate to the reactor coolant.

UNIDENTIFIED LEAKAGE

1.34 UNIDENTIFIED LEAKAGE shall be all leakage which is not IDENTIFIED LEAKAGE or CONTROLLED LEAKAGE.

UNRESTRICTED AREA

1.35 UNRESTRICTED AREA means an area, access to which is neither limited nor controlled by the licensees. *licensees*

UNRODDED INTEGRATED RADIAL PEAKING FACTOR - F_r

1.36 The UNRODDED INTEGRATED RADIAL PEAKING FACTOR is the ratio of the peak pin power to the average pin power in an unrodded core, excluding tilt.

REACTIVITY CONTROL SYSTEMS

FULL LENGTH CEA POSITION (continued)

LIMITING CONDITION FOR OPERATION (continued)

- b) The SHUTDOWN MARGIN requirement of Specification 3.1.1.1 is determined at least once per 12 hours.

Otherwise, be at least HOT STANDBY within the next 6 hours.

- g. With more than one full length CEA inoperable or misaligned from any other CEA in its group by 15 inches (indicated position) or more, be in HOT STANDBY within 6 hours.
- h. With one full length CEA inoperable due to causes other than addressed by ACTION a above, and inserted beyond the long term steady state insertion limits but within its above specified alignment requirements, operation in MODES 1 and 2 may continue pursuant to the requirements of Specification 3.1.3.6.

SURVEILLANCE REQUIREMENTS

- 4.1.3.1.1 The position of each full-length CEA shall be determined to be within 7.5 inches (indicated position) of all other CEAs in its group at least once per 12 hours except during time intervals when the Deviation Circuit and/or CEA Block Circuit are inoperable, then verify the individual CEA positions at least once per 4 hours.
- 4.1.3.1.2 Each full length CEA not fully inserted shall be determined to be OPERABLE by inserting it at least 7.5 inches at least once per 92 days.
- 4.1.3.1.3 The CEA Block Circuit shall be demonstrated OPERABLE at least once per 92 days by a functional test which verifies that the circuit prevents any CEA from being misaligned from all other CEAs in its group by more than 7.5 inches (indicated position).
- 4.1.3.1.4 The CEA Block Circuit shall be demonstrated OPERABLE by a functional test which verifies that the circuit maintains the CEA group overlap and sequencing requirements of Specification 3.1.3.6 and that the circuit prevents the regulating CEAs from being inserted beyond the Power Dependent Insertion Limit of COLR Figure 3.1-2:
- *a. Prior to each entry into MODE 2 from MODE 3, except that such verification need not be performed more often than once per 92 days, and
- b. At least once per 6 months.

WCB

- * The licensee shall be excepted from compliance during the startup test program for an entry into MODE 2 from MODE 3 made in association with a measurement of power defect.

PLANT SYSTEMS

3/4.7.9 SEALED SOURCE CONTAMINATION

LIMITING CONDITION FOR OPERATION

3.7.9.1 Each sealed source containing radioactive material either in excess of 100 microcuries of beta and/or gamma emitting material or 5 microcuries of alpha emitting material shall be free of ≥ 0.005 microcuries of removable contamination.

APPLICABILITY: At all times.

ACTION:

- a. Each sealed source with removable contamination in excess of the above limit shall be immediately withdrawn from use and:
 1. Either decontaminated and repaired, or
 2. Disposed of in accordance with Commission Regulations.
- b. The provisions of Specifications 3.0.3 and 3.0.4 are not applicable.

SURVEILLANCE REQUIREMENTS

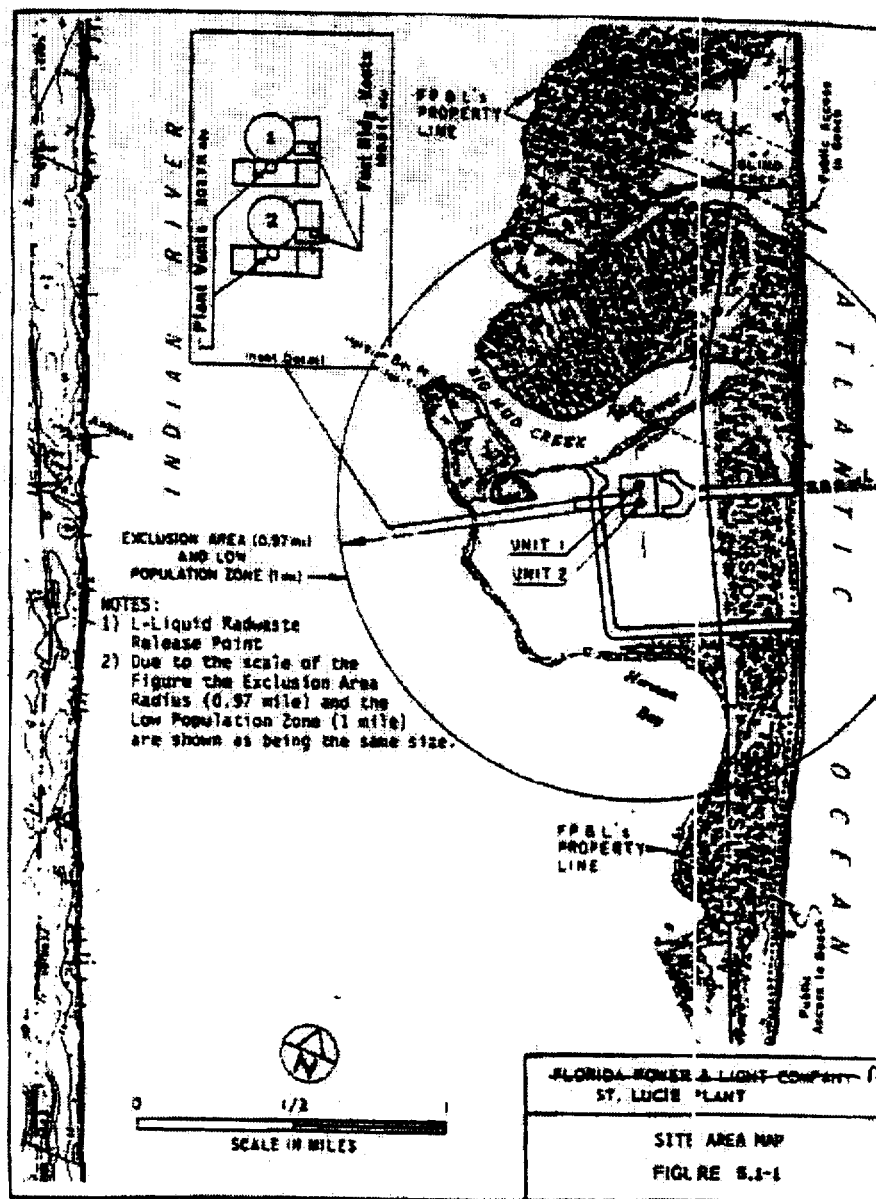
4.7.9.1.1 Test Requirements – Each sealed source shall be tested for leakage and/or contamination by:

- a. The licensee, or *EWCB*
- b. Other persons specifically authorized by the Commission or an Agreement State.

The test method shall have a detection sensitivity of at least 0.005 microcuries per test sample.

4.7.9.1.2 Test Frequencies – Each category of sealed sources shall be tested at the frequencies described below.

- a. Sources in use (excluding startup sources previously subjected to core flux) – At least once per six months for all sealed sources containing radioactive material:



6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

- 6.1.1 The Plant General Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.
- 6.1.2 The Shift Supervisor, or during his absence from the control room a designated individual, shall be responsible for the control room command function. A management directive to this effect, signed by the Site Vice President, shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

ONSITE AND OFFSITE ORGANIZATION

- 6.2.1 An onsite and an offsite organization shall be established for unit operation and corporate management. This onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.
 - a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Topical Quality Assurance Report and updated in accordance with 10 CFR 50.54(a)(3).
 - b. ~~The President Nuclear Division~~ *Chief Nuclear Officer* shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - c. The Plant General Manager shall be responsible for overall safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the Health Physics Supervisor shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

6.0 ADMINISTRATIVE CONTROLS

ALTERNATES

- 6.5.1.3 All alternate members shall be appointed in writing by the FRG Chairman to serve on a temporary basis; however, no more than two alternates shall participate as voting members in FRG activities at any one time.

MEETING FREQUENCY

- 6.5.1.4 The FRG shall meet at least once per calendar month and as convened by the FRG Chairman or his designated alternate.

QUORUM

- 6.5.1.5 The quorum of the FRG necessary for the performance of the FRG responsibility and authority provisions of these Technical Specifications shall consist of the Chairman or his designated alternate and four members including alternates.

RESPONSIBILITIES

- 6.5.1.6 The Facility Review Group shall be responsible for:

- a. Review of (1) all new procedures required by Specification 6.11 and all procedure changes that require a written safety evaluation, (2) all programs required by Specification 6.8 and changes thereto, and (3) any other proposed procedures or changes thereto as determined by the Plant General Manager to affect nuclear safety.
- b. Review of all proposed tests and experiments that affect nuclear safety.
- c. Review of all proposed changes to Appendix A Technical Specifications.
- d. Review of all proposed changes or modifications to unit systems or equipment that affect nuclear safety.
- e. Investigation of all violations of the Technical Specifications, including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the ~~President Nuclear Division~~ and to the Chairman of the Company Nuclear Review Board. *Chief Nuclear Officer*
- f. Review of all REPORTABLE EVENTS.
- g. Review of unit operations to detect potential nuclear safety hazards.
- h. Performance of special reviews, investigations or analyses and reports thereon as requested by the Plant General Manager or the Company Nuclear Review Board.

6.0 ADMINISTRATIVE CONTROLS

- i. Not Used.
- j. Not Used.
- k. Review of every unplanned on-site release of radioactive material to the environs including the preparation of reports covering evaluation, recommendations and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the ~~President Nuclear Division~~ and to the Company Nuclear Review Board.
- l. Review of changes to the PROCESS CONTROL PROGRAM and the OFFSITE DOSE CALCULATION MANUAL and RADWASTE TREATMENT SYSTEMS.
- m. Review and documentation of judgment concerning prolonged operation in bypass, channel trip, and/or repair of defective protection channels of process variables placed in bypass since the last FRG meeting.
- n. Review of the Fire Protection Program and implementing procedures and submittal of recommended changes to the Company Nuclear Review Board.

AUTHORITY

6.5.1.7 The Facility Review Group shall:

- a. Recommend in writing to the Plant General Manager, approval or disapproval of items considered under Specifications 6.5.1.6.a through d above.
- b. Render determinations in writing with regard to whether or not each item considered under Specifications 6.5.1.6.a, b, d, and e above constitutes an unreviewed safety question.
- c. Provide written notification within 24 hours to the ~~President Nuclear Division~~ and the Company Nuclear Review Board of disagreement between the FRG and the Plant General Manager; however, the Plant General Manager shall have responsibility for resolution of such disagreements pursuant to Specification 6.1.1 above.

RECORDS

6.5.1.8 The Facility Review Group shall maintain written minutes of each FRG meeting that, at a minimum, document the results of all FRG activities performed under the responsibility and authority provisions of these Technical Specifications. Copies shall be provided to the Plant General Manager, ~~President Nuclear Division~~ and the Chairman of the Company Nuclear Review Board.

Chief Nuclear Officer

ADMINISTRATIVE CONTROLS

6.5.2 COMPANY NUCLEAR REVIEW BOARD (CNRB)

FUNCTION

6.5.2.1 The Company Nuclear Review Board shall function to provide independent review and audit of designated activities in the areas of:

- a. nuclear power plant operations
- b. nuclear engineering
- c. chemistry and radiochemistry
- d. metallurgy
- e. instrument and control
- f. radiological safety
- g. mechanical and electrical engineering
- h. quality assurance practices

COMPOSITION

6.5.2.2 The ~~President - Nuclear Division~~ shall appoint, in writing, a minimum of five members to the CNRB and shall designate from this membership, in writing, a Chairman. The membership shall function to provide independent review and audit in the areas listed in Specification 6.5.2.1. The Chairman shall meet the requirements of ANSI/ANS-3.1-1987, Section 4.7.1. The members of the CNRB shall meet the educational requirements of the ANSI/ANS-3.1-1987, Section 4.7.2, and have at least 5 years of professional level experience in one or more of the fields listed in Specification 6.5.2.1. CNRB members who do not possess the educational requirements of ANSI/ANS-3.1-1987, Section 4.7.2 (up to a maximum of 2 members) shall be evaluated, and have their membership approved and documented, in writing, on a case-by-base basis by the ~~President - Nuclear Division~~, considering the alternatives to educational requirements of ANSI/ANS-3.1-1987, Sections 4.1.1 and 4.1.2.

Chief Nuclear Officer

ALTERNATES

6.5.2.3 All alternate members shall be appointed in writing by the CNRB Chairman to serve on temporary basis; however, no more than two alternates shall participate as voting members in CNRB activities at any one time.

ADMINISTRATIVE CONTROLS

- g. All REPORTABLE EVENTS.
- h. All recognized indications of an unanticipated deficiency in some aspect of design or operation of structures, systems, or components that could affect nuclear safety.
- i. Reports and meeting minutes of the Facility Review Group.

AUDITS

- 6.5.2.8 Audits of unit activities shall be performed under the cognizance of the CNRB. These audits shall encompass:
- a. The conformance of unit operation to provisions contained within the Technical Specifications and applicable license conditions.
 - b. The performance, training and qualifications of the entire unit staff.
 - c. The results of actions taken to correct deficiencies occurring in unit equipment, structures, systems, or method of operation that affect nuclear safety.
 - d. The performance of activities required by the Quality Assurance Program to meet the criteria of Appendix B, 10 CFR Part 50.
 - e. Any other area of unit operation considered appropriate by the CNRB or the ~~President - Nuclear Division~~ Chief Nuclear Officer.
 - f. The fire protection programmatic controls including the implementing procedures at least once per 24 months by qualified licensee QA personnel.
 - g. The fire protection equipment and program implementation at least once per 12 months utilizing either a qualified offsite licensee fire protection engineer or an outside independent fire protection consultant. An outside independent fire protection consultant shall be used at least every third year.
 - h. The radiological environmental monitoring program and the results thereof.
 - i. The OFFSITE DOSE CALCULATION MANUAL and implementing procedures.
 - j. The PROCESS CONTROL PROGRAM and implementing procedures for dewatering of radioactive bead resin.

ADMINISTRATIVE CONTROLS

AUTHORITY

6.5.2.9 The CNRB shall report to and advise the ~~President—Nuclear Division~~ on those areas of responsibility specified in Specifications 6.5.2.7 and 6.5.2.8.

RECORDS

6.5.2.10 Records of CNRB activities shall be prepared, approved and distributed as indicated below:

- a. Minutes of each CNRB meeting shall be prepared, approved and forwarded to the ~~President—Nuclear Division~~ within 14 days following each meeting.
- b. Reports of reviews encompassed by Specification 6.5.2.7 above, shall be prepared, approved and forwarded to the ~~President—Nuclear Division~~ within 14 days following completion of the review.
- c. Audit reports encompassed by Specification 6.5.2.8 above, shall be forwarded to the ~~President—Nuclear Division~~ and to the management positions responsible for the areas audited within 30 days after completion of the audit by the auditing organization.

6.6 REPORTABLE EVENT ACTION

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- b. Each REPORTABLE EVENT shall be reviewed by the FRG, and the results of the review shall be submitted to the CNRB, and the ~~President—Nuclear Division~~.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. The NRC Operations Center shall be notified by telephone as soon as possible and in all cases within 1 hour. The ~~President—Nuclear Division~~ and the CNRB shall be notified within 24 hours.
- b. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the FRG. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.

Chief Nuclear Officer

6.0 ADMINISTRATIVE CONTROLS

- c. The Safety Limit Violation Report shall be submitted to the Commission, the CNRB, and the President, Nuclear Division within 14 days of the violation.
- d. Critical operation of the unit shall not be resumed until authorized by the Commission.

6.8 PROCEDURES AND PROGRAMS

- 6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:
 - a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978, and those required for implementing the requirements of NUREG 0737.
 - b. Refueling operations.
 - c. Surveillance and test activities of safety-related equipment.
 - d. Not Used.
 - e. Not Used.
 - f. Fire Protection Program implementation.
 - g. PROCESS CONTROL PROGRAM implementation.
 - h. OFFSITE DOSE CALCULATION MANUAL implementation.
 - i. Quality Control Program for effluent monitoring, using the guidance in Regulatory Guide 1.21, Revision 1, June 1974.
 - j. Quality Control Program for environmental monitoring using the guidance in Regulatory Guide 4.1, Revision 1, April 1975.

6.8.2 REVIEW AND APPROVAL OF PROCEDURES

Each new procedure of Specification 6.8.1a. through i. above shall be independently reviewed by an individual or group from the appropriate discipline(s), and shall be reviewed by the FRG. New procedures shall be approved by the Plant General Manager or individuals designated in writing by the Plant General Manager prior to implementation. Each procedure of Specification 6.8.1 shall be reviewed periodically as set forth in administrative procedures.

APPENDIX B – PART II

ENVIRONMENTAL PROTECTION PLAN
(NON-RADIOLOGICAL)
TECHNICAL SPECIFICATIONS

Delete
FLORIDA POWER & LIGHT COMPANY
ST. LUCIE UNIT NO. 1
OPERATING LICENSE NO. DPR-67

DOCKET NO. 50-335

1982, NRC will rely on EPA for resolution of issues involving the monitoring of water quality and aquatic biota.


2.2 Terrestrial issues raised have led to programs on sea turtles that:

1. Document the nesting at the site and vicinity; determine effects of the discharge thermal plume on nesting patterns and hatchling migration; and investigate thermal stress on hatching and rearing factors by using turtle eggs from displaced nests
2. Minimize turtle hatchling disorientation by planting a light screen along the beach

The above programs specifically addressed as conditions in the Unit 1 FES, Operating License and Technical Specifications have been completed and the requirements have been satisfied.

3.0 Consistency Requirements

3.1 Plant Design and Operation

 The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question. Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to this requirement.

WCB
Before engaging in unauthorized construction or operational activities which may affect the environment, ~~the licensee~~ shall perform an environmental evaluation of such activity.* When the evaluation indicates that such activity involves an unreviewed environmental question, ~~the licensee~~ shall provide a written evaluation of such activities and obtain prior approval from the NRC.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the final environmental statement (FES) as modified by staff's testimony to the Atomic Safety and Licensing Board, supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents or power level (in accordance with 10 CFR Part 51.5(b)(2) or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this Subsection, which may have a significant adverse environmental impact.

WCB
~~The licensee~~ shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provides bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question.

* Activities are excluded from this requirement if all measurable nonradiological effects are confined to the on-site areas previously disturbed during site preparation and plant construction.

Activities governed by Section 3.3 of this EPP are not subject to the requirements of this section.

3.2 Reporting related to the NPDES Permit and State Certification (pursuant to Section 401 of the Clean Water Act)

1. Violations of the NPDES Permit or the State 401 Certification Conditions shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit or State 401 Certification.
2. ^{WCB} The licensee shall provide the NRC with a copy of any 316(b) studies and/or related documentation at the same time it is submitted to the permitting agency.
3. Changes and additions to the NPDES Permit or the State 401 Certification shall be reported to the NRC within 30 days following the date the change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.
4. The NRC shall be notified of changes to the effective NPDES Permit proposed by the licensee by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. ^{WCB} The licensee shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in plant design or operation and performance of tests or experiments which are required to achieve compliance with or approval from other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

4.0 Environmental Conditions

4.1 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to station operation shall be recorded and promptly reported to the NRC Operations Center within 72 hours via Emergency Notification System described in 10 CFR 50.72. In addition, the reporting requirement time frame shall be consistent with 10 CFR 50.72 for environmental protection issues. The initial report shall be followed by a written report as described in Section 5.4.2. No routine monitoring programs are required to implement this condition. Events covered by Section 3.2 of this EPP will be subject to reporting requirements as defined in that section and not subject to these requirements.

The following are examples of unusual or important events: excessive bird impaction events; onsite plant or animal disease outbreaks; mortality (causally related to station operation), or unusual occurrence of any species protected by the Endangered Species Act of 1973; unusual fish kills; increase in nuisance organisms or conditions; and unanticipated or emergency discharge of waste water or chemical substances.

4.2 Terrestrial/Aquatic Issues

This section addresses the issues on endangered or threatened sea turtles raised in the Unit 2 FES-OL, and in the Endangered Species Biological Assessment (March 1982). In May 1995, the NRC initiated a formal consultation with the National Marine Fisheries Service (NMFS) regarding sea turtle entrapment at the St. Lucie Plant. As a result of this consultation, an updated Sea Turtle Biological Assessment was submitted by FPL letter L-95-309 dated November 20, 1995. This assessment was reviewed by the NMFS which issued a Biological Opinion dated February 7, 1997. The sea turtle issues will be addressed by the following programs.

add footnote
** FPL retained for historical purposes only.*

4.2.1 Reinitiation of Endangered Species Act Section 7 Consultation

Reinitiation of formal consultation is required if: (1) the amount or extent of taking specified in the Incidental Take Statement is exceeded, (2) new information reveals effects of the action that may affect listed species or critical habitat (when designated) in a manner or to an extent not previously considered, (3) the identified action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in the NMFS Biological Opinion dated February 7, 1997, or (4) a new species is listed or critical habitat designated that may be affected by the identified action.

4.2.2 Incidental Take Statement

Section 7(b)(4) of the ESA requires that when an agency action is found to comply with Section 7(a)(2), NMFS will issue a statement specifying the impact of any incidental taking, providing reasonable and prudent measures necessary to minimize impacts, and setting forth terms and conditions that must be followed. Only incidental taking by ~~the licensee~~ that complies with the specified terms and conditions is authorized. *WUCB*

Based on historical records of sea turtle capture and mortality at the St. Lucie Plant cooling water intake canal, NMFS anticipates that continued operation of the circulating water system at St. Lucie Plant may result in the capture and mortality of loggerhead, leatherback, Kemp's ridley, green, and hawksbill turtles. Therefore, an incidental take level, and terms and conditions necessary to minimize and monitor takes is established. Variability in the rate of turtle entrapment at the St. Lucie Plant is considered to be primarily a function of the local abundance of turtles, since the operational characteristics of the intake structures have remained constant over the years. In recent years, green turtle entrapment has increased at a dramatic and unpredicted rate and may continue to increase. Therefore, no take level will be specified for entrapment, capture, and release of any species of turtle.

4.2.2.1 Lethal Take Levels

The lethal take levels are based on the historical observed lethal takes, but provide for increased total numbers of lethal takes as entrapment levels increase. Consequently, two lethal take levels are specified: one is a fixed level of the number of turtles of each species entrapped during the calendar year, while the other is a percentage of the number of turtles of each species entrapped during the calendar year. The allowable take level will be the greater of the two numbers, considering the prevailing entrapment rates. The annual incidental lethal take levels are established by the NMFS in the current ITS and specified in plant procedures.

4.2.2.2 Terms and Conditions of the Incidental Take Statement

The following terms and conditions are established to monitor the level of take and to minimize the adverse impacts of entrapment and the possibility of lethal takes:

- 1) ~~FPT~~ ^{WCB} shall install and maintain a five inches (12.7 cm) mesh barrier net across the intake canal, east of the previously existing eight inch mesh barrier net. The new net shall receive regular inspection, maintenance, and repair on at least a quarterly basis. The regular maintenance schedule notwithstanding, any holes or damage to the net that are discovered shall be promptly repaired to prevent the passage of turtles through the barrier net.
- 2) The existing eight inch mesh barrier net shall be retained to serve as a backup to the new five inch mesh barrier net, which may be lowered occasionally because of fouling and water flow problems. The eight (8) inch mesh net shall receive regular inspection, maintenance, and repair on at least a quarterly basis. The regular maintenance schedule notwithstanding, any holes or damage to the net that are discovered shall be promptly repaired to prevent the passage of turtles through the barrier net.
- 3) ~~FPT~~ ^{WCB} shall continue its current program to capture and release turtles from the intake canals. The handling of captured turtles, treatment and rehabilitation of sick and injured turtles, and disposition of dead turtle carcasses shall be in accordance with permits granted to ~~FPT~~ ^{WCB} or ~~FPT~~ ^{WCB}'s contractor through the FDEP.
- 4) Capture netting in the intake canal shall be conducted with a surface floating tangle net with an unweighted lead line. The net must be closely and thoroughly inspected via boat at least once per hour. Netting shall be conducted whenever sea turtles are present in the intake canal according to the following schedule:
 - a) 8 hours per day, 5 days per week, under normal circumstances;
 - b) 12 hours per day or during daylight hours, whichever is less, 7 days per week, under any of the following circumstances:
 - i) an adult turtle appears in the canal during mating or nesting season (March 1 through September 30),
 - ii) an individual turtle has remained in the canal for 7 days or more,
 - iii) a leatherback turtle appears in the canal,

- iv) an apparently sick or injured turtle appears in the canal.

Reasonable deviations from this schedule due to human safety considerations (i.e., severe weather) are authorized.

- 5) If a turtle is observed in the intake canal west of the 8 inch barrier net, directed capture efforts shall be undertaken to capture the turtle and to prevent it from entering the intake wells.
- 6) ~~FPL~~ shall implement an NMFS approved program to monitor for turtles at the cooling water intake wells. The program should include visual inspection of the intake wells by plant operation, security, or biology personnel. It must also include provisions for notifying appropriate response personnel if turtles are detected and for safely removing turtles from the intake wells.
- 7) ~~FPL~~ shall propose a plan for the design and implementation of a study to elucidate the effect of various factors on turtle entrapment. These factors may include, but are not limited to, the influence of characteristics of sea turtle behavior, population dynamics, and plant operational characteristics or environmental factors on turtle capture rates. The proposed study plan, design, and implementation date must be approved by NMFS.
- 8) ~~FPL~~ shall continue to participate in the Sea Turtle Stranding and Salvage Network (STSSN), under proper permits and authority, in order to assess any possible delayed lethal impacts of capture as well as to provide background data on the mortality sources and health of local sea turtles. As a point of clarification, stranded sea turtles are not counted against the authorized level of lethal incidental take in the Incidental Take Statement. Stranding information may be used as the basis for the determination that unanticipated impacts or levels of impact are occurring.
- 9) ~~FPL~~ shall continue to conduct, under proper permits and authority, the ongoing sea turtle nesting programs and public service turtle walks.
- 10) Routine Reports
- a) Copies of monthly reports covering sea turtle entrapment, capture, rehabilitation, turtle mortalities, and any pertinent, unusual events shall be furnished to NMFS.

WCB

- b) A discussion of the topics specified in ITS condition 10) a), the inspection and maintenance of the barrier nets, and the operation of the Taprogge condenser tube cleaning system including any associated sponge ball loss shall be included in the Annual Environmental Operating Report required by Section 5.1.1. A copy of this annual report shall be furnished by NMFS.
- c) A meeting shall be convened ^{among WCB} ~~between FPL~~, NRC, and NMFS to discuss endangered and threatened species information and developments at the St. Lucie Plant approximately every two years beginning January 2000.

4.2.3 Light Screen to Minimize Turtle Disorientation

Suitable plants (i.e., native vegetation such as live oak, native figs, wild tamarind, and others) shall be planted and maintained as a light screen along the beach dune line bordering the plant property to minimize turtle disorientation. In addition, ~~FPL owned controlled area~~ lighting shall be shielded so that none of the light is diverted skyward. ^{WCB}

4.3 General Exceptions

The environmental conditions of the EPP Section 4 are contingent upon ~~licensee~~ or its contractors being able to obtain the necessary FDEP endangered species permits to take, handle, and experiment with sea turtles. If ~~licensee~~ is unable to obtain the necessary permits, then NRC shall be notified of alternatives by ~~licensee~~. ^{WCB}

5.0 Administrative Procedures

5.1 Review and Audit

~~The licensee~~ shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

WCCB

observed, the licensee shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Environmental Operating Report shall also include:

- (a) A list of EPP noncompliances and the corrective actions taken to remedy them.
- (b) A list of all changes in station design or operation, tests, and experiments made in accordance with Subsection 3.1 which involved a potentially significant unreviewed environmental issue.
- (c) A list of nonroutine reports submitted in accordance with Subsection 5.4.2.
- (d) A discussion of the sea turtle entrapment, capture efforts, turtle mortalities, available information on barrier net inspections and maintenance, and the Taprogge condenser tube cleaning system operation including sponge ball loss at St. Lucie Plant.

In the event that some results are not available by the report due date, the report shall be submitted noting and explaining the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

5.4.2 Nonroutine Reports

A written report shall be submitted to the NRC in accordance with 10 CFR 50.4 within 30 days of occurrence of a nonroutine event. The report shall (a) describe, analyze, and evaluate the event, including extent and magnitude of the impact and plant operating characteristics, (b) describe the probable cause of the event, (c) indicate the action taken to correct the reported event, (d) indicate the corrective action taken to preclude repetition of the event and to prevent similar occurrences involving similar components or systems, and (e) indicate the agencies notified and their preliminary responses.

Events reportable under this subsection which also require reports to other Federal, State, or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this subsection. The NRC shall be provided a copy of such reports within 30 days of the date they submitted to the other agency.

Section B

MARKED-UP OPERATING LICENSES WITH PROPOSED CHANGES

St. Lucie Unit 2

Facility Operating License NPF-16

1 through 6

Technical Specifications

1-6

3/4 1-20

3/4 7-28

5-2

6-1

6-8

6-9

6-10

6-12

6-12a

6-13

Environmental Protection Plan

3-1

3-2

3-3

4-1

4-2

4-3

4-4

4-5

5-1

5-2

Updated per Amendment 111 dated 12/7/00

FLORIDA POWER AND LIGHT COMPANY

ORLANDO UTILITIES COMMISSION
OF THE CITY OF ORLANDO, FLORIDA

AND

FLORIDA MUNICIPAL POWER AGENCY

DOCKET 50-389

WCB OPERATIONS, INC.

ST. LUCIE PLANT, UNIT 2

FACILITY OPERATING LICENSE

1. The Nuclear Regulatory Commission (the Commission or the NRC) has found that:
 - A. The application for license filed by Florida Power and Light Company, ^(FPL) Orlando Utilities Commission of the City of Orlando, Florida and Florida Municipal Power Agency ~~(licensee)~~ complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the St. Lucie Plant, Unit 2 (facility) has been substantially completed in conformity with Construction Permit No. C-PPR-144 and the application as amended, the provisions of the Act, and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license 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 set forth in 10 CFR Chapter I;
 - E. WCB OPERATIONS, INC. (WCB) ~~The Florida Power & Light Company~~ is technically qualified to engage in the activities authorized by this operating license in accordance with the Commission's regulations set forth in 10 CFR Chapter 1.

* FPL, Orlando Utilities Commission, and Florida Municipal Power Agency retained for historical purposes only.

* Florida Power & Light Company is authorized to act as agent for the Orlando Utilities Commission of the City of Orlando, Florida, and Florida Municipal Power Agency, and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

WCB SUCCEEDS FPL AS OPERATOR OF ST LUCIE PLANT, UNIT 2.
WCB IS AUTHORIZED TO ACT AS AGENT FOR FPL AND HAS
EXCLUSIVE RESPONSIBILITY AND CONTROL OVER PHYSICAL
CONSTRUCTION OPERATION AND MAINTENANCE OF THE FACILITY.

Florida Power & Light Company, the Orlando
Utilities Commission of the City of Orlando, Florida, and
Updated per Amendment 111 dated 12/7/00

NPF-16
Page 2

the Florida Municipal
Power Agency (owners)

- F. ~~The licensees~~ have satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
- G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;
- H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Facility Operating License No. NPF-16, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
- I. The receipt, possession and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70.
2. ~~WCB Operations, Inc. and~~
Based on the foregoing findings, Facility Operating License No. NPF-16 is hereby issued to the Florida Power and Light Company, Orlando Utilities Commission of the City of Orlando, Florida and Florida Municipal Power Agency (licensees) to read as follows:
- A. This license applied to the St. Lucie Plant, Unit 2, a pressurized water reactor and associated equipment, owned by the ~~licensees~~. The facility is located on the ~~licensees~~ site in St. Lucie County, Florida, and is described in the Florida Power and Light Company's Final Safety Analysis Report as amended through Amendment 13, Florida Power & Light Company's letter L-83-207 and the Environmental Report as amended through Amendment 5.
- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
1. Pursuant to Section 103 of the Act and 10 CFR Part 50, Florida Power and Light Company (FPL), Orlando Utilities Commission of the City of Orlando, Florida and Florida Municipal Power Agency to possess, and ~~FPL~~ use and operate the facility at the designated location in St. Lucie County, Florida, in accordance with the procedures and limitations set forth in this license;
2. Pursuant to the Act and 10 CFR Part 70, ~~FPL~~ to receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as amended through Amendment 13 and FPL's letter L-83-207;

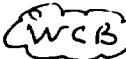
St Lucie
Plant

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possess,

ADD FOOTNOTE

* FPL RETAINED FOR HISTORICAL PURPOSES ONLY.

Updated per Amendment 111 dated 12/7/00

3. Pursuant to the Act and 10 CFR Parts 30, 40, and 70, ~~FP&L~~ to receive, possess, and use at any time any byproduct, source and special nuclear material as sealed sources for reactor startup, as sealed sources for reactor instrumentation and radiation monitoring equipment calibration, as fission detectors in amounts as required;
 4. Pursuant to the Act and 10 CFR Parts 30, 40, and 70, ~~FP&L~~ to receive, possess and use in amounts as required any byproduct source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 5. Pursuant to the Act and 10 CFR Parts 30, 40 and 70, ~~FP&L~~ to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility. [Amendment: 99]
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter and is subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now and hereafter in effect; and is subject to the additional conditions specified or incorporated below:
1. Maximum Power Level
 ~~Florida Power and Light Company~~ is authorized to operate the facility at reactor core power levels not in excess of 2700 megawatts thermal (100% power). [Amendment 9]
 2. Technical Specifications
The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 111, are hereby incorporated in the license. ~~The licensee~~ shall operate the facility in accordance with the Technical Specifications. [Amendment 111]
 3. Antitrust Conditions
Florida Power and Light Company shall comply with the antitrust conditions in Appendices C and D to this license. [Original OL]

Updated per Amendment 111 dated 12/7/00

4. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
5. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
6. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
7. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
8. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
9. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
10. DELETED PER AMENDMENT #41 DATED MAY 17, 1989
11. DELETED PER AMENDMENT #41 DATED MAY 17, 1989
12. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
13. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
14. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
15. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
16. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
17. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
18. DELETED PER AMENDMENT #34 DATED SEPTEMBER 13, 1988
19. DELETED PER AMENDMENT #99 DATED MARCH 17, 1999

20. Fire Protection

WCB *FPL**
~~This licensee~~ shall implement and maintain in effect all provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report (The fire protection program and features were originally described in the Final Safety Analysis Report, and supplemented by ~~licensee~~ submittals L-82-282 dated July 14, 1982, L-83-89 dated February 25, 1983, L-83-425 dated July 22, 1983, L-83-603 dated December 27, 1983, L-84-347 dated November 28, 1984, L-84-389 dated December 31, 1984, and L-85-72 dated February 21, 1985 for the facility) and as approved in the NRC Safety Evaluation Report Supplement 3 dated April 1983 and supplemented by NRC letter dated December 5, 1986 subject to the following provision:

~~The licensee~~ may make changes to the approved fire protection program without prior approval of the Commission only if those

add footnote
** FPL retained for historical purposes only.*

Updated per Amendment 111 dated 12/7/00

changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire. [Amendment 55]

- WCB*
- D. ~~The licensee~~ shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "St. Lucie Plant Security Plan," with revisions submitted through April 11, 1988; "St. Lucie Plant Training and Qualification Plan," with revisions submitted through August 8, 1985; and "St. Lucie Plant Safeguards Contingency Plan," with revisions through December 8, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein. [Amendment 32]
- E. Before engaging in additional construction or operational activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement dated April 1982, ~~the licensee~~ shall provide written notification to the Office of Nuclear Reactor Regulation. [Original OL]
- WCB*
- F. ~~The licensee~~ shall report any violations of the requirements contained in Section 2, Items C.(1), C.(3), D. and E. of this license within 24 hours by telephone and confirm by telegram, mailgram or facsimile transmission to the NRC Regional Administrator, Region II, or his designee, no later than the first working day following the violation, with a written followup report within fourteen (14) days. [Amendment 99]
- G. ~~The licensee~~ shall notify the Commission, as soon as possible but not later than one hour, of any accident at this facility which could result in an unplanned release of quantities of fission products in excess of allowable limits for normal operation established by the Commission. [Original OL]

owners

Updated per Amendment 111 dated 12/7/00

- H. The ~~licensees~~ shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims. [Original OL]
- I. DELETED PER AMENDMENT #99 DATED MARCH 17, 1993
- J. This license is effective as the date of issuance and shall expire at midnight on April 6, 2023. [Original OL]

FOR THE NUCLEAR REGULATORY COMMISSION

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosures:

1. Attachment 1
2. Appendix A (Technical Specifications)
3. Appendix B (Environmental Protection Plan)
4. Appendix C (Antitrust Conditions)
5. Appendix D (Antitrust Conditions)
6. Appendix E (Human Engineering Discrepancies)
7. Appendix F (Control Board 206 Equipment Rework)

Date of Issuance: April 6, 1983

Notes:

1. A change to the Updated Final Safety Analysis Report (UFSAR) to reflect the change in the turbine valve test interval from monthly to quarterly as set forth in FPL letter L-99-146 dated August 18, 1999, is authorized. [Amendment 108]

ADD FOOTNOTE

** FPL RETAINED FOR HISTORICAL PURPOSES ONLY.*

DEFINITIONS

SHUTDOWN MARGIN

1.29 SHUTDOWN MARGIN shall be the instantaneous amount of reactivity by which the reactor is subcritical or would be subcritical from its present condition assuming all full-length control element assemblies (shutdown and regulating) are fully inserted except for the single assembly of highest reactivity worth which is assumed to be fully withdrawn.

SITE BOUNDARY

1.30 SITE BOUNDARY means that line beyond which the land or property is not owned, leased, or otherwise controlled by the

~~licensee~~

licensees.

SOURCE CHECK

1.31 A SOURCE CHECK shall be the qualitative assessment of channel response when the channel sensor is exposed to a radioactive source.

STAGGERED TEST BASIS

1.32 A STAGGERED TEST BASIS shall consist of:

- a. A test schedule for n systems, subsystems, trains or other designated components obtained by dividing the specified test interval into n equal subintervals, and
- b. The testing of one system, subsystem, train or other designated component at the beginning of each subinterval.

THERMAL POWER

1.33 THERMAL POWER shall be the total reactor core heat transfer rate to the reactor coolant.

UNIDENTIFIED LEAKAGE

1.34 UNIDENTIFIED LEAKAGE shall be all leakage which is not IDENTIFIED LEAKAGE or CONTROLLED LEAKAGE.

UNRESTRICTED AREA

1.35 Unrestricted area means an area, access to which is neither limited nor controlled by the

~~licensee~~

REACTIVITY CONTROL SYSTEMS

ACTION: (Continued)

- h. With one full-length CEA inoperable due to causes other than addressed by ACTION a., above, but within its above specified alignment requirements and either fully withdrawn or within the Long Term Steady State Insertion Limits if in full-length CEA group 5, operation in MODES 1 and 2 may continue.

SURVEILLANCE REQUIREMENTS

- 4.1.3.1.1 The Position of each full-length CEA shall be determined to be within 7.0 inches (indicated position) of all other CEAs in its group at least once per 12 hours except during time intervals when the Deviation Circuit and/or CEA Block Circuit are inoperable, then verify the individual CEA positions at least once per 4 hours.
- 4.1.3.1.2 Each full-length CEA not fully inserted in the core shall be determined to be OPERABLE by movement of at least 7.0 inches in any one direction at least once per 92 days.
- 4.1.3.1.3 The CEA Block Circuit shall be demonstrated OPERABLE at least once per 92 days by a functional test which verifies that the circuit prevents any CEA from being misaligned from all other CEAs in its group by more than 7.0 inches (indicated position).
- 4.1.3.1.4 The CEA Block Circuit shall be demonstrated OPERABLE by a functional test which verifies that the circuit maintains the CEA group overlap and sequencing requirements of Specification 3.1.3.6 and that the circuit prevents the regulating CEAs from being inserted beyond the Power Dependent Insertion Limit of COLR Figure 3.1-2:
 - *a. Prior to each entry into MODE 2 from MODE 3, except that such verification need not be performed more often than once per 92 days, and
 - b. At least once per 6 months.

- * ~~The licensee~~ shall be excepted from compliance during the initial startup test program for an entry into MODE 2 from MODE 3 made in association with a measurement of power defect.

WCB

PLANT SYSTEMS

3/4.7.10 SEALED SOURCE CONTAMINATION

LIMITING CONDITION FOR OPERATION

3.7.10 Each sealed source containing radioactive material either in excess of 100 microcuries of beta and/or gamma emitting material or 5 microcuries of alpha emitting material shall be free of greater than or equal to 0.005 microcuries of removable contamination.

APPLICABILITY: At all times.

ACTION:

- a. With a sealed source having removable contamination in excess of the above limit, immediately withdraw the sealed source from use and either:
 - 1. Decontaminate and repair the sealed source, or
 - 2. Dispose of the sealed source in accordance with Commission Regulations.
- b. The provisions of Specifications 3.0.3 and 3.0.4 are not applicable.

SURVEILLANCE REQUIREMENTS

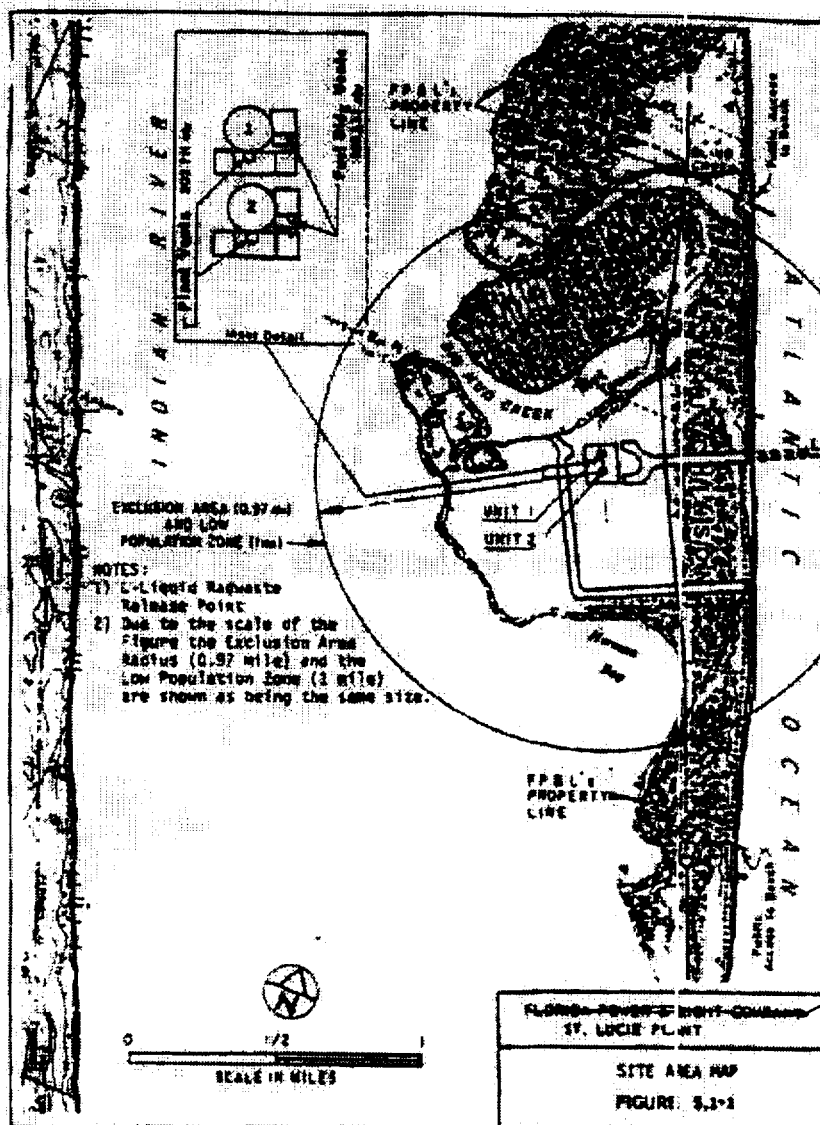
4.7.10.1 Test Requirements – Each sealed source shall be tested for leakage and/or contamination by:

- a. ~~The licensee~~ or ^{WCB}
- b. Other persons specifically authorized by the Commission or an Agreement State.

The test method shall be a detection sensitivity of at least 0.005 microcuries per test sample.

4.7.10.2 Test Frequencies – Each category of sealed sources (excluding startup sources and fission detectors previously subjected to core flux) shall be tested at the frequencies described below.

- a. Sources in use – At least once per 6 months for all sealed sources containing radioactive material:
 - 1. With a half-life greater than 30 days (excluding Hydrogen 3), and
 - 2. In any form other than gas.



6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

- 6.1.1 The Plant General Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.
- 6.1.2 The Shift Supervisor, or during his absence from the control room, a designated individual, shall be responsible for the control room command function. A management directive to this effect, signed by the Site Vice President, shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

ONSITE AND OFFSITE ORGANIZATION

- 6.2.1 An onsite and an offsite organization shall be established for unit operation and corporate management. This onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.
 - a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Topical Quality Assurance Report and updated in accordance with 10 CFR 50.54(a)(3).
 - b. The ~~Resident Nuclear Engineer~~ Chief Nuclear Officer shall be responsible for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
 - c. The Plant General Manager shall be responsible for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
 - d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
 - e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the Health Physics Supervisor shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

6.0 ADMINISTRATIVE CONTROLS

MEETING FREQUENCY

- 6.5.1.4 The FRG shall meet at least once per calendar month and as convened by the FRG Chairman or his designated alternate.

QUORUM

- 6.5.1.5 The quorum of the FRG necessary for the performance of the FRG responsibility and authority provisions of these Technical Specifications shall consist of the Chairman or his designated alternate and four members including alternates.

RESPONSIBILITIES

- 6.5.1.6 The Facility Review Group shall be responsible for:

- a. Review of (1) all new procedures required by Specification 6.13 and all procedure changes that require a written safety evaluation, (2) all programs required by Specification 6.8 and changes thereto, and (3) any other proposed procedures or changes thereto as determined by the Plant General Manager to affect nuclear safety.
- b. Review of all proposed tests and experiments that affect nuclear safety.
- c. Review of all proposed changes to Appendix A Technical Specifications.
- d. Review of all proposed changes or modifications to unit systems or equipment that affect nuclear safety.
- e. Investigation of all violations of the Technical Specifications, including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the ~~President Nuclear Division~~ and to the Chairman of the Company Nuclear Review Board. *Chief Nuclear Officer*
- f. Review of all REPORTABLE EVENTS.
- g. Review of unit operations to detect potential nuclear safety hazards.
- h. Performance of special reviews, investigations or analyses and reports thereon as requested by the Plant General Manager or the Company Nuclear Review Board.
- i. Not Used.
- j. Not Used.

6.0 ADMINISTRATIVE CONTROLS

RESPONSIBILITIES (Continued)

- k. Review of every unplanned on-site release of radioactive material to the environs including the preparation of reports covering evaluation, recommendations and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the President Nuclear Division and to the Company Nuclear Review Board.
- l. Review of changes to the PROCESS CONTROL PROGRAM and the OFFSITE DOSE CALCULATION MANUAL and RADWASTE TREATMENT SYSTEMS.
- m. Review and documentation of judgment concerning prolonged operation in bypass, channel trip, and/or repair of defective protection channels of process variables placed in bypass since the last FRG meeting.
- n. Review of the Fire Protection Program and implementing procedures and submittal of recommended changes to the Company Nuclear Review Board.

AUTHORITY

6.5.1.7 The Facility Review Group shall:

- a. Recommend in writing to the Plant General Manager approval or disapproval of items considered under Specifications 6.5.1.6a. through d. and m. above.
- b. Render determinations in writing with regard to whether or not each item considered under Specifications 6.5.1.6a, b, d, and e above constitutes an unreviewed safety question.
- c. Provide written notification within 24 hours to the President Nuclear Division and the Company Nuclear Review Board of disagreement between the FRG and the Plant General Manager; however, the Plant General Manager shall have responsibility for resolution of such disagreements pursuant to Specification 6.1.1 above.

Chief Nuclear Officer

RECORDS

- 6.5.1.8 The Facility Review Group shall maintain written minutes of each FRG meeting that, at a minimum, document the results of all FRG activities performed under the responsibility and authority provisions of these technical specifications. Copies shall be provided to the Plant General Manager, President Nuclear Division and the Chairman of the Company Nuclear Review Board.

6.5.2 COMPANY NUCLEAR REVIEW BOARD (CNRB)

FUNCTION

- 6.5.2.1 The Company Nuclear Review Board shall function to provide independent review and audit of designated activities in the areas of:
- a. nuclear power plant operations
 - b. nuclear engineering
 - c. chemistry and radiochemistry
 - d. metallurgy

ADMINISTRATIVE CONTROLS

FUNCTION (Continued)

- e. instrument and control
- f. radiological safety
- g. mechanical and electrical engineering
- h. quality assurance practices

COMPOSITION

6.5.2.2 The ~~President - Nuclear Division~~ shall appoint, in writing, a minimum of five members to the CNRB and shall designate from this membership, in writing, a Chairman. The membership shall function to provide independent review and audit in the areas listed in Specification 6.5.2.1. The Chairman shall meet the requirements of ANSI/ANS-3.1-1987, Section 4.7.1. The members of the CNRB shall meet the educational requirements of the ANSI/ANS-3.1-1987, Section 4.7.2, and have at least 5 years of professional level experience in one or more of the fields listed in Specification 6.5.2.1. CNRB members who do not possess the educational requirements of ANSI/ANS-3.1-1987, Section 4.7.2 (up to a maximum of 2 members) shall be evaluated, and have their membership approved and documented, in writing, on a case-by-base basis by the ~~President - Nuclear Division~~, considering the alternatives to educational requirements of ANSI/ANS-3.1-1987, Sections 4.1.1 and 4.1.2.

Chief Nuclear Officer

ALTERNATES

6.5.2.3 All alternate members shall be appointed in writing by the CNRB Chairman to serve on a temporary basis; however, no more than two alternates shall participate as voting members in CNRB activities at any one time.

CONSULTANTS

6.5.2.4 Consultants shall be utilized as determined by the CNRB Chairman to provide expert advice to the CNRB.

MEETING FREQUENCY

6.5.2.5 The CNRB shall meet at least once per calendar quarter during the initial year of unit operation following fuel loading and at least once per 6 months thereafter and as convened by the CNRB Chairman or his designated alternate.

QUORUM

6.5.2.6 The quorum of the CNRB necessary for the performance of the CNRB review and audit functions of these Technical Specifications shall consist of the Chairman or his designated alternate and at least a majority of CNRB members including alternates. No more than a minority of the quorum shall have line responsibility for operation of the unit.

ADMINISTRATIVE CONTROLS

AUDITS (continued)

- d. The performance of activities required by the Quality Assurance Program to meet the criteria of Appendix B, 10 CFR Part 50.
- e. Any other area of unit operation considered appropriate by the CNRB or the President - Nuclear Division.
- f. The fire protection programmatic controls including the implementing procedures at least once per 24 months by qualified licensee QA personnel
- g. The fire protection equipment and program implementation at least once per 12 months utilizing either a qualified offsite licensee fire protection engineer or an outside independent fire protection consultant. An outside independent fire protection consultant shall be used at least every third year.
- h. The radiological environmental monitoring program and the results thereof.
- i. The OFFSITE DOSE CALCULATION MANUAL and implementing procedures.
- j. The PROCESS CONTROL PROGRAM and implementing procedures for dewatering of radioactive bead resin.

TECHNICAL REVIEW RESPONSIBILITIES

6.5.2.9 The technical review responsibilities under the cognizance of the CNRB shall encompass:

- a. Plant operating characteristics, NRC issuances, industry advisories, Licensee Event Reports and other sources that may indicate areas for improving plant safety;
- b. Plant operations, modifications, maintenance, and surveillance to verify independently that these activities are performed safely and correctly and that human errors are reduced as much as practical;
- c. Internal and external operational experience information that may indicate areas for improving plant safety; and
- d. Making detailed recommendations to the Chairman - CNRB and plant management for revising procedures, equipment modifications or other means of improving nuclear safety and plant reliability.

AUTHORITY

6.5.2.10 The CNRB shall report to and advise the President - Nuclear Division on those areas of responsibility specified in Specifications 6.5.2.7, 6.5.2.8, and 6.5.2.9.

Chief Nuclear Officer

ADMINISTRATIVE CONTROLS

RECORDS

6.5.2.11 Records of CNRB activities shall be prepared, approved, and distributed as indicated below:

- a. Minutes of each CNRB meeting shall be prepared, approved, and forwarded to the ~~President - Nuclear Division~~ within 14 days following each meeting.
- b. Reports of reviews encompassed by Specification 6.5.2.7 above shall be prepared, approved, and forwarded to the ~~President - Nuclear Division~~ within 14 days following completion of the review.
- c. Audit reports encompassed by Specification 6.5.2.8 above shall be forwarded to the ~~President - Nuclear Division~~ and to the management positions responsible for the areas audited within 30 days after completion of the audit by the auditing organization.
- d. Technical reviews encompassed by Specification 6.5.2.9 above shall be prepared, maintained and a report of the activities forwarded each calendar month to the Chairman, CNRB.

Chief Nuclear Officer

ADMINISTRATIVE CONTROLS

6.6 REPORTABLE EVENTS ACTION

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- b. Each REPORTABLE EVENT shall be reviewed by the FRG, and the results of this review shall be submitted to the CNRB, and the ~~President - Nuclear Division~~.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. The NRC Operations Center shall be notified by telephone as soon as possible and in all cases within 1 hour. The ~~President - Nuclear Division~~ and the CNRB shall be notified within 24 hours.
- b. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the FRG. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.
- c. The Safety Limit Violation Report shall be submitted to the Commission, the CNRB, and the ~~President - Nuclear Division~~ within 14 days of the violation.
- d. Critical operation of the unit shall not be resumed until authorized by the Commission.

Chief Nuclear Officer

6.8 PROCEDURES AND PROGRAMS

6.8.1 Written procedures shall be established, implemented and maintained covering the activities referenced below:

- a. The applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978, and those required for implementing the requirements of NUREG 0737.
- b. Refueling operations.
- c. Surveillance and test activities of safety-related equipment.
- d. Not Used.
- e. Not Used.

3.0 Consistency Requirements

3.1 Plant Design and Operation

The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question. Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to this requirement.

Before engaging in unauthorized construction or operational activities which may affect the environment, the licensee shall perform an environmental evaluation of such activity.* When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide a written evaluation of such activities and obtain prior approval from the NRC.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the final environmental statement (FES), supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and

* Activities are excluded from this requirement if all measurable nonradiological effects are confined to the on-site areas previously disturbed during site preparation, plant construction and previous plant operation.

Licensing Board; or (2) a significant change in effluents or power level (in accordance with 10 CFR Part 51.5(b)(2)); or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this Subsection, which may have a significant adverse environmental impact.

The licensee shall maintain records of change in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provides bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question.

Activities governed by Section 3.3 of this EPP are not subject to the requirements of this section.

3.2 Reporting Related to the NPDES Permit and State Certification
(pursuant to Section 401 of the Clean Water Act)

1. Violations of the NPDES Permit or the State 401 Certification Conditions shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit or State Certifications.
2. The licensee shall provide the NRC with a copy of any 316(b) studies related documentation and other biotic monitoring reports required by NPDES Permit conditions at the same time they are submitted to the permitting agency.
3. Changes and additions to the NPDES Permit or the State Certifications shall be reported to the NRC within 30 days following the date the

change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.

4. The NRC shall be notified of changes to the effective NPDES Permit proposed by ~~the licensee~~ by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. ~~The licensee~~ shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

WCB

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in plant design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1

4.0 Environmental Conditions

4.1 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to station operation shall be recorded and promptly reported to the NRC Operations Center within 72 hours via Emergency Notification System described in 10 CFR 50.72. In addition, the reporting requirements time frame shall be consistent with 10 CFR 50.72 for environmental protection issues. The initial report shall be followed by a written report as described in Section 5.4.2. The initial report shall be followed by a written report as described in Section 5.4.2. No routine monitoring programs are required to implement this condition. Events covered by Section 3.2 of this EPP will be subject to reporting requirements as defined in that section and not subject to these requirements.

The following are examples of unusual or important events: excessive bird impaction events; onsite plant or animal disease outbreaks; mortality (causally related to station operation), or unusual occurrence of any species protected by the Endangered Species Act of 1973; unusual fish kills; increase in nuisance organisms or conditions; and unanticipated or emergency discharge of waste water or chemical substances.

4.2 Terrestrial/Aquatic Issues

This section addresses the issues on endangered or threatened sea turtles raised in the Unit 2 FES-OL, and in the Endangered Species Biological Assessment (March 1982). In May 1995, the NRC initiated a formal consultation with the National Marine Fisheries Service (NMFS) regarding sea turtle entrapment at the St. Lucie Plant. As a result of this consultation, an updated Sea Turtle Biological Assessment was submitted by FPL letter L-95-309 dated November 20, 1995. This assessment was reviewed by the NMFS which issued a Biological Opinion dated February 7, 1997. The sea turtle issues will be addressed by the following programs.

4.2.1 Reinitiation of Endangered Species Act Section 7 Consultation

Reinitiation of formal consultation is required if: (1) the amount or extent of taking specified in the Incidental Take Statement is exceeded, (2) new information reveals effects of the action that may affect listed species or critical habitat (when designated) in a manner or to an extent not previously considered, (3) the identified action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in the NMFS

add footnote

** FPL retained for historical purposes only.*

Biological Opinion dated February 7, 1997, or (4) a new species is listed or critical habitat designated that may be affected by the identified action.

4.2.2 Incidental Take Statement

Section 7(b)(4) of the ESA requires that when an agency action is found to comply with Section 7(a)(2), NMFS will issue a statement specifying the impact of any incidental taking, providing reasonable and prudent measures necessary to minimize impacts, and setting forth terms and conditions that must be followed. Only incidental taking by ~~the licensee~~ that complies with the specified terms and conditions is authorized. *WCE*

Based on historical records of sea turtle capture and mortality at the St. Lucie Plant cooling water intake canal, NMFS anticipates that continued operation of the circulating water system at St. Lucie Plant may result in the capture and mortality of loggerhead, leatherback, Kemp's ridley, green, and hawksbill turtles. Therefore, an incidental take level, and terms and conditions necessary to minimize and monitor takes is established. Variability in the rate of turtle entrapment at the St. Lucie Plant is considered to be primarily a function of the local abundance of turtles, since the operational characteristics of the intake structures have remained constant over the years. In recent years, green turtle entrapment has increased at a dramatic and unpredicted rate and may continue to increase. Therefore, no take level will be specified for entrapment, capture, and release of any species of turtle.

4.2.2.1 Lethal Take Levels

The lethal take levels are based on the historical observed lethal takes, but provide for increased total numbers of lethal takes as entrapment levels increase. Consequently, two lethal take levels are specified: one is a fixed level of the number of turtles of each species entrapped during the calendar year, while the other is a percentage of the number of turtles of each species entrapped during the calendar year. The allowable take level will be the greater of the two numbers, considering the prevailing entrapment rates. The annual incidental lethal take levels are established by the NMFS in the current ITS and specified in plant procedures.

4.2.2.2 Terms and Conditions of the Incidental Take Statement

The following terms and conditions are established to monitor the level of take and to minimize the adverse impacts of entrapment and the possibility of lethal takes:

- 1) ~~FPL~~ shall install and maintain a five inches (12.7 cm) mesh barrier net across the intake canal, east of the previously existing eight inch mesh barrier net. The new net shall receive regular inspection, maintenance, and repair on at least a quarterly basis. The regular maintenance schedule notwithstanding, any holes or damage to the net that are discovered shall be promptly repaired to prevent the passage of turtles through the barrier net.
- 2) The existing eight inch mesh barrier net shall be retained to serve as a backup to the new five inch mesh barrier net, which may be lowered occasionally because of fouling and water flow problems. The eight (8) inch mesh net shall receive regular inspection, maintenance, and repair on at least a quarterly basis. The regular maintenance schedule notwithstanding, any holes or damage to the net that are discovered shall be promptly repaired to prevent the passage of turtles through the barrier net.
- 3) ~~FPL~~ shall continue ^{the} ~~its~~ current program to capture and release turtles from the intake canals. The handling of captured turtles, treatment and rehabilitation of sick and injured turtles, and disposition of dead turtle carcasses shall be in accordance with permits granted to ~~FPL~~ or ~~FPL's~~ contractor through the FDEP.
- 4) Capture netting in the intake canal shall be conducted with a surface floating tangle net with an unweighted lead line. The net must be closely and thoroughly inspected via boat at least once per hour. Netting shall be conducted whenever sea turtles are present in the intake canal according to the following schedule:
- a) 8 hours per day, 5 days per week, under normal circumstances;
 - b) 12 hours per day or during daylight hours, whichever is less, 7 days per week, under any of the following circumstances:
 - i) an adult turtle appears in the canal during mating or nesting season (March 1 through September 30),
 - ii) an individual turtle has remained in the canal for 7 days or more,
 - iii) a leatherback turtle appears in the canal,
 - iv) an apparently sick or injured turtle appears in the canal.

Reasonable deviations from this schedule due to human safety considerations (i.e., severe weather) are authorized.

- 5) If a turtle is observed in the intake canal west of the 8 inch barrier net, directed capture efforts shall be undertaken to capture the turtle and to prevent it from entering the intake wells.
- 6) ~~FPL~~ shall implement an NMFS approved program to monitor for turtles at the cooling water intake wells. The program should include visual inspection of the intake wells by plant operation, security, or biology personnel. It must also include provisions for notifying appropriate response personnel if turtles are detected and for safely removing turtles from the intake wells.
- 7) ~~FPL~~ shall propose a plan for the design and implementation of a study to evaluate the effect of various factors on turtle entrapment. These factors may include, but are not limited to, the influence of characteristics of sea turtle behavior, population dynamics, and plant operational characteristics or environmental factors on turtle capture rates. The proposed study plan, design, and implementation date must be approved by NMFS.
- 8) ~~FPL~~ shall continue to participate in the Sea Turtle Stranding and Salvage Network (STSSN), under proper permits and authority, in order to assess any possible delayed lethal impacts of capture as well as to provide background data on the mortality sources and health of local sea turtles. As a point of clarification, stranded sea turtles are not counted against the authorized level of lethal incidental take in the Incidental Take Statement. Stranding information may be used as the basis for the determination that unanticipated impacts or levels of impact are occurring.
- 9) ~~FPL~~ shall continue to conduct, under proper permits and authority, the ongoing sea turtle nesting programs and public service turtle walks.
- 10) Routine Reports
- a) Copies of monthly reports covering sea turtle entrapment, capture, rehabilitation, turtle mortalities, and any pertinent, unusual events shall be furnished to NMFS.
- b) A discussion of the topics specified in ITS condition 10) a), the inspection and maintenance of the barrier nets, and the operation of the Taprogge condenser tube cleaning system including any associated sponge ball loss shall be included in the Annual Environmental Operating Report required by Section 5.4.1. A copy of this annual report shall be furnished by NMFS.

add footnote

** FPL retained for historical purposes only.*

- ^{among WCB}
c) A meeting shall be convened ~~between FPL~~ NRC, and TIMFS to discuss endangered and threatened species information and developments at the St. Lucie Plant approximately every two years beginning January 2000.

4.2.3 Light Screen to Minimize Turtle Disorientation

Suitable plants (i.e., native vegetation such as live oak, native figs, wild tamarind, and others) shall be planted and maintained as a light screen along the beach dune line bordering the plant property to minimize turtle disorientation. In addition, ~~FPL owner~~ controlled area lighting shall be shielded so that none of the light is diverted skyward.

4.3 General Exceptions ^{WCB}

The environmental conditions of the EPP Section 4 are contingent upon ~~licensee~~ or its contractors being able to obtain the necessary FDEP endangered species permits to take, handle, and experiment with sea turtles. If ~~licensee~~ is unable to obtain the necessary permits, then NRC shall be notified of alternatives by ~~the~~ ^{licensee}.

^{WCB}

5.0 Administrative Procedures

5.1 Review and Audit

WCB
The licensee shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

5.2 Records Retention

Records and logs relative to the environmental aspects of plant operation shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to NRC on request.

Records of modifications to plant structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the plant. All other records, data and logs relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

5.3 Changes in Environmental Protection Plan

Request for change in the Environmental Protection Plan shall include an assessment of the environmental impact of the proposed change and a supporting justification. Implementation of such changes in the EPP shall not commence prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the Environmental Protection Plan.

5.4 Plant Reporting Requirements

5.4.1 Routine Reports

5.4.1.1 Monthly Reports

Copies of monthly reports covering sea turtle entrapment, capture, rehabilitation, and sea turtle mortalities shall be furnished to NMFS.

5.4.1.2 Annual Environmental Operating Report

An Annual Environmental Operating Report describing implementation of this EPP for the previous calendar year shall be submitted to the NRC prior to May 1 of each year.

The report shall include summaries and analyses of the results of the environmental protection activities required by Section 4.2 of this Environmental Protection Plan for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous non-radiological environmental monitoring reports, and an assessment of the observed impacts of the plant operation on the environment. If harmful effects or evidence of trends towards irreversible damage to the environment are observed, ~~the licensee~~ shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

WCB The Annual Environmental Operating Report shall also include:

- (a) A list of EPP noncompliances and the corrective actions taken to remedy them.
- (b) A list of all changes in station design or operation, tests, and experiments made in accordance with Subsection 3.1 which involved a potentially significant unreviewed environmental issue.
- (c) A list of nonroutine reports submitted in accordance with Subsection 5.4.2.
- (d) A discussion of the sea turtle entrapment, capture efforts, turtle mortalities, available information on barrier net inspections and maintenance, and the Taprogge condenser tube cleaning system operation including sponge ball loss at St. Lucie Plant.

In the event that some results are not available by the report due date, the report shall be submitted noting and explaining the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

5.4.2 Nonroutine Reports

A written report shall be submitted to the NRC in accordance with 10 CFR 50.4 within 30 days of occurrence of a nonroutine event. The report shall (a) describe, analyze, and evaluate the event, including extent and magnitude of the impact and plant operating characteristics, (b) describe the probable cause of the event, (c) indicate the action taken to correct the reported event, (d) indicate the

Section C

MARKED-UP OPERATING LICENSES WITH PROPOSED CHANGES

Turkey Point Units 3 and 4

Facility Operating License DPR-31

1-through 4

Facility Operating License DPR-41

1-through 5

Technical Specifications

1-5

1-6

3/4 7-22

6-1

6-12

6-22

Environmental Protection Plan

2

3

4

Updated through Amendment 210 Dated 01/31/2001

DPR-31
Page 1

FLORIDA POWER & LIGHT COMPANY

DOCKET NO. 50-250

FACILITY OPERATING LICENSE

and WCB Operations, Inc.

The Atomic Energy Commission (the Commission) having found that:

- a. Construction of the Turkey Point Nuclear Generating Unit No. 3 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-27, the application as amended, the provisions of the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission;
- b. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
- c. There is reasonable assurance (i) that the facility can be operated at steady state power levels up to 2300 megawatts thermal in accordance with this license without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations of the Commission;
- d. ~~Florida Power and Light Company~~ ^{WCB Operations, Inc. (WCB)*} is technically and financially qualified ^{qualified} ^{Florida Power and Light Company (FPL) and WCB together are} to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;
- e. The applicable provisions of 10 CFR Part 140 have been satisfied; and
- f. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public.

Facility Operating License No. DPR-31 is hereby issued to ~~Florida Power and Light Company (FPL)~~ ^{WCB and} as follows:

1. This license applies to the Turkey Point Nuclear Generating Unit No. 3 nuclear power reactor, a pressurized, light water moderated and cooled reactor, and associated steam generators and electrical generating equipment (the facility). The facility is located on the ~~applicant's~~ Turkey Point site in Dade County, about 25 miles south of Miami, Florida, and is described in the application for construction permit and facility license, as amended.
 2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses ~~FPL~~:
 - A. Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the
- * WCB succeeds FPL as operator of Turkey Point Unit 3. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

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Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility as a utilization facility at the designated location on the Turkey Point site:

- ~~FPL~~ and ~~WCB~~ to possess ~~WCB~~
- B. Pursuant to the Act and 10 CFR Part 70, ~~to~~ ^{WCB} receive, possess, and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended:
- C. Pursuant to the Act and 10 CFR Parts 30, 40, and 70, ~~to~~ ^{WCB} receive, possess, and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required:
- D. Pursuant to the Act and 10 CFR Part 30, ~~to~~ ^{WCB} receive, possess, and use at any time 100 millicuries each of any byproduct material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactively contaminated apparatus:
- E. Pursuant to the Act and 10 CFR Part 40 and 70, ~~to~~ ^{WCB} 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~~ ^{WCB} 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 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, Section 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. Maximum Power Level
- ~~The applicant~~ ^{WCB} is authorized to operate the facility at reactor core power levels not in excess of 2300 megawatts (thermal).
- B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 210 are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. ~~The licensee~~ ^{WCB} shall operate the facility in

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accordance with the Technical Specifications and the Environmental Protection Plan.

C. Reports

~~FPE~~ ^{WCB}

shall issue certain reports to the NRC in accordance with the requirements of the Technical Specifications.

D. Records

~~FPE~~ ^{WCB}

shall originate and maintain facility operating records in accordance with the requirements of the Technical Specifications.

E. Steam Generator Inspections

DELETED

F. Physical Security

DELETED

G. Fire Protection

~~FPE~~ ^{WCB}

shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Final Safety Analysis Report (UFSAR) for Turkey Point Units 3 and 4 and as approved in the Safety Evaluation Report (SER) dated March 21, 1979 and supplemented by NRC letters dated April 3, 1980, July 9, 1980, December 8, 1980, January 26, 1981, May 10, 1982, March 27, 1984, April 16, 1984, August 12, 1987, and by Safety Evaluation dated February 25, 1994, February 24, 1998, October 8, 1998, December 22, 1998, May 4, 1999, and May 5, 1999, subject to the following provision.

^{WCB}

~~The licensee~~ may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

H. Safeguards Contingency Plan

DELETED

I. Steam Generator Repair Program

DELETED

J. Guard Training and Qualification Plan

DELETED

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K. Integrated Schedule

DELETED

- L. ^{WCB}~~The license~~ shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Turkey Point Physical Security Plan," with revisions submitted through December 1, 1999; "Turkey Point Plant, Units 3 and 4, Training and Qualification Plan," with revisions submitted through December 18, 1986; and "Turkey Point Plant, Units 3 and 4 Safeguards Contingency Plan," with revisions submitted through July 15, 1985. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

4. This license is effective as of the date of issuance, and shall expire at midnight July 19, 2012.

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FLORIDA POWER & LIGHT COMPANY

DOCKET NO. 50-251

FACILITY OPERATING LICENSE

The Atomic Energy Commission (the Commission) having found that:

- a. The application for license filed by Florida Power & Light Company ~~(the applicant)~~ ^{*(FPL)} 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 and all required notifications to other agencies or bodies have been duly made; and
- b. Construction of the Turkey Point Nuclear Generating Unit No. 4 (the facility) has been substantially completed in conformity with Provisional Construction Permit No. CPPR-28, as amended, and the application, as amended, the provisions of the Act and the rules and regulations of the Commission; and
- c. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission; and
- d. There is reasonable assurance (i) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission; and
- e. ~~The applicant~~ ^{WCB Operations, Inc. (WCB) ^{**} qualified} ~~is technically and financially qualified~~ ^{FPL and WCB together are} to engage in the activities authorized by the operating license in accordance with the rules and regulations of the Commission; and
- f. ~~The applicant~~ ^{FPL} has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations; and
- g. The issuance of this operating license will not be inimical to the common defense and security or to the health and safety of the public; and
- h. After weighing the environmental, economic, technical and other benefits of the facility against environmental costs and considering available alternatives, the issuance of Facility Operating License No. DPR-41 (subject to the conditions for protection of the environment set forth herein) is in accordance with 10 CFR Part 50, Appendix D, of

* FPL retained for historical purposes only.

** WCB succeeds FPL as operator of Turkey Point Unit 4. WCB is authorized to act as agent for FPL and has exclusive responsibility and control over the physical construction, operation and maintenance of the facility.

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the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and

- i. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23, and 70.31.

Facility Operating License No. DPR-41 is hereby issued to ^{WCB and FPL} ~~the Florida Power & Light Company~~ (the ^{licensees} ~~applicant~~), to read as follows:

1. This license applies to the Turkey Point Nuclear Generating Unit No. 4, a pressurized water reactor and associated equipment (the facility) which is owned by the Florida Power & Light Company. The facility is located on ^{Turkey Point Plant} ~~the applicant's~~ site located in Dade County, about 25 miles south of Miami, Florida, and is described in the Final Safety Analysis Report and Environmental Report as supplemented and amended.
2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses ~~Florida Power & Light Company (the applicant)~~.
 - A. Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Licensing of Production and Utilization Facilities", to possess, use, and operate the facility as a utilization facility at the designated location on the Turkey Point site in accordance with the procedures and limitations described in the license; ^{FPL} ~~and WCB to possess,~~
 - B. Pursuant to the Act and 10 CFR Part 70, ^{WCB} ~~to~~ receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;
 - C. Pursuant to the Act and 10 CFR Parts 30, 40, and 70, ^{WCB} ~~to~~ receive, possess, and use at any time any byproduct, source and special nuclear material as sealed sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - D. Pursuant to the Act and 10 CFR Part 30, ^{WCB} ~~to~~ receive, possess, and use at any time 100 millicuries each of any byproduct material without restriction to chemical or physical form, for sample analysis or instrument calibration;
 - E. Pursuant to the Act and 10 CFR Parts 40 and 70, ^{WCB} ~~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;

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- F. Pursuant to the Act and 10 CFR Parts 30 and 70, ^{WCB}to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Turkey Point Units No. 3 and No. 4.
3. This license shall be deemed to contain and is subject to the conditions specified in the following Commission Regulations in 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Section 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. Maximum Power Level

FPL* The reactor shall not be made critical until the tests described in the ~~applicant's~~ letter of April 3, 1973, have been satisfactorily completed. Thereafter, ~~the applicant~~ is authorized to operate the facility at reactor core power levels not in excess of 2300 megawatts thermal. WCB

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B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 204 are hereby incorporated in the license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into the license. ~~The licensee~~ shall operate the facility in accordance with the ^{WCB}Technical Specifications and the Environmental Protection Plan.

- C. This license is subject to the following conditions for the protection of the environment:

- FPL*
- (1) ~~The applicant~~ shall pursue evaluations of alternatives to the proposed cooling channel system during construction, interim operation, and evaluation of the channel system. These evaluations shall include at least the following:
- (a) Study of availability of groundwater or other alternative sources of surface water to use in the cooling system.
 - (b) Study of applicability of mechanical cooling devices, including powered spray modules and cooling towers.
 - (c) Study of marine environmental impacts of once through cooling alternatives (described in Section X of the AEC Final Environmental Statement on Turkey Point Units 3

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*FPL is retained for historical purposes only.

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and 4, July 1972).

- (2) ^{WCB} ~~The applicant~~ shall take appropriate corrective action on any adverse effects determined as a result of monitoring and study programs. To the fullest extent practicable, ~~the applicant~~ ^{WCB} shall utilize results of study programs in improving and modifying the operation of the facility and its cooling system so as to achieve a minimal adverse environmental impact.

D. Steam Generator Inspection

DELETED

E. DELETED

F. Fire Protection

^{WCB} ~~FPL~~ shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Final Safety Analysis Report (UFSAR) for Turkey Point Units 3 and 4 and as approved in the Safety Evaluation Report (SER) dated March 21, 1979 and supplemented by NRC letters dated April 3, 1980, July 9, 1980, December 8, 1980, January 26, 1981, May 10, 1982, March 27, 1984, April 16, 1984, August 12, 1987, and by Safety Evaluation dated February 25, 1994, February 24, 1998, October 8, 1998, December 22, 1998, May 4, 1999, and May 5, 1999, subject to the following provision.

^{WCB} ~~The licensee~~ may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

G. Safeguards Contingency Plan

DELETED

H. Steam Generator Repair Program

DELETED

I. Guard Training and Qualification Plan

DELETED

J. IAEA Safeguards

DELETED

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K. Integrated Schedule

DELETED

WCB

- L. ~~The license~~ shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provision of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Turkey Point Physical Security Plan," with revisions submitted through December 1, 1999; "Turkey Point Plant, Units 3 and 4, Training and Qualification Plan," with revisions submitted through December 18, 1986; and "Turkey Point Plant, Units 3 and 4 Safeguards Contingency Plan," with revisions submitted through July 15, 1985. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
4. This license is effective as of the date of issuance, and shall expire at midnight April 10, 2013.

DEFINITIONS

QUADRANT POWER TILT RATIO

1.23 QUADRANT POWER TILT RATIO shall be the ratio of the maximum upper excore detector calibrated output to the average of the upper excore detector calibrated outputs; or the ratio of the maximum lower excore detector calibrated output to the average of the lower excore detector calibrated outputs, whichever is greater. With one excore detector inoperable, the remaining three detectors shall be used for computing the average.

RATED THERMAL POWER

1.24 RATED THERMAL POWER shall be a total reactor core heat transfer rate to the reactor coolant of 2300 MWt.

REPORTABLE EVENT

1.25 A REPORTABLE EVENT shall be any of those conditions specified in Section 50.73 of 10 CFR Part 50.

SHUTDOWN MARGIN

1.26 SHUTDOWN MARGIN shall be the instantaneous amount of reactivity by which the reactor is subcritical or would be subcritical from its present condition assuming all full-length rod cluster assemblies (shutdown and control) are fully inserted except for the single rod cluster assembly of highest reactivity worth which is assumed to be fully withdrawn.

SITE BOUNDARY

1.27 The SITE BOUNDARY shall mean that line beyond which the land or property is not owned, leased, or otherwise controlled by the licensee.

SOLIDIFICATION

1.28 SOLIDIFICATION shall be the conversion of wet wastes into a form that meets shipping and burial ground requirements.

SOURCE CHECK

1.29 A SOURCE CHECK shall be the qualitative assessment of channel response when the channel sensor is exposed to a source of increased radioactivity.

STAGGERED TEST BASIS

1.30 A STAGGERED TEST BASIS shall consist of:

- a. A test schedule for n systems, subsystems, trains, or other designated components obtained by dividing the specified test interval into n equal subintervals, and
- b. The testing of one system, subsystem, train, or other designated component at the beginning of each subinterval.

DEFINITIONS

THERMAL POWER

1.31 THERMAL POWER shall be the total reactor core heat transfer rate to the reactor coolant.

TRIP ACTUATING DEVICE OPERATIONAL TEST

1.32 A TRIP ACTUATING DEVICE OPERATIONAL TEST shall consist of operating the Trip Actuating Device and verifying OPERABILITY of alarm, interlock and/or trip functions. The TRIP ACTUATING DEVICE OPERATIONAL TEST shall include adjustment, as necessary, of the Trip Actuating Device such that it actuates at the required setpoint within the required accuracy.

UNIDENTIFIED LEAKAGE

1.33 UNIDENTIFIED LEAKAGE shall be all leakage which is not IDENTIFIED LEAKAGE or CONTROLLED LEAKAGE.

UNRESTRICTED AREA

1.34 An UNRESTRICTED AREA shall mean an area, access to which is neither limited nor controlled by the licensee.

VENTILATION EXHAUST TREATMENT SYSTEM

1.35 A VENTILATION EXHAUST TREATMENT SYSTEM shall be any system designed and installed to reduce gaseous radioiodine or radioactive material in particulate form in effluents by passing ventilation or vent exhaust gases through charcoal absorbers and/or HEPA filters for the purpose of removing iodines or particulates from the gaseous exhaust stream prior to the release to the environment. Such a system is not considered to have any effect on noble gas effluents. Engineered Safety Features Atmospheric Cleanup Systems are not considered to be VENTILATION EXHAUST TREATMENT SYSTEM components.

VENTING

1.36 VENTING shall be the controlled process of discharging air or gas from a confinement to maintain temperature, pressure, humidity, concentration, or other operating condition, in such a manner that replacement air or gas is not provided or required during VENTING. Vent, used in system names, does not imply a VENTING process.

DIGITAL CHANNEL OPERATIONAL TEST

1.37 A DIGITAL CHANNEL OPERATIONAL TEST shall be the injection of a simulated signal into the channel as close to the sensor as practicable to verify OPERABILITY of alarm, interlock, and/or trip functions.

PLANT SYSTEMS

3/4.7.7 SEALED SOURCE CONTAMINATION

LIMITING CONDITION FOR OPERATION

3.7.7 Each sealed source containing radioactive material either in excess of 100 microCuries of beta and/or gamma emitting material or 5 microCuries of alpha emitting material shall be free of greater than or equal to 0.005 microCurie of removable contamination.

APPLICABILITY: At all times.

ACTION:

- a. With a sealed source having removable contamination in excess of the above limits, immediately withdraw the sealed source from use and either:
 - 1. Decontaminate and repair the sealed source, or
 - 2. Dispose of the sealed source in accordance with Commission Regulations.
- b. The provisions of Specification 3.0.3 are not applicable.

SURVEILLANCE REQUIREMENTS

4.7.7.1 Test Requirements - Each sealed source shall be tested for leakage and/or contamination by:

- a. ^{WCB}~~The licensee~~, or
- b. Other persons specifically authorized by the Commission or an Agreement State.

The test method shall have a detection sensitivity of at least 0.005 microCurie per test sample.

4.7.7.2 Test Frequencies - Each category of sealed sources (excluding startup sources and fission detectors previously subjected to core flux) shall be tested at the frequency described below.

- a. Sources in use - At least once per 6 months for all sealed sources containing radioactive materials:
 - 1) With a half-life greater than 30 days (excluding Hydrogen 3), and
 - 2) In any form other than gas.

ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The Plant General Manager shall be responsible for overall unit operation of both units and shall delegate in writing the succession to this responsibility during his absence.

6.1.2 The Nuclear Plant Supervisor (or during his absence from the control room, a designated individual) shall be responsible for the control room command function. A management directive to this effect, signed by the Site Vice President shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

ONSITE AND OFFSITE ORGANIZATION

6.2.1 An onsite and an offsite organization shall be established for facility operation and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.

- a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to, and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the Topical Quality Assurance Report and updated in accordance with 10 CFR 50.54(a)(3).
- b. The ~~President Nuclear Division~~ ^{Chief Nuclear Officer} shall have corporate responsibility for overall plant nuclear safety, and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.
- c. The Plant General Manager shall be responsible for overall plant safe operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.
- d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
- e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the Health Physics Supervisor shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ADMINISTRATIVE CONTROLS

6.6 DELETED

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. In accordance with 10 CFR 50.72, the NRC Operations Center, shall be notified by telephone as soon as practical and in all cases within one hour after the violation has been determined. The ~~President-Nuclear Division~~, and the Company Nuclear Review Board (CNRB) shall be notified within 24 hours.
Chief Nuclear Officer
- b. A Licensee Event Report shall be prepared in accordance with 10 CFR 50.73.
- c. The License Event Report shall be submitted to the Commission in accordance with 10 CFR 50.73, and to the CNRB, and the ~~President-Nuclear Division~~ within 30 days after discovery of the event. *Chief Nuclear Officer*
- d. Critical operation of the unit shall not be resumed until authorized by the Nuclear Regulatory Commission.

ADMINISTRATIVE CONTROLS

3. WCAP-10054-P, Addendum 2, Revision 1 (proprietary). "Addendum to the Westinghouse Small Break ECCS Evaluation Model Using the NOTRUMP Code: Safety Injection in the Broken Loop and Improved Condensation Model". October 1995.*
4. WCAP-12945-P, "Westinghouse Code Qualification Document For Best Estimate LOCA Analysis." Volumes I-V, June 1996.**
5. USNRC Safety Evaluation Report, Letter from R. C. Jones (USNRC) to N. J. Liparulo (W), "Acceptance for Referencing of the Topical Report WCAP-12945(P) 'Westinghouse Code Qualification Document for Best Estimate Loss of Coolant Analysis.'" June 28, 1996.**
6. Letter dated June 13, 1996, from N. J. Liparulo (W) to Frank R. Orr (USNRC), "Re-Analysis Work Plans Using Final Best Estimate Methodology".**
7. WCAP-12610-P-A, "VANTAGE+ Fuel Assembly Reference Core Report." S. L. Davidson and T. L. Ryan, April 1995.

The analytical methods used to determine Rod Bank Insertion Limits and the All Rods Out position shall be those previously reviewed and approved by the NRC in:

1. WCAP-9272-P-A, "Westinghouse Reload Safety Evaluation Methodology." July 1985.

The ability to calculate the COLR nuclear design parameters are demonstrated in:

1. Florida Power & Light Company Topical Report NF-TR-95-01, "Nuclear Physics Methodology for Reload Design of Turkey Point & St. Lucie Nuclear Plants".

Topical Report NF-TR-95-01 was approved by the NRC for use by ^{the licensee} ~~Florida Power & Light Company~~ in:

1. Safety Evaluation by the Office of Nuclear Reactor Regulations Related to Amendment No. 174 to Facility Operating License DPR-31 and Amendment No. 168 to Facility Operating License DPR-41, Florida Power & Light Company Turkey Point Units 3 and 4, Docket Nos. 50-250 and 50-251.

The AFD, $F_Q(Z)$, $F_{\Delta H}$, $K(Z)$, and Rod Bank Insertion Limits shall be determined such that all applicable limits of the safety analyses are met. The CORE OPERATING LIMITS REPORT, including any mid-cycle revisions or supplements thereto, shall be provided upon issuance, for each reload cycle, to the NRC Document Control Desk with copies to the Regional Administrator and Resident Inspector, unless otherwise approved by the Commission.

SPECIAL REPORTS

6.9.2 Special reports shall be submitted to the Regional Administrator of the Regional Office of the NRC within the time period specified for each report as stated in the Specifications within Sections 3.0, 4.0, or 5.0.

*This reference is only to be used subsequent to NRC approval.

**As evaluated in NRC Safety Evaluation dated December 20, 1997.

3.0 Consistency Requirements

3.1 Facility Design and Operation

^{WCB}
~~The licensee~~ may make changes in facility design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question. Changes in plant design or operation or performance of tests or experiments which do not significantly affect the environment are not subject to this requirement.

Before engaging in construction or operational activities which may significantly affect the environment, ^{WCB} ~~the licensee~~ shall perform an environmental evaluation of such activity.* When the evaluation indicates that such activity involves an unreviewed environmental question, ^{WCB} ~~the licensee~~ shall provide a written evaluation of such activities and obtain prior approval from the NRC.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns a matter which may result in significant adverse environmental impact.

^{WCB}
~~The licensee~~ shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provides bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question.

*Activities are excluded from this requirement if all measurable nonradiological effects are confined to the on-site areas previously disturbed during site preparation, plant construction and previous plant operation.

Activities governed by Section 3.3 of this EPP are not subject to the requirements of section 3.1.

3.2 Reporting Related to the NPDES Permit and State 401 Certification

1. Violations of the NPDES Permit or the State 401 Certification Conditions shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit or State 401 Certification.
2. Changes and additions to the NPDES Permit or the State 401 Certification shall be reported to the NRC within 30 days following the date the change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.
3. The NRC shall be notified of changes to the effective NPDES Permit proposed by ^{WCB} ~~the licensee~~ by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. ^{WCB} ~~The licensee~~ shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required For Compliance With Other Environmental Regulations

Changes in facility design or operation and performance of tests or experiments

which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

4.0 Administrative Procedures

4.1 Review and Audit

^{WCB}
~~The licensee~~ shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

4.2 Records Retention

Records and logs relative to the environmental aspects of facility operation which have significant environmental impact shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to NRC on request.

Records of modifications to plant structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the facility. All other records, data and logs relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.