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

May 3, 2007

Mr. J. A. Stall
Senior Vice President, Nuclear and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: TURKEY POINT PLANT, UNITS 3 AND 4 - ADMINISTRATIVE CHANGE TO RENEWED FACILITY OPERATING LICENSES IN CONJUNCTION WITH THE COMMISSION ORDER EA-06-037 AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NOS. MD2288 AND MD2289)

Dear Mr. Stall:

By letter to the Nuclear Regulatory Commission (NRC or the Commission) dated May 18, 2006, the Florida Power and Light Company (FPL), the licensee for Turkey Point Nuclear Plant, Units 3 and 4 submitted its revised plans as required and confirmed the full implementation at the Turkey Point, Units 3 and 4, of Order EA-06-037 regarding an updated adversary characteristic in the design basis threat.

The NRC staff has completed its review of the changes related to implementation of Order EA-06-037. As discussed in the enclosed safeguards evaluation (Enclosure 3), the NRC staff has determined that FPL's changes to the security plans meet the requirements of the NRC Order and Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73 and are, therefore, acceptable. The effectiveness of these security provisions will continue to be the subject of NRC review and inspection.

Consistent with the Order, conforming administrative changes to the Facility Operating Licenses are required to ensure implementation of the Order EA-06-037 requirements. Therefore, administrative license changes to renewed Facility Operating License (FOL) Nos. DPR-31 and DPR-41 are being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

~~NOTICE: Enclosure 3 contains Security-Related information. Upon separation from Enclosure 3, this letter and Enclosures 1 and 2 are DECONTROLLED.~~

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Please replace Pages 4 of FOL Nos. DPR-31 and DPR-41 with the pages in Enclosures 1 and 2, respectively.

If you have any questions, please contact me at (301) 415-2020 or at blm@nrc.gov.

Sincerely,



Brenda L. Mozafari, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosures:

1. Revised Page 4 to FOL DPR-31
2. Revised Page 4 to FOL DPR-41
3. Safety Evaluation

cc w/encls 1, 2, and 3: Nick Eggemeyer, Site Security Manager
M. Ernstes, Branch Chief, Region 2

cc w/encl 1 and 2 only: See next page

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J. Stall
Florida Power and Light Company

TURKEY POINT PLANT

cc w/ enclosures 1 and 2 only:
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Juno Beach, FL 33408-0420

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D. Fire Protection

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 Evaluations 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:

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.

- E. The licensee 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 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 combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "Florida Power and Light & FPL Energy Seabrook Physical Security Plan, Training and Qualification Plan and Safeguards Contingency Plan - Revision 3," submitted by letter dated May 18, 2006.
- F. 1. The licensee shall restrict the combined number of fuel assemblies loaded in the existing spent fuel pool storage racks and cask pit rack to no more than the capacity of the spent fuel pool storage racks. This condition applies at all times, except during activities associated with a reactor core offload/reload refueling condition. This restriction will ensure the capability to unload and remove the cask pit rack when cask loading operations are necessary.
2. The licensee shall establish two hold points within the rack installation procedure to ensure proper orientation of the cask rack in each unit's spent fuel pool. Verification of proper cask pit rack orientation will be implemented by an authorized Quality Control inspector during installation of the racks to ensure consistency with associated spent fuel pool criticality analysis assumptions.

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