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NOV 9 1981



Docket Nos. 50-250 and 50-251

Dr. Robert E. Uhrig
 Vice President
 Advanced Systems & Technology
 Florida Power & Light Company
 P. O. Box 529100
 Miami, Florida 33152

Dear Dr. Uhrig:

The Commission has issued Enclosure 1, an exemption to certain requirements of Section 50.48 and Appendix R to 10 CFR 50, in response to your letter dated March 19, 1981. This exemption pertains to the water supplies for fire suppression systems.

By letter dated March 19, 1981, FPL requested exemptions to 10 CFR Part 50, Appendix R, Sections III.A, G, J and O. Briefly, in this request, FPL seeks the following relief from both the schedules set out in Section 50.48(c) and the requirements set out in Appendix R:

1. With respect to the requirements of Section III.G.2 and III.G.3 of Appendix R, FPL requests that the Commission exempt it from the requirements of §50.48(c) by extending the date for:
 - a. Submittal of plans and schedules and/or design descriptions, for the Auxiliary Building Corridor and the Cable Spreading Room;
 - b. Filing requests for additional exemptions from Appendix R for the Auxiliary Building Corridor and the Cable Spreading Room; and
 - c. Submittal, if applicable, of design descriptions of alternative or dedicated shutdown systems to comply with Section III.G.
2. With respect to the requirements of Section III.A. of Appendix R, FPL requests exemption from the requirements of 10 CFR §50.48(c)(2) by extending the date by which Turkey Point must be in compliance with Section III.A of Appendix R.

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Dr. Robert E. Uhrig

- 3. With respect to Sections III.G.2 and III.G.3 of Appendix R, FPL requests exemption from the requirements of those sections for those areas of the plant which have been already reviewed and approved by the Commission as shown by the NRC's Fire Protection Safety Evaluation Report (SER) for Turkey Point Units 3 and 4, as amended.
- 4. With respect to Section III.J of Appendix R, if deemed applicable to Turkey Point, FPL requests an exemption from the requirements of that section.
- 5. With respect to Section III.O of Appendix R, if deemed applicable to Turkey Point, FPL requests an exemption from the requirements of that section.

We have made a preliminary review of your exemption request and have reached the following conclusions:

- 1. Your request for exemption from the schedular requirements of Sections III.G.2 and III.G.3 is under review.
- 2. Your request for exemption from the schedular requirements of Section III.A provides a sound basis and the exemption requested is granted in Enclosure 1.
- 3. Your request for exemption from the requirements of Sections III.G.2 and III.G.3 for those areas of the plant which have already been reviewed and approved by the Commission is denied. Such an exemption request must be based on a reexamination of those previously approved configurations that do not meet the requirements as specified in Section III.G. Based on this reexamination you must either meet the requirements of Section III.G of Appendix R or apply for an exemption that justifies alternatives by a fire hazard analysis. You have not submitted the results of the required reexamination.
- 4. Your request for exemption from Section III.J of Appendix R is denied on the basis of lack of specificity.
- 5. Your request for exemption from Section III.O would remove the requirement to design the RCP oil collection system to withstand the containment environment associated with a LOCA. The Commission does not consider such a design criteria to be required by Section III.O and therefore the requested exemption is unnecessary.

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DATE ▶

Dr. Robert E. Uhrig

- 3 -

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As indicated in our letter dated May 11, 1981, the schedule requirements for the safe shutdown will be addressed after we complete our review of your exemption request dated March 19, 1981.

The Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

Original Signed By:

Marshall Grotenhuis, Project Manager
Operating Reactors Branch No. 1
Division of Licensing

Enclosure:
Exemption

cc: See next page

See previous Concurrence Pages*

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OFFICE ▶	ORB 1 <i>M</i>	ORB 5& *	OELD*	ORB 1*	AD:OR*	D:DL *	D:ONRR
SURNAME ▶	MGrotenhuis	TWambach		SVarga	TNovak	DEisenhut	HDenton
DATE ▶	11/4/81	6/11/81	6/15/81	6/16/81	6/17/81	11/3/81	11/9/81

Dr. Robert E. Uhrig

- 3 -

As indicated in our letter dated May 11, 1981, the schedule requirements for the safe shutdown will be addressed after we complete our review of your exemption request dated March 19, 1981.

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Sincerely,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Exemption

cc: See next page

See previous Concurrence Page*

OFFICE	ORB 1	ORB 5*	OELD*	ORB 1	AD:OR	D:DL	D:ONRR
SURNAME	MGrotenhuis/rs TWambach			Swarda	D Nova	DEisenhut	HDenton
DATE	6/17/81	6/11/81	6/15/81	6/17/81	6/17/81	6/17/81	6/.../81

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and 50-251

Dr. Robert E. Uhrig
 Vice President
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 P. O. Box 529100
 Miami, Florida 33152

Dear Dr. Uhrig:

The Commission has issued Enclosure 1, an exemption to certain requirements of Section 50.48 and Appendix R to 10 CFR 50, in response to your letter dated March 19, 1981. This exemption pertains to the Water Supplies for Fire Suppression Systems.

By letter dated March 19, 1981, you requested exemptions to 10 CFR 50, Appendix R, Sections III.A, G, J and O. Briefly, in this request, FPL seeks the following relief from both the schedules set out in Section 50.48(c) and the requirements set out in Appendix R Part 50:

1. With respect to the requirements of Section III.G.2 and III.G.3 of Appendix R FPL requests that the Commission exempt it from the requirements of 50.48(c) by extending the date for:
 - a. Submittal of plans and schedules and/or design descriptions, for the Auxiliary Building Corridor and the Cable Spreading Room;
 - b. Filing requests for additional exemptions from Appendix R for the Auxiliary Building Corridor and the Cable Spreading Room; and
 - c. Submittal, if applicable, of design descriptions of alternative or dedicated shutdown systems to comply with Section III.G.
2. With respect to the requirements of Section III.A. of Appendix R, FPL requests exemption from the requirements of 10 CFR 50.48(c)(2) by extending the date by which Turkey Point must be in compliance with Section III.A of Appendix R.

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DATE ▶

- 3. With respect to Sections III.G.2 and III.G.3 of Appendix R, FPL requests exemption from the requirements of those sections for those areas of the plant which have been already reviewed and approved by the Commission as shown by the NRC's Fire Protection Safety Evaluation Report (SER) for Turkey Point Units 3 and 4, as amended.
- 4. With respect to Section III.J of Appendix R, if deemed applicable to Turkey Point, FPL requests an exemption from the requirements of that section, and
- 5. With respect to Section III.O of Appendix R, if deemed applicable to Turkey Point, FPL requests an exemption from the requirements of that section.

We have made a preliminary review of your exemption request and have reached the following conclusions:

- 1. Your request for exemption from the schedular requirements of Sections III.G.2 and III.G.3 is still under review. ✓ open
- 2. Your request for exemption from the schedular requirements of Section III.A provides a sound basis and the exemption requested is granted in Enclosure 1. ✓
- 3. Your request for exemption from the requirements of Sections III.G.2 and III.G.3 for those areas of the plant which have already been reviewed and approved by the Commission is denied. Such an exemption request must be based on a reexamination of those previously approved configurations that do not meet the requirements as specified in Section III.G. Based on this reexamination you must either meet the requirements of Section III.G of Appendix R or apply for an exemption that justifies alternatives by a fire hazard analysis. You have not submitted the results of the required reexamination.
- 4. Your request for exemption from Section III.J of Appendix R is denied on the basis of lack of specificity. ✓
- 5. Your request for exemption from Section III.O would remove the requirement to design the RCP oil collection system to withstand the containment environment associated with a LOCA. The Commission does not consider such a design criteria to be required by Section III.O and therefore the requested exemption is unnecessary. ✓

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Dr. Robert E. Uhrig

- 3 -

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Sincerely,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Exemption

cc: See next page

OFFICE	ORB 1	ORB 5	OELD	ORB 1	AD:OR	D:DL	D:ONRR
SURNAME	MGrotenhuis	rs Twambach	<i>with changes</i> K/M	SVarga	TNovak	DEisenhut	HDenton
DATE	6/10/81	6/11/81	6/15/81	6/16/81	6/.../81	6/.../81	6/.../81

Robert E. Uhrig
Florida Power and Light Company

cc: Mr. Robert Lowenstein, Esquire
Lowenstein, Newman, Reis and Axelrad
1025 Connecticut Avenue, N.W.
Suite 1214
Washington, D. C. 20036

Environmental and Urban Affairs Library
Florida International University
Miami, Florida 33199

Mr. Norman A. Coll, Esquire
Steel, Hector and Davis
1400 Southeast First National
Bank Building
Miami, Florida 33131

Mr. Henry Yaeger, Plant Manager
Turkey Point Plant
Florida Power and Light Company
P. O. Box 013100
Miami, Florida 33101

Honorable Dewey Knight
County Manager of Metropolitan
Dade County
Miami, Florida 33130

Bureau of Intergovernmental Relations
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Tallahassee, Florida 32304

Resident Inspector
Turkey Point Nuclear Generating Station
U. S. Nuclear Regulatory Commission
Post Office Box 1207
Homestead, Florida 33030

Director, Criteria and Standards Division
Office of Radiation Programs (ANR-460)
U. S. Environmental Protection Agency
Washington, D. C. 20460

U. S. Environmental Protection Agency
Region IV Office
ATTN: EIS COORDINATOR
345 Courtland Street, N.W.
Atlanta, Georgia 30308

Mr. Jack Shreve
Office of the Public Counsel
Room 4, Holland Building
Tallahassee, Florida 32304

Administrator
Department of Environmental
Regulation
Power Plant Siting Section
State of Florida
2600 Blair Stone Road
Tallahassee, Florida 32301

ENCLOSURE 1

NUCLEAR REGULATORY COMMISSION

In the Matter of

FLORIDA POWER AND LIGHT
COMPANY

(Turkey Point Plant Unit
Nos. 3 and 4)

)
)
)
)
)
)

Docket No. 50-250
and 50-251

EXEMPTION

I.

The Florida Power and Light Company (FPL) is the holder of Facility Operating License Nos. DPR-31 and DPR-41 which authorize operation of the Turkey Point Plant, Unit Nos. 3 and 4 (Turkey Point). This license provides, among other things, that it is subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

The Facility is a pressurized water reactor located at the licensee's site located in Dade County, Florida.

II.

Section III.A of Appendix R to 10 CFR Part 50 requires "two separate water supplies shall be provided to furnish necessary water volume and pressure to the main fire loop." In the case of Turkey Point this requires that FPL must, at a minimum (1) modify the existing on-site 500,000 gallon water tank by installing a new standpipe to dedicate a minimum of 300,000 gallons of the capacity of that tank to fire protection purposes; (2) design, engineer, procure, and construct a new on-site water tank of 750,000 gallon capacity, to include a redundant water supply of at least 300,000 gallons; and (3) install an automatic starting diesel fire pump to supply the fire systems.

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The cost of installing these new components and modifying the existing tank is estimated to be \$1,860,000. It is FPL's intention to comply fully with the requirements of Section III.A. However, FPL is unable to achieve full compliance with Section III.A on the date required by the rule. The schedule set out in §50.48(c)(2) applies to the installation of the modifications described above. That schedule requires that those modifications be installed nine months after the effective date of the rule, or by November 19, 1981. FPL, despite its best efforts, will be unable to comply fully with Section III.A before March 31, 1984.

The new on-site water tank will be approximately 750,000 gallons capacity. It is necessary to install a tank of that size in order to both meet the NRC's requirements that a total of 600,000 gallons of water (300,000 gallons from each of the two on-site tanks) be dedicated for fire protection purposes from two separate, and redundant, sources and to supply the normal needs to the four generating units - two fossil and two nuclear - on the Turkey Point Site. FPL began the preliminary design and engineering work necessary to meet the requirements of Section III.A promptly following the promulgation of the fire protection rule. The procurement process for the new tank as well as for the diesel fire pumps has begun. However, because of the current NRC requirements, pumps of the type necessary to meet these standards are in heavy demand and in short supply throughout the country. Therefore, FPL cannot get delivery of the required diesel fire pumps until June of 1982. Moreover, FPL cannot get delivery of the components necessary to construct the new storage tank until October 1982. Construction of the new water storage tank and installation of

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the diesel fire pump cannot be completed until October 1983. Modifications of the current tank cannot begin until completion of construction and availability of the new tank and therefore cannot be completed until March 31, 1984.

The completion date required by the rule for modifications to the fire protection system water supply was intended for the miscellaneous modifications required by most plants which were much smaller in magnitude. The schedular requirements of the rule were not intended to apply to a modification of this magnitude.

Based on our evaluation we conclude that FPL's request to be exempted from the schedular requirements of Section III.A "Water Supplies for Fire Suppression System" should be granted. FPL's request for exemption from the schedular requirements of Section III.A of Appendix R to 10 CFR Part 50 is hereby approved as described above.

III.

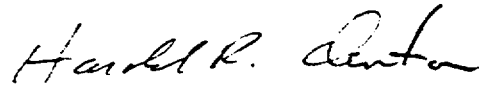
Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest.

The NRC staff has determined that the granting of this exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

For further details with respect to this action see (1) the licensee's request dated March 19, 1981 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and

at the Environmental and Urban Affairs Library, Florida International University,
Miami, Florida 53199.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 9th day of November 1981