

September 18, 2006

Mr. Terry O. Jones, Site Vice President
Turkey Point Nuclear Plant
Florida Power & Light Company
9760 SW 344th Street
Florida City, Florida 33035-1800

SUBJECT: PERIOD OF ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF
NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, TURKEY
POINT NUCLEAR PLANT, UNITS 3 AND 4.

Dear Mr. Jones:

In a letter dated December 29, 2005 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML053480210), the U.S. Nuclear Regulatory Commission (NRC) acknowledged your letter of November 15, 2005 (ADAMS No. ML053290175), in which you stated that Florida Power and Light Company intended to adopt the National Fire Protection Association (NFPA) Standard 805, "NFPA 805, Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generating Plants," 2001 Edition, pursuant to Section 50.48(c) of Part 50 of Title 10 of the *Code of Federal Regulations*, at Turkey Point Nuclear Plant, Units 3 and 4.

In your letter, you requested enforcement discretion for a period of 3 years for existing identified incidents of noncompliances, in accordance with the NRC's Interim Enforcement Policy. In our December 29, 2005, letter, we noted that the NRC is considering your request and would contact you when we have reached a decision.

On the basis of a revision to the Enforcement Policy (71 *Federal Register* 19905), I am now informing you that your request for a 3-year enforcement discretion period is granted. Therefore, the discretion period for Turkey Point Nuclear Plant, Units 3 and 4, which began on November 15, 2005, will expire on November 15, 2008.

As you are aware, in order to receive enforcement discretion, you must: (a) evaluate the risk significance of all noncompliances to assure that they do not constitute "Red" (or Severity Level I) findings under the Reactor Oversight Process, (b) enter them into your corrective action program, and (c) implement and maintain appropriate compensatory measures until you complete your corrective actions, or until the NRC staff approves your license amendment request and issues its safety evaluation. You should refer to NRC Regulatory Issue Summary 2005-07, "Compensatory Measures to Satisfy the Fire Protection Program Requirements," for additional NRC staff guidance on appropriate compensatory measures.

T. Jones

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If you have any questions regarding this matter, please contact Brendan T. Moroney, Project Manager, at 301-415-3974 or BTM3@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos.: 50-250 and 50-251

If you have any questions regarding this matter, please contact Brendan Moroney, Project Manager, at 301-415-3974 or BTM3@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-250 and 50-251

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