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AUTH.NAME AUTHOR AFFILIATION
PLUNKETT,T.F. Florida Power & Light Co.
RECIP.NAME RECIPIENT AFFILIATION
Document Control Branch (Document Control Desk)

SUBJECT: Application for amends to licenses DPR-31 & DPR-41,revising TS 4.0.5a, "Applicability - SRs," to reflect intent of revised STS (NUREG-1431) for ISI & testing programs,in accordance w/recommendations in draft NUREG-1482.

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FPL

APR 19 1994

L-94-047
10 CFR 50.36
10 CFR 50.55a
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 -
Surveillance Requirements for
Inservice Inspection and Testing Program

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) 4.0.5 a, "Applicability - Surveillance Requirements". FPL proposes to delete the wording "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)" in TS 4.0.5 a, for the inservice inspection and testing programs.

In accordance with the recommendations of draft NUREG-1482, FPL proposes to revise the Turkey Point Technical Specifications to reflect the intent of the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. With the revisions to the Technical Specifications, upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, FPL can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee.

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.

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

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In accordance with the recommendations of the draft NUREG-1482, FPL believes that these proposed amendments are consistent with the Executive Order to reduce regulatory burden and as such should be proposed as a generic line item improvement.

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. Ebneter, 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
13 day of April, 1994.

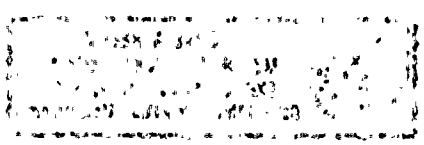
Cheryl A. Kelly
CHERYL A. KELLY
Name of Notary Public (Type or Print)

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

My Commission expires
Commission No.

CHERYL A. KELLY
MY COMMISSION # CC 223781
EXPIRES: September 27, 1996
Bonded Thru Notary Public Underwriters

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) 4.0.5 a, "Applicability - Surveillance Requirements". FPL proposes to delete the wording "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)" in TS 4.0.5 a, for the inservice inspection and testing programs.

In accordance with the recommendations of draft NUREG-1482, FPL proposes to revise the Turkey Point Technical Specifications to reflect the intent of the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. With the revisions to the Technical Specifications, upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, FPL can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee.

Description of Proposed Change

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

1. TS 4.0.5 a: Delete the following wording from the Surveillance Requirement for the inservice inspection and testing program. The wording to be removed is as follows:

   "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)."

   Justification: In accordance with the recommendations of draft NUREG-1482, FPL proposes to revise the Turkey Point Technical Specifications to reflect the intent of the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. In draft NUREG-1482 the NRC recommends that licensees revise the Technical Specifications, so that upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, the licensee can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process

described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee. This Technical Specification change will enable Turkey Point to avoid situations where compliance with the Technical Specifications cannot be achieved for the period between the time of preparation and submittal of a relief request up until the NRC has issued a safety evaluation and granted the relief. Although, draft NUREG 1482 does not specifically address the inservice inspection program, in a separate discussion with the NRC staff, the staff indicated that this issue is generic to both the Inservice Inspection (ISI) and Inservice Testing (IST) Programs.

Reference to paragraph (g) of 10 CFR 50.55a is deleted, since by rulemaking effective September 8, 1992 (Federal Register Vol. 57, 34666), the Nuclear Regulatory Commission established paragraph (f) to separate the inservice Testing (IST) requirements from the Inservice Inspection (ISI) requirements in paragraph (g) in 10 CFR 50.55a.

2. TS BASES Specification 4.0.5: Delete the following wording from the BASES section for the inservice inspection and testing program. The wording to be removed is as follows:

> "These requirements apply except when relief has been provided in writing granted by the Commission."

Justification: The statement in the BASES is deleted to reflect the above proposed changes.

Discussion and Bases for the Proposed Changes

Technical Specification 4.0.5 specifies the following requirements:

> "Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:
>
> a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50, Section 50.55a(g), **except where specific written relief has been granted by the Commission pursuant to 10 CFR 50, Section 50.55a(g)(i).**"

Turkey Point's Technical Specifications specifically requires that written relief requests be approved by the Commission prior to implementation of the relief. In addition to the TS requirement, 10 CFR 50.55a(g)(5)(ii) states the following:

> "If a revised inservice inspection program for a facility conflicts with the technical specification for the facility, the licensee shall apply to the Commission for amendment of the technical specifications to conform the technical specification to the revised program. The license shall submit this application, as specified in § 50.4, at least 6 months before the start of the period during which the provisions become applicable, as determined by paragraph (g)(4) of this section.

By letter L-93-220, dated September 9, 1993, FPL submitted the Third 10 Year Inservice Inspection (ISI) Program for Turkey Point Units 3 and 4. FPL letter L-93-220 outlines the Inservice Inspection Program and schedule for Turkey Point Units 3 and 4 based on the requirements of Section XI of the ASME Boiler and Pressure Vessel Code, 1989 edition. Included in letter L-93-220, FPL submitted 10 relief requests which have been written to cover areas found to be impractical to meet the ASME Code requirements. The first surveillance for the third 10 Year ISI interval is the current Unit 3 refueling outage which began on April 4, 1994. Since Turkey Point's Technical Specifications require the approval of the written relief requests prior to implementation, FPL requested and received interim relief from the NRC on two of the relief requests submitted with this 10 Year ISI Program.

Draft NUREG-1482, entitled "Guidelines for Inservice Testing at Nuclear Power Plants," specifically addresses the situation in which licensee's Technical Specifications are in conflict with the regulations of 10 CFR 50.55a. As discussed in the draft NUREG-1482, the NRC staff recognized that situations would arise which would put the licensee in a condition that is not in strict compliance with TS 4.0.5 requirement to comply with ASME Section XI "except where specific written relief has been granted." According to the draft NUREG, if TS 4.0.5 was interpreted literally, in the case of the Inservice Testing (IST) Program, it would require the licensee to address these situations by shutting down the plant to perform testing. For example, the TS may require a shutdown because a pump or valve that would require IST and was the subject of a relief request because the test can not be performed to meet the Code requirements, must be considered inoperable until the NRC issues a safety evaluation granting relief from the requirements of ASME Section XI. In a separate discussion with the NRC staff, the staff indicated that this issue is generic to both the Inservice Inspection (ISI) and Inservice Testing (IST) Programs.

According to the NRC staff, NUREG-1431, Standard Technical Specifications Westinghouse Plants, reflects the NRC staff's position that a licensee may establish and implement the ISI and IST programs in accordance with 10 CFR 50.55a, and does not require that relief requests be granted before they are implemented. Rather, according to the NRC staff, 10 CFR 50.55a(f)(5)(iv) and 10 CFR 50.55a(g)(5)(iv)

allow a licensee up to a full year after a beginning of the updated interval to inform the NRC of those new Code requirements which cannot be met and to request relief. The regulations require the licensee to submit relief requests within 12 months of the interval start date, or during the interval as it finds specific needs for relief.

As stated in the draft NUREG-1482, the NRC recommends that licensees revise the Technical Specifications to include the recommendations from the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. With the revisions to the Technical Specifications, upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, the licensee can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee.

Upon determining an impractical requirement, the licensee may follow the requirements of 10 CFR 50.55a(f)(5)(iii) or 10 CFR 50.55a(g)(5)(iii). The specification does not allow the licensee to implement alternative testing under paragraphs 50.55a(a)(3)(i) and (ii) until the NRC has determined that such alternatives are authorized. However, this Technical Specification will enable licensees to avoid situations where compliance with the Technical Specifications cannot be achieved for the period between the time of preparation and submittal of a relief request up until the NRC has issued a safety evaluation and granted the relief.

Evaluation of the Safety Significance

According to the NRC staff, NUREG-1431, Standard Technical Specifications Westinghouse Plants, reflects the position that the licensee must establish and implement the ISI and IST programs in accordance with 10 CFR 50.55a, but does not require that relief requests must be granted before they are implemented. Rather, according to the NRC staff, 10 CFR 50.55a(f)(5)(iv) and 10 CFR 50.55a(g)(5)(iv) allow a licensee up to a full year after a beginning of the updated interval to inform the NRC of those new Code requirements which cannot be met and to request relief. The regulations require the licensee to submit relief requests within 12 months of the interval start date, or during the interval as it finds specific needs for relief.

As stated in the draft NUREG-1482, the NRC recommends that licensees revise the Technical Specifications to include recommendations from the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. With the revisions to the Technical Specifications, upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the

design, construction, or system configuration, the licensee can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee. Provided the relief request is reviewed in accordance with 10 CFR 50.59, in which the proposed change or test is determined not to involve an unreviewed safety question.

Upon determining an impractical requirement, the licensee may follow the requirements of 10 CFR 50.55a(f)(5)(iii) or 10 CFR 50.55a(g)(5)(iii). The specification does not allow the licensee to implement alternative testing under paragraphs 50.55a(a)(3)(i) and (ii) until the NRC has determined that such alternatives are authorized. However, this Technical Specification will enable licensees to avoid situations where compliance with the Technical Specifications cannot be achieved for the period between the time of submittal of a relief request until the NRC has issued a safety evaluation and granted the relief.

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) 4.0.5 a, "Applicability - Surveillance Requirements". FPL proposes to delete the following wording from Surveillance Requirement 4.0.5, for the inservice inspection and testing program. The wording to be removed is as follows:

> "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)."

In accordance with the recommendations of the draft NUREG-1482, FPL proposes to revise the Turkey Point Technical Specifications to reflect the intent of the revised standard technical specifications (NUREG-1431) for the inservice inspection and testing programs. In the draft NUREG-1482, the NRC recommends licensee revise the Technical Specifications, such that upon finding an ASME Code requirement impractical because of prohibitive dose rates or limitations in the design, construction, or system configuration, the licensee can implement the relief request at that time provided it has been (1) acceptably reviewed pursuant to 10 CFR 50.59; (2) approved by the plant staff in accordance with the administrative process described in the inservice inspection and testing programs administrative procedures; and (3) reviewed and approved by the Plant Nuclear Safety Committee. This Technical Specification change will enable licensees to avoid situations where compliance with the Technical Specifications cannot be achieved for the period between the time of preparation and submittal of a relief request up until the NRC has issued a safety evaluation and granted the relief.

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 amendments.

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 remove the wording "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)", provided a 10 CFR 50.59 evaluation is performed. The Inservice Inspection and Testing Programs are described in the Technical Specifications pursuant to 10 CFR 50.55a. In addition, the proposed amendments, in accordance with NUREG 1431 and draft NUREG 1482, provide relief to the ASME code requirement in the interim between the time of submittal of a relief request until the NRC has issued a safety evaluation and granted the relief. 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. Any relief from the approved ASME Section XI code requirements will require a 10 CFR 50.59 evaluation to ensure no Technical Specification changes or unreviewed safety questions exist. 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 remove the wording "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)" in TS 4.0.5, provided a 10 CFR 50.59 evaluation is performed. The Inservice Inspection and Testing Programs are described in the Technical Specifications pursuant to 10 CFR 50.55a. In addition, the proposed amendments, in accordance with NUREG 1431 and draft NUREG 1482, provide relief to the ASME code requirement in the interim between the time of submittal of a relief request until the NRC has issued a safety evaluation and granted the relief. 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. Any reliefs from the approved ASME Section XI code requirements will require a 10 CFR 50.59 evaluation to ensure no Technical Specification changes or unreviewed safety questions exist. 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 remove the wording "...(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR, Section 50.55a(g)(6)(i)" in TS 4.0.5, provided a 10 CFR 50.59 evaluation is performed. The Inservice Inspection and Testing Programs are described in the Technical Specifications pursuant to 10 CFR 50.55a. In addition, the proposed amendments, in accordance with NUREG 1431 and draft NUREG 1482, provide relief to the ASME code requirement in the interim between the time of submittal of a relief request until the NRC has issued a safety evaluation and granted the relief. 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. Any reliefs from the approved ASME Section XI code requirements will require a 10 CFR 50.59 evaluation to ensure no Technical Specification changes or unreviewed safety questions exist. 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.