

September 18, 2006

Mr. Gordon L. Johnston
Site Vice President
St. Lucie Nuclear Plant
Florida Power and Light Company
6351 S. Ocean Drive
Jensen Beach, FL 34957

SUBJECT: PERIOD OF ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF
NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, ST. LUCIE
NUCLEAR PLANT, UNITS 1 AND 2.

Dear Mr. Johnston:

In a letter dated February 14, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML060310632), the U.S. Nuclear Regulatory Commission (NRC) acknowledged your letter of December 22, 2005 (ADAMS No. ML053640283), 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 St. Lucie Nuclear Plant, Units 1 and 2.

In your letter, you requested enforcement discretion for a period of 42 months for existing identified incidents of noncompliances, in accordance with the NRC's Interim Enforcement Policy. In our February 14, 2006, letter, the NRC granted a 2-year enforcement discretion period for St. Lucie Nuclear Plant, Units 1 and 2. However, we noted that the NRC is considering your request for extended discretion 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 a 3-year enforcement discretion period is granted. Currently, the NRC is not granting additional extensions to the existing approved enforcement discretion policy. Therefore, the NRC considers the discretion period for St. Lucie Nuclear Plant, Units 1 and 2, which began on December 22, 2005, to expire on December 22, 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.

G. Johnston

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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.: 50-335 and 50-389

cc: Those on the attached list

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.: 50-335 and 50-389

cc: Those on the attached list

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Name	CPayne	JLyons	CHaney	
Date	9/19/06	9/14/06	9/18/06	

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Letter to Mr. Gordon L. Johnson from Cathrine Haney, dated

SUBJECT: PERIOD OF ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, ST. LUCIE NUCLEAR PLANT, UNITS 1 AND 2.

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