



June 30, 2009

L-2009-144  
10 CFR 52.3(b)(2)

Mr. Michael Johnson  
Director, Office of New Reactors  
U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D.C. 20555-0001

Re: Florida Power & Light Company  
Proposed Turkey Point Units 6 & 7  
Project No. 763  
Application for Combined License for Turkey Point Units 6 and 7

Reference: FPL Letter to NRC, L-2009-145 dated June 30, 2009, Combined License Application, Part 8 Physical Security Plan, for Turkey Point Units 6 & 7

In accordance with 10 CFR Part 52, Florida Power & Light Company (FPL) hereby submits a combined license (COL) application for two AP1000 pressurized water reactor units to be located at the Turkey Point site in Miami-Dade County, Florida. These advanced passive reactor units are to be designated as Turkey Point Units 6 & 7. In addition, FPL is requesting byproduct, source, and special nuclear material licenses as required under 10 CFR Parts 30, 40, and 70.

In accordance with 10 CFR 52.91(a), FPL is requesting issuance of a Limited Work Authorization (LWA) under 10 CFR 50.10(d) in advance of the COL to allow the early performance of certain construction activities. The LWA application (COL Part 6) describes the scope of the LWA activities requested to be authorized and includes a site redress plan in accordance with 10 CFR 50.10(d)(3)(iii).

FPL's COL application incorporates by reference Appendix D to 10 CFR Part 52, as amended by the Westinghouse Electric Company AP1000 Design Control Document (DCD), Revision 16 that was submitted to the NRC on May 26, 2007, and updated by DCD Revision 17 submitted to the NRC on September 22, 2008.

Information required by 10 CFR Part 52, Appendix D, Sections IV.A.2 and 3 is included in FPL's COL application, which utilizes, to the maximum extent practicable, the standard content contained and designated in Revision 1 of the Tennessee Valley Authority's Bellefonte (BLN) Unit 3 and 4 COL application (Docket Nos. 52-0014 and 52-0015), the AP1000 reference plant application developed by NuStart Energy Development, LLC.<sup>1</sup> Standard content is identified as such, primarily in the Final Safety Analysis Report contained in Part 2 of FPL's COL application.

<sup>1</sup> NuStart Energy Development, LLC is the industry consortium organized as part of the U.S. Department of Energy's Nuclear Power 2010 initiative to demonstrate the viability of the licensing process provided in 10 CFR Part 52, associated regulations, and NRC guidance.

NuStart Energy Development letter dated April 28, 2009 notified the NRC of the transition of the reference COL application from BLN to Southern Nuclear Operating Company's (SNC) COL application for Vogtle Electric Generating Plant (VEGP) 3 and 4 (Docket Nos. 52-0025 and 52-0026). Going forward FPL will reference the VEGP AP1000 COL application.

FPL's COL application includes the revisions to the BLN COL application that address fitness for duty program information, physical security during construction, and physical security inspections, tests, analyses, and acceptance criteria (ITAAC) identified in Tennessee Valley Authority letter dated March 23, 2009<sup>2</sup>. The revisions in the FPL application address compliance with NRC amendments of the fitness for duty program requirements in 10 CFR 26, deletion of information regarding physical security during construction pending NRC rulemaking, and relocation of certain physical security ITAAC from the Westinghouse AP1000 DCD to the COL application.

This COL application is comprised of the following parts:

- Part 1 - General and Financial Information
- Part 2 - Final Safety Analysis Report (FSAR)
- Part 3 - Environmental Report (ER)
- Part 4 - Technical Specifications
- Part 5 - Emergency Plan
- Part 6 - Limited Work Authorization (LWA)/Redress Plan
- Part 7 - Departures and Exemption Requests
- Part 8 - Physical Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan (provided under separate cover letter)
- Part 9 - Withheld Information
- Part 10 - License Conditions (including ITAAC)
- Part 11 - Enclosures

In accordance with 10 CFR 51.45(c), FPL has included a description of the environmental impacts of preconstruction activities to be performed at the Turkey Point Units 6 & 7 site that are necessary to support construction (as defined in 10 CFR 50.10(a)(1)) and operation of the facility in Section 4.6 of the environmental report (COL Part 3). This description is based on the guidance contained in Interim Staff Guidance (ISG), ISG-04 on the definition of "construction" and on LWAs.

No restricted data or other defense information requiring separation in accordance with 10 CFR 50.33(j) is contained in this application. Part 8, Physical Security Plan (PSP), contains safeguards information, which is controlled pursuant to 10 CFR 73.21. Part 8

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<sup>2</sup> TVA Letter - Andrea Sterdis to NRC, Bellefonte Combined License Application - Changes To Fitness For Duty Program Information, Physical Security During Construction, and Physical Security Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC) dated March 23, 2009

is provided by the reference letter. The PSP was prepared using Revision 6 of Nuclear Energy Institute (NEI) document NEI 03-12, Template for the Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan.

The state and local radiological emergency plans have been relocated from the COL application Part 5, Emergency Planning, to COL Part 9, Withheld Information, to be consistent with NRC staff practice to designate these plans as "Non-Publicly Available" in ADAMS. NRC designates these documents as "Sensitive-Federal, State, Foreign Government, and International Agency Controlled." The guidance to withhold these documents is located in NRC letter, William Reckley to Russell Bell (NEI) dated February 10, 2009.<sup>3</sup>

Pursuant to 10 CFR 52.7 and 10 CFR 52.93, Part 7 contains a request for an exemption from the effective date of the NRC's recently promulgated security rule with respect to new requirements that a COL application include: (1) a cyber security plan; and (2) a strategy to address the loss of large areas of the plant due to explosions or fire. FPL intends to provide this information to the NRC within 180 days after issuance of NRC approved implementation guidance.

Consistent with common licensing practice, most of the FPL's COL application text is written in the present tense, including discussion of facilities and programs not yet built or implemented. Exceptions to this approach are the discussions of operating experience and completed studies and evaluations, which are written in the past tense in Part 3. It should be understood, however, that statements regarding facilities (e.g., structures, systems, and components), and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address activities that have not yet been performed, and will not be performed until it is reasonable and appropriate to do so.

FPL's COL application documents (Parts 1 through 11) are provided in electronic file format on two DVDs. Enclosure 1 is the public accession version of the COL application. Enclosure 2 is the non-public accession version containing Part 9 information. Pre-submission checks have been successfully performed on the DVDs to validate and verify compliance with NRC guidelines for electronic submittals.

We understand that the NRC will review the FPL COL application to determine sufficiency for docketing and that at the end of this acceptance review period, the NRC will discuss a detailed schedule to review this application in accordance with 10 CFR Part 52. We also understand that the acceptance review period lasted approximately 60 days for the first COL applications.

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<sup>3</sup> NRC Letter, Update of NRC Guidance on Electronic Application Submittals, William D. Reckley to Russell Bell (NEI) dated February 10, 2009.

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**Administrative Contact Information**

Please address matters related to your review of this application including requests for additional information and invoices to the following point of contact:

Name: William Maher  
Title: Senior Licensing Director – New Nuclear Projects  
Mailing Address: Florida Power & Light Company  
Mail Stop NNP/JB  
700 Universe Blvd  
Juno Beach, FL 33408-0420  
Email Address: [William.Maher@fpl.com](mailto:William.Maher@fpl.com)  
Phone Number: (561) 691-7490

Service upon the applicants of hearing requests, intervention petitions, or other pleadings related to this application should be made to counsel for the applicants as follows:

Name: Antonio Fernández  
Title: Senior Attorney  
Mailing Address: Florida Power & Light Company  
Mail Stop LAW/JB  
700 Universe Blvd.  
Juno Beach, FL 33408  
Email Address: [Antonio.Fernandez@fpl.com](mailto:Antonio.Fernandez@fpl.com)  
Phone Number: (561) 304-5288

If you have any questions, or need additional information, please contact Martin Gettler, Vice President – New Nuclear Projects, at (561) 691-7487.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 30, 2009

Sincerely,



Mano K. Nazar  
Senior Vice President and Chief Nuclear Officer

Enclosures:

1. Turkey Point Nuclear Plant Units 6 and 7 COL Application, Public Version (electronic submittal)
2. Turkey Point Nuclear Plant Units 6 and 7 COL Application, Non-Public Version (electronic submittal)

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cc (w/o enclosures):

Director, Office of Nuclear Reactor Regulation, USNRC  
Director, Division of New Reactor Licensing, USNRC  
Regional Administrator, Region II, USNRC  
Senior Resident Inspector, USNRC, Turkey Point Plant  
Project Manager, AP1000 Projects Branch 1, USNRC DNRL/NRO



L-2010-062  
10 CFR 52.3

March 31, 2010

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D.C. 20555-0001

Re: Florida Power & Light Company  
Proposed Turkey Point Units 6 and 7  
Docket Nos. 52-040 and 52-041  
Replacement COL Application Electronic Submittal

Reference:

1. FPL Letter L-2009-144 to NRC, dated June 30, 2009, Application for Combined License for Turkey Point Units 6 and 7
2. Final Data Report - Geotechnical Exploration and Testing Turkey Point COL Project

Florida Power & Light Company (FPL) submitted an application for a combined license (COL) for Turkey Point Units 6 and 7 to be located in Miami-Dade County, FL on June 30, 2009, (Reference 1).

Enclosure 2 of Part 11 of the COL application is a data report (Reference 2) presented in four volumes as follows:

- Volume 1: Table of Contents, Data Report Text, Tables, Figures, References, Appendix A – Survey Report, Appendix B – Geotechnical Field Data
- Volume 2: Appendix C – Cone Penetrometer Test results, Appendix D – Geovision Downhole and P-S Logging Report
- Volume 3: Appendix E – Laboratory Test Data
- Volume 4: Appendix F – RCTS Data Reports, Appendix G – Groundwater

The data report contains editorial errors and inadvertent omissions that are corrected by Enclosures 1 and 2 of this letter. These enclosures replace, in their entirety, the electronic files (DVDs) provided to the NRC on June 30, 2009 (Reference 1). The attachment to this letter identifies the changes to the data report files submitted on June 30, 2009 (Reference 2).

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Docket Nos. 52-040 and 52-041  
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If you have any questions, or need additional information, please contact me at 561-691-7490.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 31, 2010

Sincerely,



William Maher  
Senior Licensing Director – New Nuclear Projects

Enclosures:

1. Turkey Point Nuclear Plant Units 6 and 7 COL Application, Public Version (electronic submittal comprised of three DVDs dated March 18, 2010)
2. Turkey Point Nuclear Plant Units 6 and 7 COL Application, Sensitive Version (electronic submittal comprised of three DVDs dated March 18, 2010)

cc:

PTN 6&7 Project Manager, AP1000 Projects Branch 1, USNRC DNRL/NRO  
Regional Administrator, Region II, USNRC  
Senior Resident Inspector, USNRC, Turkey Point Plant

**Replacement COL Application Electronic Submittal Roadmap**

FPL Letter L-2009-144 to NRC, dated June 30, 2009, Application for Combined License for Turkey Point Units 6 and 7, provided two sets of two disks (Public Version and Sensitive Version). Disk 1 contained COLA Parts 1 through 10 and Disk 2 contained COLA Part 11. With this submittal, the number of set disks increases from two to three as explained below.

Disk 1 is unchanged from the June 30, 2009 submittal except for updating of the packing slip to reflect the change in the number of disks required from two to three. Disk 2 changes to accommodate five (5) files included as Items 1 through 5 below. Finally, Disk 3 contains eight (8) new files included as Item 6 below.

1. Disk 2: Page 296 of 809 in the COLA Rev. 0 file named Volume02\_Part06\_Pages\_295-299, was updated. This corrects a problem with the graphic identified on this page. Item 1 updates the file associated with ADAMS accession number ML091871229.
2. Disk 2: COLA Rev. 0 file named Volume02\_Part08\_Pages\_366-369 was renamed to Volume02\_Part08\_Pages\_365-369 so that the name reflects the pages actually included in the file (no changes to content of file). Item 2 updates the file associated with ADAMS accession number ML091871246.
3. Disk 2: COLA Rev. 0 file named Volume02\_Part08\_Pages\_392-394 was renamed to Volume02\_Part08\_Pages\_393-394 so that the name reflects the pages actually included in the file named (no changes to content of file). Item 3 updates the file associated with ADAMS accession number ML091871253.
4. Disk 2: COLA Rev. 0 file named Volume04\_Pages\_1-300 was renamed to Volume04\_Pages\_1-287. (Note that this file actually contains 300 pages, 13 of which are not numbered.) Item 4 updates the file associated with ADAMS accession number ML091871299.
5. Disk 2: COLA Rev. 0 file named Volume04\_Pages\_301-537 was renamed to Volume04\_Pages\_288-537 and duplicate pages 388 through 437 were removed. Item 5 updates the file associated with ADAMS accession number ML091871300.
6. Disk 3: New files named Volume01\_Part7A, 7B, 7C, 7D, 7E, 7F, 7G, and 7H were added to provide Volume 1 pages 605 through 819.