

February 10, 2009

Richard L. Anderson
Vice President, Duane Arnold Energy Center
FPL Energy Duane Arnold, LLC
3277 DAEC Road
Palo, Iowa 52324

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR DOCKETING AND OPPORTUNITY FOR A HEARING REGARDING THE APPLICATION FROM FPL ENERGY DUANE ARNOLD LLC, FOR RENEWAL OF THE OPERATING LICENSE FOR THE DUANE ARNOLD ENERGY CENTER (TAC NO. MD9769 AND MD9770)

Dear Mr. Anderson:

By letter dated September 30, 2008, the U.S. Nuclear Regulatory Commission (NRC) received the FPL Energy Duane Arnold, LLC's application for renewal of operating license DPR-49 for the Duane Arnold Energy Center (DAEC). Notice of receipt of this application was published in the *Federal Register* on November 17, 2008 (73 FR 67895). The purpose of this letter is to provide the results of the NRC staff's acceptance review of the license renewal application (LRA) for the DAEC. The acceptance review determines whether the application contains sufficient information to allow the NRC staff to proceed with the safety and environmental review.

The NRC staff has reviewed your application and the supplemental information included in your January 23, 2009 response (ML090280418) to our letter dated December 11, 2008, "Review Status of the License Renewal Application for the Duane Arnold Energy Center" (ML083290275). The staff followed the guidance in NUREG-1800, Revision 1, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants," and NUREG-1555, "Standard Review Plans for Environmental Reviews for Nuclear Power Plants." As a result, the NRC staff has determined that the application is sufficiently complete and acceptable for docketing, in accordance with Title 10 of the *Code of Federal Regulations* (CFR) Sections 2.101, 54.19, 54.21, 54.22, 54.23, 51.45, and 51.53(c). However, the staff's determination does not preclude requests for additional information (RAIs) as the review proceeds.

The NRC staff will follow established review procedures required by 10 CFR Parts 51 and 54. We would like to emphasize that the review of your LRA will be very detailed and thorough. When the safety and environmental review schedule for the DAEC application is finalized, it will be transmitted in a subsequent letter.

Finally, we have also enclosed a copy of the notice related to your application that is being sent to the Office of the Federal Register for publication (Enclosure 1). This notice announces the opportunity to request a hearing and to file a petition for leave to intervene.

R. Anderson

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If you have any questions on this matter, please contact Mr. Maurice Heath, Project Manager for the review of the DAEC license renewal application, by telephone at 301-415-3137 or via e-mail at Maurice.Heath@NRC.Gov.

Sincerely,

/RA/

Brian E. Holian, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-331

Enclosure:

1. *Federal Register Notice*

cc w/encl: See next page

R. Anderson

- 2-

If you have any questions on this matter, please contact Mr. Maurice Heath, Project Manager for the review of the DAEC license renewal application, by telephone at 301-415-3137 or via e-mail at Maurice.Heath@NRC.Gov.

Sincerely,

/RA/

Brian E. Holian, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

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ADAMS Access Nos.: **ML090230701 (Pkg), ML090140399 (Ltr), ML090140373 (FRN)**

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Letter to FPL Energy Duane Arnold LLC from B. Holian dated February 10, 2009

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR DOCKETING AND OPPORTUNITY FOR A HEARING REGARDING THE APPLICATION FROM FPL ENERGY DUANE ARNOLD LLC, FOR RENEWAL OF THE OPERATING LICENSE FOR THE DUANE ARNOLD ENERGY CENTER (TAC NOS. MD9769 AND MD9770)

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