



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

November 13, 2009

Mr. Mano Nazar
Senior Vice President, Nuclear and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: TURKEY POINT UNIT 4 - ISSUANCE OF AMENDMENT REGARDING
IMPLEMENTATION DATE CHANGE FOR LICENSE AMENDMENT 229
(TAC NO. ME2161)

Dear Mr. Nazar:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 237 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Plant, Unit No. 4. This amendment consist of changes to the license in response to your application dated September 1, 2009, supplemented by letters dated October 28, October 29, October 31, November 5, November 6, November 12, and November 13, 2009.

The amendment revises the date specified in License Amendment No. 229 for the implementation of the Boraflex Remedy in the Turkey Point Unit 4 spent fuel pool. By letter dated November 9, 2009, the licensee withdrew their license amendment request to extend the implementation date for License Amendment No. 234 for Turkey Point Unit 3.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason C. Paige".

Jason C. Paige, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-251

Enclosures: 1. Amendment No. 237 to DPR-41
2. Safety Evaluation

cc w/enclosures: Distribution via Listserv



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

FLORIDA POWER AND LIGHT COMPANY

DOCKET NO. 50-251

TURKEY POINT PLANT UNIT NO. 4

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 237
Renewed License No. DPR-41

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Florida Power and Light Company (the licensee) dated September 1, 2009, supplemented by letters dated October 28, October 29, October 31, November 5, November 6, November 12, and November 13, 2009, 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 Renewed Facility Operating License DPR-41 is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented immediately.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas H. Boyce, Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Operating License

Date of Issuance: November 13, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 237
RENEWED FACILITY OPERATING LICENSE NO. DPR-41
DOCKET NO. 50-251

Replace the following pages of Renewed Operating License DPR-41 with the attached pages.

Remove pages

3
5
-

Insert pages

3
5
6

- E. Pursuant to the Act and 10 CFR Parts 40 and 70 to receive, possess, and use at any time 100 milligrams each of any source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactively contaminated apparatus;
 - F. Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of Turkey Point Units Nos. 3 and 4.
3. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations: 10 CFR Part 20, Section 30.34 of 10 CFR Part 30, Section 40.41 of 10 CFR Part 40, Sections 50.54 and 50.59 of 10 CFR Part 50, and Section 70.32 of 10 CFR Part 70; and 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 below:
- A. Maximum Power Level

The applicant is authorized to operate the facility at reactor core power levels not in excess of 2300 megawatts (thermal).
 - B. Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 237 are hereby incorporated into this renewed license. The Environmental Protection Plan contained in Appendix B is hereby incorporated into this renewed license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.
 - C. Final Safety Analysis Report

The licensee's Final Safety Analysis Report supplement submitted pursuant to 10 CFR 54.21(d), as revised on November 1, 2001, describes certain future inspection activities to be completed before the period of extended operation. The licensee shall complete these activities no later than April 10, 2013.

The Final Safety Analysis Report supplement as revised on November 1, 2001, described above, shall be included in the next scheduled update to the Final Safety Analysis Report required by 10 CFR 50.71(e)(4), following the issuance of this renewed license. Until that update is complete, the licensee may make changes to the programs described in such supplement without prior Commission approval, provided that the licensee evaluates each such change pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

G. 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

H. FPL will implement the following measures as part of the request for a change in the implementation date for Amendment 229 for Unit 4. These measures will remain in place until Amendment No. 229 is implemented or until the NRC approves the license amendment request discussed in Item (b) below but not later than February 28, 2011.

- (a) The Unit 4 Spent Fuel Pool (SFP) boron concentration will be increased to and maintained no less than 2100 ppm. This measure will be implemented within 72 hours of installing the transfer tube gate isolating the SFP from the reactor cavity during the current Unit 4 refueling outage.

- (b) FPL will complete Boraflex panel surveillance using EPRI BADGER neutron attenuation methodology in the Unit 4 SFP no later than May 30, 2010. The report documenting the results of the EPRI BADGER testing campaign and the license amendment request updating the SFP licensing basis will be submitted to the NRC no later than 90 days after completion of the BADGER testing.

- (c) FPL will increase the current MWD/MTU burnup requirements for SFP Region II storage by 10% and will configure the SFP to comply with these requirements or insert an RCCA in any fuel assembly not in compliance with these requirements. These measures will be completed by February 28, 2010.

(d) FPL will not move any fuel assemblies into the Unit 4 SFP subsequent to the successful completion of startup physics tests for Unit 4 Cycle 25.

4. This renewed license is effective as of the date of issuance, and shall expire at midnight April 10, 2033.

FOR THE NUCLEAR REGULATORY COMMISSION

Signed by
Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Attachments:

Appendix A – Technical Specifications for Unit 4
Appendix B – Environmental Protection Plan

Date of Issuance: June 6, 2002



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 237 TO

RENEWED FACILITY OPERATING LICENSE NO. DPR-41

FLORIDA POWER AND LIGHT COMPANY

TURKEY POINT UNIT NO. 4

DOCKET NO. 50-251

1.0 INTRODUCTION

By application dated September 1, 2009, supplemented by letters dated October 28, October 29, October 31, November 5, November 6, November 12, and November 13, 2009, the Florida Power and Light (FPL, the licensee) proposed an amendment to the license for Turkey Point Plant, Unit 4. The request would change the implementation date of approved license amendment 229 for Unit 4, dated July 17, 2007 (Agencywide Document and Management System (ADAMS) Accession No. ML071800198), from "prior to the end of Turkey Point 4 Cycle 24" to "no later than February 28, 2011, for Unit 4 only."

The supplements dated October 28, October 29, October 31, November 5, November 6, November 12, and November 13, 2009, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the staff's original proposed no significant hazards consideration determination as published in the Federal Register on September 15, 2009 (74 FR 47278).

The September 1, 2009, application originally requested to extend the implementation date of approved license amendment 234 for Turkey Point, Unit 3 but was withdrawn by letter dated November 9, 2009. The licensee committed in the November 9, 2009, letter to submit a separate application to update the licensing basis for the Unit 3 SFP.

2.0 BACKGROUND

By letter dated September 1, 2009, Turkey Point requested to extend the implementation date of the SFP storage rack Boraflex Remedy as provided by License Amendments 234 and 229 for Units 3 and 4, respectively (approved by NRC letter dated July 17, 2007). License Amendments 234 and 229 requested permission to use Metamic inserts and reconfigure their SFP for Units 3 and 4. The reason for the extension request was because the Metamic inserts could not be fabricated according to the schedule in the approved license amendment. The implementation date was requested to be changed from "prior to the end of Turkey Point Unit 4 Cycle 24" to "by no later than September 30, 2012."

From the Nuclear Regulatory Commission's (NRC) review of the licensee's operability determination, the NRC made the following conclusions regarding the current maximum degradation, the projected maximum degradation by September 30, 2012, and the maximum degradation supported by the criticality analysis.

Current Maximum Degradation			
<u>Unit 3 Measured Degradation</u>		<u>Unit 4 Predicted Degradation</u>	
Region 1	Region 2	Region 1	Region 2
42.9%	55.9%	13%	2%

Projected Maximum Degradation by September 30, 2012			
<u>Unit 3</u>		<u>Unit 4</u>	
Region 1	Region 2	Region 1	Region 2
68%	64%	19%	8%

The maximum degradation supported by the criticality analysis is 55% for Region 1 and 50% for Region 2, as stated in Turkey Point's UFSAR. By letter dated May 16, 2001, the licensee notified the NRC that they would exceed their assumed degradation values by November 2006 and administrative controls were imposed to limit the use of any cell with dose greater than 2.0 E+10 rads. The administrative controls in place are the use of Rod Cluster Control Assemblies (RCCAs) and water holes in the areas of the SFP that the Boraflex degradation exceeds the assumed degradation values. Also, the licensee submitted a license amendment request by letter dated January 27, 2006, to remedy the degradation of the Boraflex with the use of Metamic inserts (license amendments 234 and 229), which the NRC staff approved by letter dated July 17, 2007.

On October 23, 2009, the NRC informed the licensee via phone call that they were not meeting their design basis for Unit 3 due to the maximum degradation exceeding the degradation value in their criticality analysis. By letter dated November 9, 2009, Turkey Point withdrew their license amendment request to extend the implementation date for Unit 3. The NRC will provide a notice of withdrawal in the *Federal Register*. Turkey Point committed to submitting a license amendment request to take credit for the administrative controls they have in place to ensure compliance with Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.68. Once the Metamic inserts can be fabricated, Turkey Point intends to resubmit the Boraflex Remedy license amendment request.

By letter dated November 13, 2009, the licensee supplemented their original request, and modified the implementation date, and restricted their request to Unit 4 only. This submittal included license conditions, as stated in Section 6 of this safety evaluation, that provide additional criticality margin in the Unit 4 SFP.

3.0 REGULATORY EVALUATION

The regulations in 10 CFR 50.68(b)(4) require, in part, that:

If credit is taken for soluble boron, the k-effective of the spent fuel storage racks loaded with fuel of the maximum fuel assembly reactivity must not exceed 0.95, at a 95 percent probability, 95 percent confidence level, if flooded with borated

water,... and the k-effective must remain below 1.0 (subcritical), at a 95 percent probability, 95 percent confidence level, if flooded with unborated water.

The regulations in 10 CFR Part 50, Appendix A, "General Design Criteria for Nuclear Power Plants," Criterion 62, "Prevention of criticality in fuel storage and handling," require that:

Criticality in the fuel storage and handling system shall be prevented by physical systems or processes, preferably by use of geometrically safe configurations.

The regulations in 10 CFR 50.68(b)(1) require that:

Plant procedures shall prohibit the handling and storage at any one time of more fuel assemblies than have been determined to be safely subcritical under the most adverse moderation conditions feasible by unborated water.

4.0 TECHNICAL EVALUATION

4.1 Criticality Analysis

By letter dated July 17, 2007, the NRC staff approved License Amendments 234 and 229 for Turkey Point Units 3 and 4 respectively, to remove reliance on Boraflex as neutron absorber in SFP storage racks. The amendments revised the license to credit a combination of fuel loading patterns, burnup, soluble boron, RCCAs and Metamic™ rack inserts, to comply with the 10 CFR 50.68 requirements.

By letter dated September 1, 2009, the licensee stated that the vendor's "inability to successfully fabricate the Metamic® inserts to the design requirements for insertion has resulted in FPL's inability to implement the amendments by the scheduled date." Therefore, in the same letter, the licensee requested to extend the implementation date to September 30, 2012. By letter dated November 13, 2009, the licensee revised the requested implementation date to February 28, 2011. The staff evaluation evaluated the information to determine whether there was reasonable assurance that the licensee will comply with the 10 CFR 50.68 requirements during the extension period.

The licensee clarified in a letter dated October 29, 2009, that for the extension period, Unit 4 will operate in accordance with the TSs that was reviewed and approved by the NRC staff on July 19, 2000. The associated criticality analysis determined a 95/95 keff of 0.99976 in Region I, assuming a 55% reduction of both the B-10 areal density and the Boraflex panel thickness. The same analysis determined a 95/95 keff of 0.99919 for Region II, assuming a 50% reduction of the B-10 areal density with no change in Boraflex panel thickness. The analysis was based on the Westinghouse criticality analysis methodology described in WCAP-14416, which was subsequently disapproved by the staff due to a non-conservative aspect of the analysis. The licensee addressed the non-conservatism by implementing the recommendations included in Westinghouse letter, NSAL-00-015, which identified potential offsetting conservative assumptions. However, the staff had not reviewed the application of NSAL-00-015 to Turkey Point.

By letter dated November 13, 2009, the licensee submitted license conditions that will provide additional negative reactivity in the Unit 4 SFP and control the addition of positive reactivity. These measures will remain in force until Amendment No. 229 is implemented or until the NRC

approves otherwise. These license conditions will increase and maintain the SFP boron concentration to no less than 2100 ppm, from the current TS minimum concentration of 1950 ppm. Under these license conditions, the licensee must complete this action within 72 hours of isolating the SFP from the reactor cavity during the refueling outage. These license conditions require the licensee to add a 10% penalty on the currently required burnup for loading into the Region II storage racks. This action will not be completed until February 28, 2010. Based on the evaluation provided in Section 4.2, the staff finds that any potential Boraflex degradation during this limited duration should not invalidate the criticality analysis basis. Finally, the license condition prohibits the licensee from moving any fuel assemblies into the Unit 4 SFP subsequent to the successful completion of startup physics tests for Unit 4 Cycle 25. These commitments were made a condition of the license as part of this amendment, as discussed in Section 6 of this safety evaluation.

The staff had concerns regarding the uncertainties in the data used to predict the amount of Boraflex degradation (19% for Region I and 8% for Region II). However, the analysis associated with the July 2000 license amendment allowed degradation up to 55% for Region I and 50% for Region II. Although there are uncertainties, it is reasonable to assume that some amount of Boraflex may be credited for negative reactivity. In addition, the staff could not determine whether the licensee's analysis for Unit 4 fully addressed the non-conservatism identified in NSAL-00-015. Therefore, the licensee committed to implement the additional measures discussed above.

The additional measures provide substantial margin to the keff limits in 10 CFR 50.68. The available margin was sufficient to preclude the need for the staff to quantitatively substantiate the details of the criticality analysis. The staff believes that the available margin is large enough to provide reasonable assurance that Unit 4 will comply with the regulatory requirements during the extension period.

4.2 Boraflex Degradation

In the letter dated October 28, 2009, the licensee provided the current and projected Boraflex degradation percentages for Unit 4's SFP. The licensee stated that the Unit 4 prediction model has not been benchmarked by any measurements. The staff questioned whether the projection of the degradation of the Boraflex to 2012 was conservative. In a letter dated November 12, 2009, the licensee provided additional information. Upon reviewing the supplement, the staff identified some concerns regarding the Unit 4 prediction of the degradation of Boraflex. However, the licensee stated that the measured degradation of Boraflex in the Unit 3 SFP appears to bound the Unit 4 SFP Boraflex degradation for the extension period. The maximum measured Boraflex degradation for Unit 3 in 2007 was 42.9% for Region 1 and 55.9% for Region 2. The Unit 4 Boraflex is 4 years younger than Unit 3, and there is added conservatism of more restrictive flow characteristics (which contributes to a retardation of the dissolution of Boraflex), and of less silica observed in the Unit 4 pool than Unit 3 (which is an indicator of lesser dissolution rate of Boraflex). Therefore, the staff believes that the Boraflex degradation is currently lower and will not exceed that of Unit 3 during the extension period.

4.3 Technical Conclusion

Based on the information in the application and the discussion above, as well as the license conditions discussed in Section 6, the NRC staff finds that there is reasonable assurance that Unit 4 will comply with the regulatory requirements during the proposed extension period.

5.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in 10 CFR 50.92(c) state that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the 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 previously evaluated; or,
- (3) Involve a significant reduction in a margin of safety.

The following analysis was provided by the licensee in its September 1, 2009, letter.

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic[®] inserts to the design requirements for insertion until both SFPs are configured in accordance with the previously approved Boraflex[®] Remedy license amendments.

During this extension period, FPL will continue to rely on the current Turkey Point licensing basis, including the presence of Boraflex[®], the continuation of existing administrative controls, and our currently approved monitoring and surveillance program until such time that the Boraflex[®] Remedy license amendments are fully implemented. These measures will continue to ensure required margins to criticality are maintained such that the consequences of an accident are not increased. As the delay in implementation of the Boraflex[®] Remedy does not affect any accident initiation sequences, the probability of occurrence on an accident in the SFPs is not increased by delay in implementation of License Amendment Nos. 234 and 229. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic[®]

inserts to the design requirements for insertion until both SFPs are configured in accordance with the previously approved Boraflex[®] Remedy license amendments.

During this extension period, FPL will continue to rely on the current Turkey Point licensing basis, including the presence of Boraflex[®], the continuation of existing administrative controls, and our currently approved monitoring and surveillance program until such time that the Boraflex[®] Remedy license amendments are fully implemented. As no unapproved physical changes to the spent fuel storage cells are involved with this delay in implementation of the Boraflex[®] Remedy, no new failure modes are created by an extended implementation date. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in the margin of safety?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic[®] inserts to the design requirements for insertion until both SFPs are configured in accordance with the previously approved Boraflex[®] Remedy license amendments.

During this extension period, FPL will continue to rely on the current Turkey Point licensing basis, including the presence of Boraflex[®], the continuation of existing administrative controls, and our currently approved monitoring and surveillance program until such time that the Boraflex[®] Remedy license amendments are fully implemented. These measures will continue to ensure required margins to criticality are maintained. As no unapproved physical changes to the spent fuel storage cells are involved with this delay in implementation of the Boraflex[®] Remedy and since Boraflex[®] degradation will continue to be closely monitored to ensure acceptable margins to criticality are maintained, the proposed change does not involve a significant reduction in a margin of safety.

6.0 LICENSE CONDITION

The following will be included as Condition 3.H of Renewed Facility Operating License DPR-41:

FPL will implement the following measures as part of the request for a change in the implementation date for Amendment 229 for Unit 4. These measures will remain in place until Amendment No. 229 is implemented or until the NRC approves the license amendment request discussed in Item b below but not later than February 28, 2011.

- (a) The Unit 4 Spent Fuel Pool (SFP) boron concentration will be increased to and maintained no less than 2100 ppm. This measure will be implemented within 72 hours of installing the transfer tube gate isolating the SFP from the reactor cavity during the current Unit 4 refueling outage.
- (b) FPL will complete Boraflex panel surveillance using EPRI BADGER neutron attenuation methodology in the Unit 4 SFP no later than May 30, 2010. The report documenting the results of the EPRI BADGER testing campaign and the license amendment request updating the SFP licensing basis will be submitted to the NRC no later than 90 days after completion of the BADGER testing.
- (c) FPL will increase the current MWD/MTU burnup requirements for SFP Region II storage by 10% and will configure the SFP to comply with these requirements or insert an RCCA in any fuel assembly not in compliance with these requirements. These measures will be completed by February 28, 2010.
- (d) FPL will not move any fuel assemblies into the Unit 4 SFP subsequent to the successful completion of startup physics tests for Unit 4 Cycle 25.

7.0 STATE CONSULTATION

Based upon a letter dated May 2, 2003, from Michael N. Stephens of the Florida Department of Health, Bureau of Radiation Control, to Brenda L. Mozafari, Senior Project Manager, U.S. Nuclear Regulatory Commission, the State of Florida does not desire notification of issuance of license amendments.

8.0 ENVIRONMENTAL CONSIDERATION

The NRC staff has determined that the amendments involve no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (74 FR 47278). The SFP is within the restricted area. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

9.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

10.0 REFERENCES

1. M. Kiley (FPL) letter to USNRC dated September 1, 2009, "Turkey Point Units 3 and 4 Docket Nos. 50-250 and 50-251 License Amendment Request No. 201 Implementation Date Change for License Amendments 234 and 229."
2. M. Kiley (FPL) letter to USNRC dated October 28, 2009, "Turkey Point Unit 4 Docket No. 50-251 Issuance of Amendment Regarding Spent Fuel Boraflex Remedy Supplement to Request for a Change in Implementation Date."
3. M. Kiley (FPL) letter to USNRC dated October 29, 2009, "Turkey Point Unit 4 Docket No. 50-251 Issuance of Amendment Regarding Spent Fuel Boraflex Remedy Supplement 2 to Request for a Change in Implementation Date."
4. B. L. Mozafari (USNRC) to J. A. Stall (FPL), "Turkey Point Plant Units 3 and 4 - Issuance of Amendments Regarding Spent Fuel Boraflex Remedy (TAC No. MC9740 and MC9741)," July 17, 2007.
5. K. N. Jabbour (USNRC) to T. F. Plunkett (FPL), "Turkey Point Plant Units 3 and 4 - Issuance of Amendments Regarding Boron Credit in The Spent Fuel Pool (TAC No. MA7262 and MA7263)," July 19, 2000.

Principal Contributors: T. Nakanishi
J. Paige
E. Wong

Date: November 13, 2009

November 13, 2009

Mr. Mano Nazar
Senior Vice President, Nuclear and
Chief Nuclear Officer
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: TURKEY POINT UNIT 4 - ISSUANCE OF AMENDMENT REGARDING
IMPLEMENTATION DATE CHANGE FOR LICENSE AMENDMENT 229
(TAC NO. ME2161)

Dear Mr. Nazar:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 237 to Renewed Facility Operating License No. DPR-41 for the Turkey Point Plant, Unit No. 4. This amendment consist of changes to the license in response to your application dated September 1, 2009, supplemented by letters dated October 28, October 29, October 31, November 5, November 6, November 12, and November 13, 2009.

The amendment revises the date specified in License Amendment No. 229 for the implementation of the Boraflex Remedy in the Turkey Point Unit 4 spent fuel pool. By letter dated November 9, 2009, the licensee withdrew their license amendment request to extend the implementation date for License Amendment No. 234 for Turkey Point Unit 3.

A copy of the Safety Evaluation is also enclosed. The Notice of Issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

/RA/

Jason C. Paige, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-251

Enclosures: 1. Amendment No. 237 to DPR-41
2. Safety Evaluation

cc w/enclosures: Distribution via Listserv

Distribution:

PUBLIC	LPL2-2 R/F	RidsNrrDorLpl2-2
RidsNrrLABClayton (Hard copy)	RidsOgcRp	RidsAcrcAcnw_MailCTR
RidsNrrDirsltsb	RidsNrrDorIDpr	RidsRgn2MailCenter
RidsNrrPMTurkeypoint	RidsNrrDciCsgb	RidsNrrDssSrxb
		TNakanishi
		EWong

ADAMS Accession No. ML092890635

OFFICE	LPL2-2/PM	LPL2-2/LA	ITSB/BC	CSGB/BC	SRXB/BC	OGC	LPL2-2/BC
NAME	JPaige	BClayton	RElliott	RTaylor via e-mail	GCranston via e-mail	MSmith via e-mail	TBoyce
DATE	11/13/09	11/13/09	10/22/09	11/13/09	11/13/09	11/13/09	11/13/09

OFFICIAL RECORD COPY