



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8931**

August 27, 2003

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

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN - TURKEY
POINT NUCLEAR PLANT**

Dear Mr. Stall:

On August 11, 2003, the NRC staff completed its mid-cycle plant performance assessment of the Turkey Point Nuclear plant. The mid-cycle review for Turkey Point involved the participation of all technical divisions in evaluating performance indicators (PIs) for the most recent quarter and inspection results for the first half of the current assessment cycle, January 1 - December 31, 2003. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility so that you will have an opportunity to prepare for these inspections and to inform us of any planned inspections that may conflict with your plant activities.

Plant performance for the most recent quarter was within the Licensee Response Column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct only baseline inspections at your facility through September 30, 2004.

However, the staff has identified a substantive cross-cutting issue at Turkey Point in the area of problem identification and resolution (PI&R). The substantive cross-cutting issue is based on multiple findings with a common issue involving incomplete or inadequate problem evaluation and corrective action which led to repetitive failures. Our inspection activities have identified four findings of very low safety significance (Green) in the Initiating Events and Mitigating Systems cornerstones. Examples in the Initiating Events cornerstone included inadequate assessments of a Unit 4 Chemical Volume and Control system pipe hanger failure and Diesel Driven Instrument Air Compressor failures. Examples in the Mitigating Systems cornerstone included inadequate assessments of 4kV breaker failures and Residual Heat Removal system sump pump failures. The NRC will monitor the effectiveness of your actions in this area through our normal baseline inspection program.

Additionally, on June 5, 2003, the NRC staff issued a Severity Level III Notice of Violation (Notice) to FPL in accordance with the Enforcement Policy, published as NUREG 1600. The violation was based on a DOL finding that FPL discriminated against an employee, at least in part, for his having engaged in protected activity involving the reporting of nuclear safety violations and plant procedural issues to FPL and the NRC. This finding resulted in the staff's

issuance of the Notice which described a violation of 10 CFR 50.7, Employee Protection. However, because your facility had not been the subject of escalated enforcement action within the last two years and your corrective actions were comprehensive, no civil penalty was assessed.

The enclosed inspection plan details the inspections scheduled through September 30, 2004. The inspection plan is provided to minimize the resource impact on your staff and to allow for scheduling conflicts and personnel availability to be resolved in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last six months of the inspection plan are tentative and may be revised at the end-of-cycle review meeting.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change the inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at (404) 562-4560 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

Joel T. Munday, Chief
Reactor Projects Branch 3
Division of Reactor Projects

Docket Nos. 50-250, 50-251
License Nos. DPR-31, DPR-41

Enclosure: Turkey Point Inspection/Activity Plan

cc w/encl: (See page 3)

cc w/encl:

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