



JUL 08 2009
L-2009-150
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
Approval of Minor Revision Notification

By letter L-2009-110, dated May 6, 2009, Florida Power & Light (FPL) notified the NRC of a request for a minor modification to Industrial Wastewater Permit Number FL0001562. The minor revision was requested to address the construction and operation of an Independent Spent Fuel Storage Installation at the Turkey Point Nuclear Plant.

On June 19, 2009, the Florida Department of Environmental Protection issued the minor revision (revision D) to the Industrial Wastewater Permit Number FL0001562 authorizing the discharge of storm water and occasional wash-down water into the existing onsite cooling canal system from the Independent Spent Fuel Storage Installation. 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.

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

ENCLOSURE TO

L-2009-150



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

June 19, 2009

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

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Florida Power & Light Company
Turkey Point Plant, Miami-Dade County
DEP File No. FL0001562-010-IWB/MR
Minor Permit Revision for Independent Spent Fuel Storage Installation

Dear Mr. Jefferson:

On May 4, 2009, the Department received a minor permit revision application for Florida Power & Light Company (FPL) Turkey Point Plant. The proposed minor revision is to authorize the discharge of stormwater and occasional wash-down water into the existing onsite cooling canal system from the Independent Spent Fuel Storage Installation.

The Department has determined that this activity qualifies as a minor modification of the operations at the Turkey Point Power Plant pursuant to Rule 62-620.200(24), Florida Administrative Code (F.A.C.), and can be authorized by a minor permit revision pursuant to Rule 62-620.325(2), F.A.C. This letter and attachment constitute a minor revision to the referenced wastewater permit.

This letter and attachment shall be attached to Permit FL0001562. All other conditions of this permit shall remain in effect. If FPL objects to this permit revision it may petition for an administrative hearing in accordance with the enclosed Notice of Rights. Although not required, FPL may elect to provide publication of appropriate Public Notice of Rights language in a local newspaper. If so, please contact the Department for appropriate public notice language.

If a petition is filed, then this permit revision does not become effective. If you have any questions about this permit revision, please contact Marc Harris of the Industrial Wastewater Section at (850) 245-8590.

Sincerely,

Janet G. Llewellyn
Director
Division of Water Resource Management

JGL/wrf/mh

Attachments

cc: Tim Powell, P.E., FDEP West Palm Beach
Ron Hix, FPL

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-IWIN (Rev. D)

ISSUANCE DATE:

May 6, 2005

REVISION DATE:

June 19, 2009

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 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.

PERMITTEE:

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

PERMIT NUMBER: FL0001562(Rev. D)

Issuance date: May 6, 2005
Expiration date: May 5, 2010

Additions to the permit are identified by italics and underline. Deletions are identified by strikethrough.

EFFLUENT DISPOSAL:

Surface Water Discharge:

This permit does not authorize discharge to surface waters of the state.

Internal Outfalls:

This permit authorizes discharge from existing internal outfalls I-001 and I-002 to the facility's onsite closed loop cooling canal system.

Groundwater Discharge

This permit authorizes an existing discharge from the onsite closed loop cooling canal system to the surficial aquifer which is a Class G-III groundwater.

Stormwater Discharges:

This permit authorizes discharge from Independent Spent Fuel Storage Installation to the facility's onsite closed loop cooling canal system. This discharge will intermittently include wash-down water consisting of potable water with no additives.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Part I through Part VIII on pages 3 through 14 of this permit.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

STATEMENT OF BASIS FOR MINOR PERMIT REVISION FOR
INDEPENDENT SPENT FUEL STORAGE INSTALLATION

Permit Number: FL0001562
DEP File No.: FL0001562-010-IWB/MR
Designation: Major
Permit Writer: Bala Nori

Application Date: April 30, 2009
Additional Information: May 4, 2009

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
Dade County

B. Description of Modification

The Department received a minor revision application dated April 30, 2009 requesting authorization to discharge stormwater runoff from a dry used storage facility at the Turkey point which will be constructed to store some of its spent nuclear fuel. The onsite dry storage facility requires the construction of two concrete pads on which dry storage containers or casks will rest.

The concrete pads will be used for on-site storage of some of the facility's spent nuclear fuel rods in "dry casks." The dry casks are leak-tight steel cylinders filled with inert gas and encased in concrete vaults which will be located on the specially engineered concrete storage pad. The concrete pad with radiological monitoring instrumentation is called the "Independent Spent Fuel Storage Installation" (ISFSI). Construction, maintenance and radiological monitoring of the ISFSI will be regulated by the U.S. Nuclear Regulatory Commission (NRC) in accordance with 10 CFR 72. Non-radiological stormwater discharge from the ISFSI will be regulated under the facility's NPDES permit. This minor revision only covers discharge of stormwater and wash-down water, and does not address or include any other aspects of ISFSI operations or activities.

The main components of the storage area include: 1) two reinforced concrete pads to support storage of self contained horizontal storage modules; 2) concrete aprons located adjacent to the pads; and 3) a single story storage building. Additional ancillary structures include an asphalt haul path and security perimeter fencing.

The stormwater collected during construction and operation of the ISFSI will be discharged directly to the onsite, closed-loop cooling canal system. The analysis determined that the surface grading and placement of structures can support conveyance and discharge of stormwater runoff from the design storms.

The available storage area of the cooling canal system is adequate to support 1) the increase in runoff volume due to construction of the facility, 2) the required water quality treatment volume. A 100 year, 3 day storm event would result in an incremental increase in water surface elevation of the cooling canal system of

approximately 0.002 inches.

The construction and operation of the facility meets the definition of minor modification in accordance with section 62-620.200(24) as it is not expected to lead to a substantially different environmental impact and will not generate a substantially different type of wastewater.

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