

October 4, 2000

Mr. Thomas F. Plunkett  
President - Nuclear Division  
Florida Power & Light Company  
P. O. Box 14000  
Juno Beach, FL 33408-0420

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR DOCKETING, PROPOSED REVIEW SCHEDULE, AND OPPORTUNITY FOR A HEARING REGARDING AN APPLICATION FROM FLORIDA POWER AND LIGHT COMPANY FOR RENEWAL OF THE OPERATING LICENSES FOR UNITS 3 AND 4 OF THE TURKEY POINT NUCLEAR PLANT

Dear Mr. Plunkett:

On September 11, 2000, the staff of the U.S. Nuclear Regulatory Commission (NRC) received your application for renewal of Operating Licenses DPR-31 and DPR-41 for Turkey Point, Unit Nos. 3 and 4 respectively. Notice of receipt of this application was published in the Federal Register on September 26, 2000 (65 FR 57847).

The NRC staff has determined that Florida Power and Light Company has submitted sufficient information that is acceptable for docketing, in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c). However, the staff's determination does not preclude requests for additional information as the review proceeds.

This letter forwards the staff's safety and environmental review schedule for the Turkey Point, Units 3 and 4 application. The NRC staff will follow established review procedures and the enclosed schedule to complete the safety and environmental reviews required by 10 CFR Parts 54 and 51, respectively. This schedule has been established in accordance with the 30-month review plan, which includes time for the conduct of a hearing should a hearing be requested and granted. Milestones for hearing activities are not included in the enclosed schedule because those dates are established by the Commission and the Atomic Safety and Licensing Board.

I would like to stress that this is a very ambitious schedule and the staff will make every effort to meet or exceed the milestones. We, therefore, request that you inform the staff as early as possible should potential schedule delays arise in your support for the milestones.

Finally, we have also enclosed for your information a copy of the notice relating to your application that is being sent to the Office of the Federal Register for publication. This notice also provides, in accordance with the provisions of 10 CFR 2.105, the opportunity to request a hearing and to file a petition for leave to intervene.

Mr. Thomas F. Plunkett

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October 4, 2000

If you have any questions on this matter, please contact Rajender Auluck, the License Renewal Project Manager for Turkey Point, Units 3 and 4, at 301-415-1025.

Sincerely,

***/RA/***

David B. Matthews, Director  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

Enclosures: As stated

cc w/encls: See next page

If you have any questions on this matter, please contact Rajender Auluck, the License Renewal Project Manager for Turkey Point, Units 3 and 4, at 301-415-1025.

Sincerely,

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David B. Matthews, Director  
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cc w/encls: See next page

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OFFICE	PM:RLSB:DRIP	LA:DRIP	OGC
NAME	RAuluck	EGHylton	
DATE	09 /29/00	09/27/00	10/03/00
OFFICE	BC:RGEB:DRIP	BC:RLSB:DRIP	D:DRIP
NAME	CACarpenter	CIGrimes	DBMatthews
DATE	092600	10/04/00	10/04/00

OFFICIAL RECORD COPY

## Turkey Point License Renewal Application Review Schedule

MILESTONE	TARGET DATE	ACTUAL DATE
Receive License Renewal Application	9/11/00	9/11/00
Notice Application Tendered	9/26/00	9/26/00
Complete Acceptance Review of Application	10/10/00	10/04/00
Publish Acceptance Review & Docket Application/Notice of Opportunity for Hearing	10/17/00	
Notice of Intent/Notice of Environmental Scoping Meeting	10/20/00	
Deadline for Filing Hearing Requests and Petitions for Intervention	11/17/00	
Environmental Scoping Meeting	12/06/00	
EIS Scoping Period Ends	12/29/00	
Staff Complete Environmental RAIs	1/31/01	
Staff Complete Safety RAIs	2/5/01	
Applicant Responds to Environmental RAIs	3/30/01	
Applicant Responds to Safety RAIs	4/23/01	
Complete Scoping Inspection	6/22/01	
Staff Issue Draft EIS for Comment	7/17/01	
Staff Issue SER & Identify Open Items	8/17/01	
Public Meeting to Discuss DEIS	8/24/01	
ACRS Subcommittee Meeting	9/04/01	
ACRS Full Committee Meeting	9/18/01	
Complete Aging Management Review Inspection	9/21/01	
End of DEIS Comment Period	10/9/01	
Applicant Completes Responses to SER Open Items	12/17/01	
Staff Issue Final EIS	1/29/02	
Complete Optional Final Inspection	3/15/02	
Staff Issue SSER	4/15/02	
ACRS Subcommittee Meeting	5/2/02	
Regional Administrator's Letter	5/3/02	
ACRS Full Committee Meeting	5/16/02	
ACRS Letter	5/24/02	
Issue SER as NUREG	5/30/02	
Commission Paper W/Staff Recommendations	12/2/02	
Commission Decision	3/10/03	

NOTE: MILESTONES ASSOCIATED WITH ANY REQUEST FOR HEARING AND PETITION(S) FOR LEAVE TO INTERVENE WILL BE ESTABLISHED BY COMMISSION AND ATOMIC SAFETY AND LICENSING BOARD ACTIONS.

UNITED STATES NUCLEAR REGULATORY COMMISSION[DOCKET NOS. 50-250 AND 50-251]FLORIDA POWER AND LIGHT COMPANYTURKEY POINT, UNITS 3 AND 4NOTICE OF ACCEPTANCE FOR DOCKETING OF THE APPLICATIONAND NOTICE OF OPPORTUNITY FOR A HEARING REGARDING RENEWAL OF LICENSENOS. DPR - 31 AND DPR-41FOR AN ADDITIONAL TWENTY-YEAR PERIOD

The U.S. Nuclear Regulatory Commission (the Commission) is considering an application for the renewal of Operating Licenses Nos. DPR-31 and DPR-41 which authorize Florida Power and Light Company (FPL) to operate Turkey Point, Units 3 and 4 at 2300 megawatts thermal. The renewed licenses would authorize the applicant to operate Turkey Point, Units 3 and 4 for an additional 20 years beyond the period specified in the current licenses. The current operating licenses for Turkey Point, Units 3 and 4 expire on July 19, 2012 and April 10, 2013, respectively.

FPL submitted an application to renew the operating licenses for Turkey Point, Units 3 and 4 on September 11, 2000. A Notice of Receipt of Application, "Florida Power and Light Company, Turkey Point, Units 3 and 4; Notice of Receipt of Application for Renewal of Facility Operating License Nos. DPR-31 and DPR-41, for an Additional Twenty-Year Period," was published in the Federal Register on September 26, 2000 (65 FR 57847).

The Commission's staff has determined that FPL has submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is complete and acceptable for docketing. The current Docket Nos. 50-250 for Operating License No. DPR-31 and 50-251 for Operating License No. DPR-41 will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of a requested license renewal, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review and findings that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB) and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants" (May 1996). Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future Federal Register notice. The Commission also intends to hold public meetings to discuss the license renewal process and the schedule for conducting the review. The Commission will provide prior notice of these meetings. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

By ( ), the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the licenses in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, and on the NRC website at <http://www.nrc.gov> (the Electronic Reading Room). If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request(s) and/or petition(s), and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order. In the event that no request for a hearing or a petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR Parts 54 and 51, renew the licenses without further notice.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR Parts 54 and 51. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest. The petition must also identify the specific aspect(s) of the subject

matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the board up to 15 days before the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement that satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

Requests for a hearing and petitions for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, by the above date. A copy of the request for a hearing and the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mr. Thomas F. Plunkett, President - Nuclear Division, Florida Power & Light Company, P. O. Box 14000, Juno Beach, FL 33408-0420.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions, and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1) (i)-(v) and 2.714(d).

Detailed information about the license renewal process can be found under the nuclear reactors' icon of the NRC's Web page <<http://www.nrc.gov>>.

A copy of the application to renew the Turkey Point, Units 3 and 4 licenses is available for public inspection at the Commission's Public Document Room, 11555 Rockville Pike (first floor) Rockville, Maryland, 20855-2738, and on the NRC's Web page <<http://www.nrc.gov>>.

Dated at Rockville, Maryland, this 4<sup>th</sup> day of October 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

Christopher I. Grimes, Chief  
License Renewal and Standardization Branch  
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Office of Nuclear Reactor Regulation

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