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JAN 29 2009

L-2009-026
10 CFR 50.36

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555-0001

Re: Turkey Point Units 3 and 4
Docket Nos. 50-250 and 50-251
Industrial Wastewater Permit Number FL0001562
Minor Modification Approval Notification

By letter L-2008-029, dated April 18, 2008, Florida Power & Light (FPL) notified the NRC of a request for a minor modification to Industrial Wastewater Permit Number FL0001562.

On January 14, 2009, the Florida Department of Environmental Protection issued the minor revision to the Industrial Wastewater Permit Number FL0001562. In accordance with Section 3.2.2 of the Turkey Point Units 3 and 4 Environmental Protection Plan (Appendix B of Facility Operating Licenses DPR-31 and DPR-41), enclosed is a copy of the revised Industrial Wastewater Permit Number FL0001562. The minor permit modification reflects the proposed plan to add about 100 Megawatts (MW) of electrical generation to each of the Turkey Point nuclear units. The net power output of both Units 3 and 4 will be increased from about 700 MW to 804 MW.

Should there be any questions, please contact us.

Very truly yours,

William Jefferson, Jr.
Vice President
Turkey Point Nuclear Plant

Enclosure

cc: Regional Administrator, Region II, USNRC
Senior Resident Inspector, USNRC, Turkey Point Plant

C 001
MRP

ENCLOSURE TO

L-2009-026



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

January 14, 2009

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Jefferson
Vice President – Turkey Point Plant
Florida Power & Light Company
9760 S.W. 344 Street
Florida City, Florida 33035

RE: Florida Power & Light Company
Turkey Point Plant, Dade County
DEP File FL0001562-008-IWB/MR
Approval for Minor Permit Revision B for Uprate of Units 3 and 4

Dear Mr. Jefferson:

On April 22, the Department received a minor permit revision application for Florida Power & Light Company (FP&L) Turkey Point Plant. The proposed minor revision is to authorize the increase of net power output for Units 3 and 4 by 200 megawatts. The Department has determined that this activity qualifies as minor modifications of the operations at the Turkey Point Plant pursuant to Rule 62-620.200(24), Florida Administrative Code (F.A.C.), and can be authorized by minor permit revisions pursuant to Rule 62-620.325(2), F.A.C. This letter and attachment constitute a minor revision to the referenced wastewater permit.

The permit is revised as stated in the attached permit pages unless FP&L decides to file a timely, sufficient petition for an administrative hearing under Section 120.57, Florida Statutes. The procedures for petitioning for a hearing are set forth in the attachment titled "Notice of Rights."

If you have any questions regarding this permit revision, please contact Marc Harris, P.E., in the Industrial Wastewater Section at (850) 245-8589.

Sincerely,

Janet G. Llewellyn
Director
Division of Water Resource Management

cc: Tim Powell, P.E., FDEP West Palm Beach
Mike Halpin, P.E., FDEP Tallahassee

NOTICE OF RIGHTS

A person whose substantial interests are affected by this permit revision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Permit. A petitioner, other than the applicant, shall mail a copy of the petition to the applicant at the address indicated in the attached letter at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

**STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT**

PERMITTEE:

Florida Power & Light Company
9760 S.W. 344 Street
Florida City, FL 33035

PERMIT NUMBER:

FL0001562 (Major)

PA FILE NUMBER:

FL0001562-004-IW1N (REV.B)

ISSUANCE DATE:

May 6, 2005

REVISION DATE:

December 4, 2008

EXPIRATION DATE:

May 5, 2010

RESPONSIBLE AUTHORITY:

Mr. Terry O. Jones
Vice President

FACILITY:

FPL Turkey Point Power Plant
9760 S.W. 344 Street
Florida City, FL 33035
Dade County

Latitude: See Note Below Longitude: See Note Below

Note: Latitude and longitude are not shown at Permittee's request, for purposes of Homeland Security pursuant to federal regulations found at 18 CFR 388.113(c)(i) and (ii) and by Presidential Directive dated December 17, 2003.

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and applicable rules of the Florida Administrative Code (F.A.C.), and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System (NPDES). The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

The facility consists of four steam-electric generating units: Two fossil fuel oil-fired units (Units 1&2) and two nuclear units (Units 3&4). Units 1&2 each have a continuous generating capability of 404 megawatts (MW), and Units 3&4 each have a continuous generating capability of 693 893 MW.

WASTEWATER TREATMENT:

Wastewater from the Turkey Point facility consists of a non-contact once-through condenser cooling water (OTCW), auxiliary equipment cooling water (AECW), low-volume waste (LVW), and stormwater. LVW consists of chemical treatment system wastewater, boiler blowdown, reverse osmosis concentrate, condensate polishing system backwash water, and other process wastestreams. Stormwater includes stormwater associated with industrial activity and stormwater not associated with industrial activity.

OTCW and AECW discharge to the facility's approximately 6,700 acre onsite closed loop cooling canal system. LVW, equipment area stormwater, and non-equipment area stormwater/drainage discharge either directly to the onsite closed loop cooling canal system or indirectly to the same system via solids settling basins and/or neutralization basin. The cooling canal system is not lined, and therefore, discharges to Class G-III groundwater. The cooling canal system does not discharge to surface waters of the state.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

STATEMENT OF BASIS FOR MINOR PERMIT REVISION FOR
REPOWERING OF BARTOW POWER PLANT

Permit Number: FL0001562
DEP File Nos.: FL0001562-008-IWB/MR
Designation: Major
Permit Writer: Bala Nori

Application Date: April 22, 2008

A. Name and Address of Applicant

Florida Power & Light Company
Post Office Box 14000
Juno Beach, Florida 33408

For:

FPL Turkey Point Power Plant
9760 S.W. 344 Street
Florida City, Florida 330355

B. Description of Modification

The Department received a minor permit revision application requesting the approval to increase the net power output for Units 3 and 4 by a total of 200 megawatts (MW) at the Turkey Point Plant.

The uprate project consists of upgrades to each unit. These upgrades will include refurbishment and improvement activities to the steam turbine, electrical generator, the onsite electrical systems, and the plant cooling systems. The extra electrical output will result from improved performance of the steam turbines and from using more enriched uranium fuel in the reactors. All improvement activities will occur within the existing buildings and structures associated with Units 3 and 4. No external construction activities are required for this project.

Construction activities for this project will occur primarily during two scheduled outages per unit, with each outage lasting approximately 50 days. Construction activities for the Unit 3 uprate will begin during the planned 2010 Spring outage and conclude during the 2011 Fall outage. Construction activities for the Unit 4 uprate will begin during the planned 2011 Fall outage and conclude during the 2012 Spring outage. Certain improvements also will be made while the units are operating.

Units 3 and 4 use once-through cooling water from the closed loop cooling system to remove heat from the main condensers.

After the up rate project is completed, the cooling water flow rate will remain unchanged, although the temperature rise across the condensers is anticipated to increase by 2.5°F. The cooling canal system is not lined, and therefore, discharges to Class III groundwater. The cooling canal system does not discharge to surface waters of the state.

This constitutes Revision B (Rev. B) to the permit. All changes to the permit are noted in Rev. B by underline or strike-through where changes have been made for this revision.