

SAFEGUARDS INFORMATION



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

February 3, 2022

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

**SUBJECT: DUANE ARNOLD ENERGY CENTER - ISSUANCE OF AMENDMENT NO. 316
TO RENEWED FACILITY LICENSE OPERATING TO IMPLEMENT THE
DEFUELED PHYSICAL SECURITY PLAN (EPID L-2020-LLA-0236)**

Dear Bob Coffey:

The U.S. Nuclear Regulatory Commission (Commission, NRC) has issued the enclosed Amendment No. 316 to Renewed Facility Operating License No. DPR-49, for the Duane Arnold Energy Center (DAEC). The amendment consists of changes to the technical specifications in response to your application dated October 29, 2020, as supplemented by letters dated January 7, 2021, April 7, 2021, July 12, 2021, October 20, 2021, November 4, 2021, and February 2, 2022. Notice of the application was published in the *Federal Register* (FR) on March 23, 2021 (86 FR 15501); the supplemental letters provided additional information that clarified the application, but did not expand the scope of the application as originally noticed, or change the NRC's original proposed no significant hazards consideration determination.

The amendment revises the DAEC Physical Security Plan (PSP) to align the defensive strategy with the post-shutdown and permanently defueled condition. Portions of the letters dated October 29, 2020, January 7, 2021, April 7, 2021, July 12, 2021, October 20, 2021, and November 4, 2021, contain safeguards information, and have been withheld from public disclosure.

The amendment is provided as Enclosure 1. The amendment is effective upon issuance and shall be implemented within 30 days of the effective date. A copy of the related safety evaluation is also enclosed as Enclosure 2. The NRC staff determined that the proposed modified DAEC PSP would continue to meet regulatory requirements during its post-shutdown and permanently defueled condition. As such, the DAEC PSP provides reasonable assurance that adequate protective measures can and will be taken to implement the physical security program at the site. A Notice of Issuance will be included in the Commission's monthly *Federal Register* notice.

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

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B. Coffey

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

If you or your staff have any questions regarding the above, please contact me at 301-415-1335 or via email at kimberly.conway@nrc.gov.

Sincerely,



Signed by Conway, Kimberly
on 02/03/22

Kimberly A. Conway, Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety and Safeguards

Docket No. 50-331

Enclosures:

1. Amendment No. 316 to
Renewed License No. DPR-49
2. Safety Evaluation

cc: Duane Arnold Listserv

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TO RENEWED FACILITY LICENSE OPERATING TO IMPLEMENT THE
DEFUELED PHYSICAL SECURITY PLAN (EPID L-2020-LLA-0236)

Dated: February 3, 2022

DISTRIBUTION:

PUBLIC

Duane Arnold Listserv

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VWilliams, NSIR

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***via email**

OFFICE	NMSS/DUWP/RDB/PM	OGC – NLO (SER)*	NSIR/DPCP/MSB/BC
NAME	KConway	KGamin	ARivera
DATE	1/31/2022	1/26/2022	1/31/2022
OFFICE	NMSS/DUWP/RDB/BC	NMSS/DUWP/RDB/PM	
NAME	BWatson	KConway	
DATE	1/31/2022	2/3/2022	

OFFICIAL RECORD COPY

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UNITED STATES
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WASHINGTON, D.C. 20555-0001

NEXTERA ENERGY DUANE ARNOLD, LLC

DUANE ARNOLD ENERGY CENTER

DOCKET NO. 50-331

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 316
Renewed License No. DPR-49

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by NextEra Energy Duane Arnold, LLC dated October 29, 2020, as supplemented by letters dated January 7, 2021, April 7, 2021, July 12, 2021, October 20, 2021, November 4, 2021, and February 2, 2022, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-49 is hereby amended to read as follows:

The Technical Specifications contained in Appendix A, as revised through Amendment No. 316, are hereby incorporated in the license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Technical Specifications.

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

NextEra Energy Duane Arnold, LLC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to 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 combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated November 4, 2021, as supplemented.

3. This license amendment is effective upon issuance and shall be implemented within 30 days of the effective date.

FOR THE NUCLEAR REGULATORY COMMISSION



Signed by Watson, Bruce
on 01/31/22

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

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

Date of Issuance: February 3, 2022

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ATTACHMENT TO LICENSE AMENDMENT NO. 316

DUANE ARNOLD ENERGY CENTER

RENEWED FACILITY OPERATING LICENSE NO. DPR-49

DOCKET NO. 50-331

Renewed Facility Operating License No. DPR-49

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

INSERT

Page 3

Page 4

REMOVE

Page 3

Page 4

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

(1) Deleted

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 316, are hereby incorporated in the license. NextEra Energy Duane Arnold, LLC shall operate the facility in accordance with the Permanently Defueled Technical Specifications.

(3) Deleted

(4) Deleted

(5) Physical Protection

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

and safeguards contingency plans including amendments made pursuant to 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 combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Duane Arnold Energy Center Physical Security Plan," submitted by letter dated November 4, 2021, as supplemented.

(6) Deleted

(7) Additional Conditions

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

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

(9) Mitigation Strategy License Condition

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

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

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

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

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

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

1. Water spray scrubbing
2. Dose to onsite responders

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

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SAFETY EVALUATION BY THE OFFICE OF
NUCLEAR SECURITY AND INCIDENT RESPONSE
RELATED TO AMENDMENT NO. 316
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-49

Enclosure 2

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