



10 CFR 50.4  
L-2004-137  
June 23, 2004

U.S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

Re: Turkey Point Units 3 and 4  
Docket Nos. 50-250 and 50-251  
NRC Order EA-03-038 dated April 29, 2003  
Request for Temporary Relaxation of Security Force Overtime Limit

- References:
- 1) NRC Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel dated April 29, 2003
  - 2) NRC Letter to J. A. Stall, "St. Lucie Plant, Unit Nos. 1 and 2, Seabrook, Unit 1, and Turkey Point, Unit Nos. 3 and 4 – Reply to Response to Order for Fitness-for-Duty Enhancements for Nuclear Security Force Personnel," dated October 23, 2003

Pursuant to paragraph III.D of Reference 1 (the Order), Florida Power & Light Company (FPL) requests temporary relaxation of Order requirements regarding average work hour limits for security force personnel. Specifically, FPL requests a temporary relaxation of Attachment 2, paragraph C.2(a) of the Order, as revised by Enclosure 2 of Reference 2. FPL anticipates Turkey Point security personnel will exceed 48 hours per week group average when averaged over consecutive periods not to exceed six weeks. FPL projects that Turkey Point security personnel may exceed the six-week group average 48 hour work limit starting July 11, 2004.

Paragraph C.2(a) of Order Attachment 2 requires that "If the group average work hour limit is exceeded, the licensee shall take prompt action to reduce the average hours worked in accordance with this compensatory measure and take actions to prevent recurrence." FPL anticipates exceeding the work hour limit due to the unexpected, abrupt departure of eleven (11) Turkey Point security officers since the end of April 2004. In addition to these staffing losses, FPL has experienced increased attrition of thirty-five (35) Turkey Point security officers since May 2003. The attrition was caused by activation of a military reservist, increased opportunities elsewhere in the security field following the events of September 11, 2001, and unexpected resignations. It should be noted that, due to new regulatory requirements related to the design basis threat, Physical Security Plan, Safeguards Contingency Plan, and Training and Qualifications Plan, average work hours have been close to 48 hours during the six-week period ending April 18, 2004, without the recent losses. The unexpected staffing losses have added to the workload for security personnel.

FPL and the security force contractor, Wackenhut Nuclear Services, have taken immediate measures to train additional officers. During 2002 and 2003, fourteen (14) classes were

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completed, resulting in one hundred and one (101) officers graduating. So far this year, there have been four (4) new classes of security officers. The first training class started on February 9, 2004, with the contractor hiring potential officers resulting in twenty-seven (27) security officers successfully completing training since March 28, 2004. Additional classes have been or are being scheduled to complete training by late September 2004.

FPL estimates average group work hours to exceed 48 for the six-week period ending July 11, 2004. Security personnel work hours should not exceed 60 hours per week when averaged over consecutive six-week periods during the period for which relaxation is requested, which is from July 11, 2004 through September 5, 2004.

The Turkey Point Unit 3 Cycle 21 refueling and reactor vessel head replacement outage is scheduled for approximately sixty (60) days, from September 26, 2004 through November 24, 2004. Limits on security personnel overtime during the outage will be governed by paragraph C.2(b) of Order Attachment 2, as revised by Reference 2, commencing September 5, 2004 as allowed by Note 2 to paragraph C.2(b).

Security supervision is trained and monitors the security force to detect and minimize the effects of fatigue on security force performance. The security force will receive refresher training on fatigue identification and prevention. Techniques that will be used include:

- Requests for self-identification of fatigue at shift briefings. Instances of self-identification for fatigue will be entered into the plant corrective action program.
- Radio checks at frequent periodic intervals.
- Routine rotation of security posts.
- The security shifts will not rotate between days and nights.
- Turkey Point security is modifying its initial training program to allow for owner controlled area (OCA) support in order to free security personnel for protected area duties.

Good cause exists to support FPL's request for relaxation. The departure of security officers was unexpected and beyond FPL's reasonable control. The situation was identified by FPL and FPL is pursuing comprehensive corrective actions to prevent recurrence.

FPL is proceeding expeditiously toward the training and qualification of additional security officers to ensure compliance with the Order, going forward. The training and qualification cycle takes approximately seven weeks. The beneficial effects of security officers completing training on September 13, 2004 will not be realized until they begin their duties on September 19, 2004 necessitating a relaxation until September 5, 2004 when the provisions of Order Attachment 2, Paragraph C.2(b) apply.

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To prevent recurrence, FPL will perform twelve month projections of security average group work hours on a quarterly basis which will provide the time necessary to train and qualify replacement security officers prior to falling below required staffing levels.

Please contact Mr. Walter Parker, Licensing Manager, at 305-246-6632 or Mr. William Johns, Security Manager, at 305-246-6605 should you have any questions.

Very truly yours,



Terry O. Jones  
Vice President  
Turkey Point Nuclear Plant

cc: Regional Administrator, Region II, USNRC  
Resident Inspector, USNRC, Turkey Point  
USNRC Project Manager, Turkey Point