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 RECIP. NAME      RECIPIENT AFFILIATION

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SUBJECT: Application for amends to Licenses DPR-31 & DPR-41, revising  
 TS 6.5.2.8, "Audits" by deleting frequencies performed under  
 cognizance of nuclear review board, per GL 93-07.

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FEB 18 1994

L-94-017  
10 CFR 50.36  
10 CFR 50.90

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

Gentlemen:

Re: Turkey Point Units 3 and 4  
Docket Nos. 50-250 and 50-251  
Proposed License Amendments -  
Administrative Controls - Audit Frequencies  
and Implementation of Generic Letter 93-07

In accordance with 10 CFR 50.90, Florida Power and Light Company (FPL) requests that Appendix A of Facility Operating Licenses DPR-31 and DPR-41 be amended to revise the Turkey Point Units 3 and 4 Technical Specification (TS) 6.5.2.8, "Audits", by deleting the frequencies performed under the cognizance of the Company Nuclear Review Board (CNRB). The periodicity of the audits would be controlled as described in the FPL Topical Quality Assurance Report (FPLTQAR). The minimum audit frequency for any activity will be established as biennial unless the audit is otherwise required to be performed more frequently in accordance with the Technical Specifications, Code of Federal Regulations or other licensing commitments.

FPL believes that this proposed amendment is consistent with the Executive Order to reduce regulatory burden and as such should be proposed as a generic line item improvement.

In addition, FPL proposes to revise TS 6.5.1.6, 6.5.2.8 and 6.8.1, in accordance with Generic Letter 93-07. Generic Letter 93-07 provides guidance for changes to technical specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the company nuclear audit and review group. The basis of this change is Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) include provisions that are sufficient to address these requirements.

FPL has determined that the proposed license amendments do not involve a significant hazards consideration pursuant to 10 CFR 50.92. A description of the amendment request is provided in Attachment 1. The no significant hazards determination in support of the proposed Technical Specifications change is provided in Attachment 2. Attachment 3 provides the proposed revised Technical Specifications changes. Attachment 4 provides the revised corrected Technical Specifications pages.

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

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

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

Very truly yours,



T.F. Plunkett  
Vice President  
Turkey Point Plant

TFP/RJT/rt

Attachments

cc: S. D. Ebnetter, Regional Administrator, Region II, USNRC  
T. P. Johnson, Senior Resident Inspector, USNRC, Turkey Point  
W. A. Passetti, Florida Department of Health and Rehabilitative  
Services



STATE OF FLORIDA            )  
                                  ) ss.  
COUNTY OF DADE            )

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


That he is Vice President, Turkey Point Nuclear Plant, of Florida Power and Light Company, the Licensee herein;

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

  
T. F. Plunkett

Subscribed and sworn to before me this

4 day of FEB, 1994.

  
CHERYL A. KELLY  
Name of Notary Public (Type or Print)

NOTARY PUBLIC, in and for the County of Dade, State of Florida

My Commission expires  
Commission No.   
T. F. Plunkett is personally known to me.



ATTACHMENT 1

DESCRIPTION OF AMENDMENTS REQUEST

## DESCRIPTION OF AMENDMENTS REQUEST

### Introduction

Florida Power and Light Company (FPL) proposes to change Turkey Point Units 3 and 4 Technical Specification (TS) Section 6.5.2.8, "Audits," by deleting the frequencies specified for audits performed under the cognizance of the Company Nuclear Review Board (CNRB). The periodicity of the audits for these activities will be controlled as described in FPL's Topical Quality Assurance Report (FPLTQAR), wherein the minimum audit frequency for any activity is established as biennial unless the audit is otherwise required to be performed more frequently by the Technical Specifications, Code of Federal Regulations, or other licensing commitments. Periodic audits of selected aspects of operational phase activities are performed with a frequency commensurate with safety significance. During the interval between the periodic audits, continuing performance evaluations are conducted for activities important to plant safety.

The proposed amendments will improve management flexibility for directing Quality Assurance (QA) resources, as appropriate, from activities that would qualify for a longer audit interval (and for which the existing TS prevents adjustment) to those that indicate a need for increased attention. The amendments would also enhance FPL's ability to schedule certain audits more effectively based upon actual performance of plant activities.

In addition, FPL proposes to revise TS 6.5.1.6, 6.5.2.8 and 6.8.1, in accordance with Generic Letter 93-07. Generic Letter 93-07, "Modifications of the Technical Specifications Administrative Control Requirements for Emergency and Security Plans," issued December 28, 1993, provided guidance for changes to technical specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the company nuclear audit and review group. The basis of this change is that Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) include provisions that are sufficient to address these requirements. Also, this guidance will allow technical specifications changes to remove (1) the review of the emergency and security plans from the list of responsibilities of the unit review group and (2) the requirements for the unit review group to review procedures, and procedure changes, for the implementation of the emergency and security plans, provided the licensee relocates these requirements to the respective emergency and security plans.

### Description of Proposed Changes

FPL proposes to change the following Technical Specifications in support of the proposed amendments:



1. TS 6.5.1.6 i.: Delete the following wording from the TS on Plant Nuclear Safety Committee (PNSC) responsibilities:

"Review of the Emergency Plan and implementing procedures and submittal of recommended changes to the Chairman of the Company Nuclear Review Board"

Justification: In accordance with Generic Letter 93-07, FPL proposes to remove the review of the emergency plan and implementing procedures from the list of responsibilities of the Plant Nuclear Safety Committee. Part 50 of Title 10 of the Code of Federal Regulation (10 CFR) includes provisions that are sufficient to address these requirements. Generic Letter 93-07 provides this line-item improvement, provided FPL relocates the review requirements to the Emergency Plan. Upon approval by the NRC of these proposed amendments, FPL will revise the Emergency Plan to include these review requirements.

2. TS 6.5.1.7 a.: Change the cross-reference to TS 6.5.1.6 k. to TS 6.5.1.6 j.

Justification: This change is administrative in nature in that no requirements are being altered.

3. TS 6.5.2.8 a., b., c., and d.: Delete the specific audit intervals.

Justification: The proposed change would allow the specific audit frequency to be adjusted based upon programmatic performance up to a maximum of two years. The QA program's performance is, and will continue to be, assessed through self-assessments, management reviews, performance evaluations and audits in related areas, and other trend indicators. Reducing the audit frequency requirements to biennial (2 years) will not impact compliance with provisions of the Technical Specifications, but will provide for more meaningful audits of those activities conducted less frequently than annually (i.e., refueling activities), and allow for additional effort on operational activities.

4. TS 6.5.2.8 e.: Combine the wording from the TS 6.5.2.8 e. and 6.5.2.8 f. to read as follows:

The fire protection equipment, programmatic controls including the implementing procedures, and program implementation utilizing an outside independent fire protection consultant;

Justification: Essentially, the above wording parallels the current requirements specified in Technical Specifications 6.5.2.8 e. and 6.5.2.8 f., with the exception of the deletion of the specified audit frequency intervals and the use of a qualified offsite licensee fire protection engineer. The



proposed change would allow the specific audit frequency to be adjusted based upon programmatic performance up to a maximum of two years. The fire protection program performance is, and will continue to be, assessed through self-assessments, management reviews, performance evaluations and audits in related areas, and other trend indicators. Reducing the audit frequency requirements to biennial (2 years) will not impact compliance with provisions of the Technical Specifications, but will provide for more meaningful audits of those activities conducted less frequently and allow for additional effort on operational activities.

The resultant comprehensive audit of fire protection equipment, programmatic controls including implementing procedures, and program implementation will be performed by a qualified audit team which will include at least a lead auditor from FPL's Quality Assurance organization and an outside independent fire protection consultant (presently required only for a triennial audit). The minimum audit frequency will be biennial; however, more frequent audits may be conducted based on audit findings. The proposed amendments does not alter the technical or QA requirements which are required to be audited to verify compliance with Turkey Point's fire protection program. In fact, the effectiveness of the audit program will be enhanced by the increased utilization of outside expertise, and management flexibility for directing QA resources will be improved.

5. TS 6.5.2.8 f.: Delete this Technical Specification and combine the functional responsibilities under TS 6.5.2.8 e.

Justification: (See justification for TS 6.5.2.8 e.)

6. TS 6.5.2.8 g., h., i. and j.: Delete the specific audit intervals.

Justification: The proposed change would allow the specific audit frequency to be adjusted based upon programmatic performance up to a maximum of two years. The QA program's performance is, and will continue to be, assessed through self-assessments, management reviews, performance evaluations and audits in related areas, and other trend indicators. Reducing the audit frequency requirements to biennial (2 years) will not impact compliance with provisions of the Technical Specifications, but will provide for more meaningful audits of those activities conducted less frequently than annually (i.e., refueling activities), and allow for additional effort on operational activities.

7. TS 6.5.2.8 k. and 6.5.2.8 l.: The following statements are deleted from the Technical Specifications:



- k. The Emergency Plans and implementing procedures at least once per 12 months;
- l. The Security Plans and implementing procedures at least once per 12 months;

Justification: In accordance with Generic Letter 93-07, FPL proposes to remove the audit of the emergency plan and security plans and implementing procedures from the list of responsibilities of the Company Nuclear Review Board. Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) includes provisions that are sufficient to address these requirements. Generic Letter 93-07 provides the proposed relief provided FPL relocates the audit requirements to the Emergency and Security Plans. Upon approval by the NRC of these proposed amendments, FPL will revise the Emergency and Security Plans to include these audit requirements.

- 8. TS 6.5.2.8 g., h., i., j., and m.: Revise the lettering for these Technical Specifications to be consistent with the alphanumeric sequence.

Justification: This change is administrative in nature in that no requirements are being altered.

- 9. TS 6.8.1 c. and 6.8.1 d.: The following statements are deleted from the Technical Specifications:

- c. Security Plan implementation;
- d. Emergency Plan implementation;

Justification: In accordance with Generic Letter 93-07, FPL proposes to remove the requirements for the Plant Nuclear Safety Committee to review procedures, and procedure changes, for the implementation of the emergency and security plans. Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) includes provisions that are sufficient to address these requirements. Generic Letter 93-07 provides the proposed relief provided FPL relocates the review requirements to the Emergency and Security Plans. Upon approval by the NRC of these proposed amendments, FPL will revise the Emergency and Security Plans to include these review requirements.

- 10. TS 6.8.1 e., f., g., h., and i.: Revise the lettering for these Technical Specifications to be consistent with the alphanumeric sequence.

Justification: This change is administrative in nature in that no requirements are being altered.

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11. TS 6.8.2 and 6.8.3: Change the corresponding specification numbers as referenced in TS 6.8.1.

Justification: This change is administrative in nature in that no requirements are being altered.

#### **Bases of Proposed Changes**

The system of audits devised to verify compliance with safety and quality related requirements at the Turkey Point plant is described in the Technical Specification 6.5.2.8, "Audits". These audits are performed under the cognizance of the Company Nuclear Review Board (CNRB). Removing the minimum audit frequencies from the activities listed in the Technical Specifications (TS) is tantamount to relocating the periodicity criteria to the administrative controls provided by FPL Topical Quality Assurance Report (FPLTQAR). The proposed amendments will not reduce the scope, specific activities, quality or level of management attention associated with such audits nor change the bases for assurance that safety-related activities have been performed correctly. Only the minimum frequency for those audits that are presently specified to be more frequent than biennial (2 years) will change.

Program requirements and the bases for FPL's Quality Assurance Program are contained in the FPLTQAR. The basis for planning and scheduling quality assurance audits includes FPL's commitment to perform audits of selected aspects of operational phase activities at a frequency commensurate with their safety significance and unless otherwise mandated, in such a manner as to assure that an audit of safety related functions is completed within a period of two years.

The proposed amendments would eliminate the references to specific frequencies for each of the Technical Specification required audits. Instead, FPL's Topical Quality Assurance Report (FPLTQAR 1-76A) Topical Quality Requirement (TQR) 18.0, "Audits," will require that all audits be accomplished at least biennially. Paragraph 18.2.2.b of the FPLTQAR, has been revised to read:

"The system of audits devised to verify compliance with safety and quality related aspects of the nuclear plants is described in each unit's technical specifications. Audits of selected aspects of operational phase activities are performed with a frequency commensurate with safety significance. As a minimum, unless otherwise specified by technical specifications, the Code of Federal Regulations or other licensing commitments, these audits are performed at a biennial (2-year) frequency. The audit system is reviewed periodically and revised as necessary to assure coverage commensurate with current and planned activities."

In addition, in the discussion of the application of Regulatory Guides 1.33 Rev.2 and Regulatory 1.144 within Appendix C of TQAR, FPL has expressed their position regarding conflicting guidance and exceptions to these documents. This position is as follows:

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"FPL has chosen a two year cycle for auditing of the internal and on-site QA Program during the operation phase of plant life following initial fuel loading. FPL's position is that the two year cycle: (1) allows more in-depth and meaningful audits in each regularly scheduled area, (2) permits more audits of ongoing activities, and (3) in conjunction with the planning and scheduling requirement of TQR [Topical Quality Requirement] 18.0 provides for a comprehensive audit program. The audit frequency requirements of Regulatory Guide 1.144 will be followed during other plants' phases."

FPL considers the performance of audits more frequently than biennially in areas that do not exhibit problems, in areas that have marginal or no safety significance, or of plant functions that have not had activity since the applicable previous audit, to be a burden that does not provide a benefit toward the maintenance or improvement of plant safety. The FPLTQAR does require that follow-up action, including re-audit of deficient areas, be taken where necessary, and also that the audit system be periodically reviewed and revised as necessary to assure coverage commensurate with current and planned activities. Rigid schedules of less than biennial periodicity, such as specified for audits of certain activities delineated in TS 6.5.2.8, do not allow management the flexibility to adjust audits of an activity that has a record of exceptional performance so that dilution of resources which are devoted to areas of perceived weaknesses can be minimized and the benefits to safety can be maximized. Similarly, audit schedules cannot be adjusted to more effectively encompass plant activities that are performed at regular intervals which are longer than the specified audit intervals, e.g., refueling outages. For these reasons, FPL considers that a two year audit cycle during the operation phase of plant life allows more in-depth and meaningful audits in each regularly scheduled area and permits a broader scope of audits for ongoing activities than is practical with the existing TS requirements.

The biennial audit of fire protection programmatic controls and implementing procedures required by TS 6.5.2.8 e., will be combined with the audit scope of TS 6.5.2.8 f. Neither the frequency nor the scope of this activity will be changed by the proposed amendments.

The resultant comprehensive audit of fire protection equipment, programmatic controls including implementing procedures, and program implementation will be performed by a qualified audit team which will include at least a lead auditor from FPL's Quality Assurance organization and an outside independent fire protection consultant (presently required only for a triennial audit). The minimum audit frequency will be biennial; however, more frequent audits may be conducted based on audit findings. The proposed amendments do not alter the technical or QA requirements which are required to be audited to verify compliance with Turkey Point's fire protection program. In fact, the effectiveness of the audit program will be enhanced by the increased utilization of outside expertise, and management flexibility for directing QA resources will be improved.



FPL's Topical Quality Assurance Report (FPLTQAR) documents FPL's implementation of 10 CFR 50 Appendix B. 10 CFR 50.54 (a)(3) governs changes to a previously approved quality assurance program, and governs that any changes to the quality assurance program description that reduces commitments must be submitted to the NRC and receive NRC approval prior to implementation. A change to the FPLTQAR that is evaluated as reducing commitments made to the NRC would, necessarily, be submitted to the NRC for prior review and approval. A change that does not reduce a commitment to the NRC would be submitted to the NRC at least annually.

Generic Letter 93-07, "Modifications of the Technical Specifications Administrative Control Requirements for Emergency and Security Plans," issued December 28, 1993, provided guidance for changes to technical specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the company nuclear audit and review group. The basis of this change is that Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) include provisions that are sufficient to address these requirements. Also, this guidance will allow Technical Specification changes to remove (1) the review of the emergency and security plans from the list of responsibilities of the unit review group and (2) the requirements for the unit review group to review procedures, and procedure changes, for the implementation of the emergency and security plans, provided the licensee relocates these requirements to the respective emergency and security plans.

#### **Summary**

The proposed amendments will not alter the specific activities which are required to be audited to verify compliance with the quality and safety-related requirements of the Turkey Point plants. Management flexibility for directing resources to perform audits will be improved and the burden of performing an audit for the sole purpose of satisfying an inflexible periodicity requirement will be reduced. The specified audits will continue to be performed under the cognizance of the Company Nuclear Review Board and the bases for assurance that safety-related activities have been performed correctly will not be changed.

FPL's Topical Quality Assurance Report (FPLTQAR) documents FPL's implementation of 10 CFR 50 Appendix B. 10 CFR 50.54 (a)(3) governs changes to a previously approved quality assurance program, and governs that any changes to the quality assurance program description that reduces commitments must be submitted to the NRC and receive NRC approval prior to implementation. A change to the FPLTQAR that is evaluated as reducing commitments made to the NRC would, necessarily, be submitted to the NRC for prior review and approval. A change that does not reduce a commitment to the NRC would be submitted to the NRC at least annually.



ATTACHMENT 2

DETERMINATION OF NO SIGNIFICANT HAZARDS CONSIDERATION



DETERMINATION OF NO SIGNIFICANT HAZARDS CONSIDERATION

**Description of Proposed License Amendments**

Florida Power and Light Company (FPL) proposes to change Turkey Point Units 3 and 4 Technical Specification (TS) 6.5.2.8, "Audits," by deleting the frequencies specified for audits performed under the cognizance of the Company Nuclear Review Board (CNRB). The periodicity of the audits for these activities will be controlled as described in FPL's Topical Quality Assurance Report (FPLTQAR), wherein the minimum audit frequency for any activity is established as biennial unless the audit is otherwise required to be performed more frequently by the Technical Specifications (TS), Code of Federal Regulations, or other licensing commitments. Periodic audits of selected aspects of operational phase activities are performed with a frequency commensurate with safety significance. During the interval between the periodic audits, continuing performance evaluations are conducted of activities important to plant safety.

The proposed amendments will improve management flexibility for directing Quality Assurance (QA) resources, as appropriate, from activities that would qualify for a longer audit interval (and for which the existing TS prevents adjustment) to those that indicate a need for increased attention. The amendments would also enhance FPL's ability to schedule certain audits more effectively based upon actual performance of plant activities.

In addition, FPL proposes to revise TS 6.5.1.6, 6.5.2.8 and 6.8.1, in accordance with Generic Letter 93-07. Generic Letter 93-07, "Modifications of the Technical Specifications Administrative Control Requirements for Emergency and Security Plans," issued December 28, 1993, provided guidance for changes to technical specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the company nuclear audit and review group. The basis of this change is that Parts 50 and 73 of Title 10 of the Code of Federal Regulations (10 CFR) include provisions that are sufficient to address these requirements. Also, the generic letter provides guidance to allow TS changes to remove (1) the review of the emergency and security plans from the list of responsibilities of the unit review group and (2) the requirements for the unit review group to review procedures, and procedure changes, for the implementation of the emergency and security plans, provided the licensee relocates these requirements to the respective emergency and security plans.

**Introduction**

The Nuclear Regulatory Commission has provided Standards for determining whether a significant hazards consideration exists (10 CFR 50.92 (c)). A proposed amendment to an operating license for a facility involves no significant hazards consideration, if operation of the facility in accordance with the proposed amendment would not

(1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. Each standard is discussed below for the proposed amendment.

#### Discussion

- (1) Operation of the facility in accordance with the proposed amendments would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed amendments relocate the administrative control criteria for minimum audit frequencies from the facility Technical Specifications to the FPL Quality Assurance (QA) Program. The QA Program is described in the FPL Topical Quality Assurance Report pursuant to 10 CFR 50, Appendix B. In addition, the proposed amendments in accordance with Generic Letter 93-07, changes the Technical Specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the Company Nuclear Review Board. The changes being proposed are administrative in nature and do not affect assumptions contained in plant safety analyses, the physical design and/or operation of the plant, nor do they affect Technical Specifications that preserve safety analysis assumptions. Therefore, operation of the facility in accordance with the proposed amendments would not affect the probability or consequences of an accident previously analyzed.

- (2) Operation of the facility in accordance with the proposed amendments would not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed amendments relocate the administrative control criteria for minimum audit frequencies from the facility Technical Specifications to the FPL Quality Assurance (QA) Program. The QA Program is described in the FPL Topical Quality Assurance Report pursuant to 10 CFR 50, Appendix B. In addition, the proposed amendments in accordance with Generic Letter 93-07, changes the Technical Specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the Company Nuclear Review Board. The changes being proposed are administrative in nature and will not change the physical plant or the modes of operation defined in the Facility License. The change does not involve the addition or modification of equipment nor does it alter the design or operation of plant systems. Therefore, operation of the facility in accordance with the proposed amendments would not create the possibility of a new or different kind of accident from any accident previously evaluated.

- (3) Operation of the facility in accordance with the proposed amendments would not involve a significant reduction in a margin of safety.

The proposed amendments relocate the administrative control criteria for minimum audit frequencies from the facility Technical Specifications to the FPL Quality Assurance (QA) Program. The QA Program is described in the FPL Topical Quality Assurance Report pursuant to 10 CFR 50, Appendix B. In addition, the proposed amendments in accordance with Generic Letter 93-07, changes the Technical Specifications to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the Company Nuclear Review Board. The changes being proposed are administrative in nature and do not alter the bases for assurance that safety-related activities are performed correctly or the basis for any Technical Specification that is related to the establishment of or maintenance of a safety margin. Therefore, operation of the facility in accordance with the proposed amendments would not involve a significant reduction in a margin of safety.

#### Summary

Based on the above discussion, FPL has determined that the proposed amendment request does not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety; and therefore the proposed changes do not involve a significant hazards consideration as defined in 10 CFR 50.92.