

EDO Principal Correspondence Control

FROM: DUE: 05/03/10

EDO CONTROL: G20100185
DOC DT: 03/31/10
FINAL REPLY:

Thomas Saporito
Jupiter, Florida

TO:

R. W. Borchardt, EDO

FOR SIGNATURE OF :

** GRN **

CRC NO:

Leeds, NRR

DESC:

ROUTING:

2.206 - Florida Power & Light (Turkey Point
Nuclear Plant) [EDATS: OEDO-2010-0258]

Borchardt
Virgilio
Mallett
Ash
Mamish
Burns/Rothschild
Burns, OGC
Mensah, NRR
Marco, OGC
Baggett, OEDO

DATE: 04/02/10

ASSIGNED TO:

CONTACT:

NRR

Leeds

SPECIAL INSTRUCTIONS OR REMARKS:

Template: EDO-001

E-RIDS: EDO-01

EDATS

Electronic Document and Action Tracking System

EDATS Number: OEDO-2010-0258

Source: OEDO

General Information

Assigned To: NRR

OEDO Due Date: 5/3/2010 11:00 PM

Other Assignees:

SECY Due Date: NONE

Subject: 2.206 - Florida Power & Light (Turkey Point Nuclear Plant)

Description:

CC Routing: RegionII; OI; OGC; OE

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20100185

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

OEDO Monthly Report Item: NO

Process Information

Action Type: 2.206 Review

Priority: Medium

Signature Level: NRR

Sensitivity: None

Urgency: NO

Approval Level: No Approval Required

OEDO Concurrence: NO

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions:

Document Information

Originator Name: Thomas Saporito

Date of Incoming: 3/31/2010

Originating Organization: Citizens

Document Received by OEDO Date: 4/1/2010

Addressee: R. W. Borchardt, EDO

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

From the Desk of Thomas Saporito

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31 MAR 2010

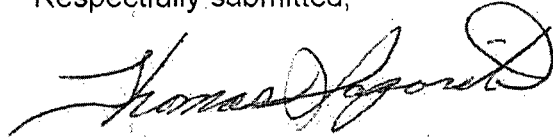
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*In re: Petition Under 10 C.F.R. 2.206 Requesting Enforcement Action Against the Florida
Power & Light Company, Turkey Point Nuclear Plant*

Dear Executive Director:

In accordance with U.S. Nuclear Regulatory Commission (NRC) regulations and authority under 10 C.F.R. 2.206, the undersigned hereby submits a petition to the NRC requesting that the agency take certain and specific enforcement action against the licensee, Florida Power & Light Company (FPL), Turkey Point Nuclear Plant as delineated in the enclosed petition.

Respectfully submitted,



Thomas Saporito, Citizen
United States of America

**U.S. NUCLEAR REGULATORY COMMISSION
BEFORE THE EXECUTIVE DIRECTOR FOR OPERATIONS**

In the matter of:

**FLORIDA POWER & LIGHT COMPANY,
Turkey Point Nuclear Plant (Units 3 & 4)**

DATE: 31 MAR 2010

Docket Nos. 50-250 and 50-251

**PETITION UNDER 10 C.F.R. §2.206 REQUESTING ENFORCEMENT
ACTION AGAINST THE FLORIDA POWER & LIGHT COMPANY,
TURKEY POINT NUCLEAR PLANT**

NOW COMES, Petitioner, Thomas Saporito, a citizen of the United States of America and resident of the State of Florida and submits a *Petition Under 10 C.F.R. §2.206 Requesting Enforcement Action Against the Florida Power & Light Company, Turkey Point Nuclear Plant*, and states as follows:

On March 25, 2010, U.S. Nuclear Regulatory Commission (NRC) licensee, Florida Power & Light Company (FPL) notified the NRC of an accident mitigation event under 10 C.F.R. Section 50.72(b)(3)(v)(D) related to a voids detected in piping associated with the high head safety injection system for the Turkey Point Nuclear Plant (TPN) Unit-4. At the time of occurrence, the Unit-4 nuclear reactor was operating at 100% power. The event lasted approximately 2-hours and 10-minutes. According to the licensee, "At 1540 on 3/25/2010, engineering identified a gas void in the Unit 4 B Cold Leg High Head Safety Injection (HHSI) pipe which exceeded the station's allowable gas accumulation acceptance criteria. This condition rendered the cold leg injection flow path inoperable and required entry into Technical Specification 3.0.3 at 1540. The void was immediately vented and Technical Specification 3.0.3 was exited at 1750." See, *NRC Event Number EN45791*.

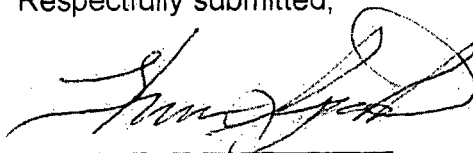
PETITIONER'S SPECIFIC REQUESTS

To ensure for the protection of public health and safety with respect to the circumstances surrounding the event described immediately above as further documented in NRC EN45791, Petitioner requests that the NRC:

1. Issue a confirmatory order modifying the licensee's operating licenses for the Turkey Point Nuclear Plant Units 3 and 4 as to require the licensee to bring both associated nuclear reactors to a "cold" shut down mode to allow the NRC and the licensee to conduct a timely and meaningful investigation of the void described in NRC EN45791; and
2. Require the licensee to determine the entire duration of the void described in NRC EN45791 encompassing the period of time prior to discovery by the licensee's engineering personnel at 1540 hours; and

3. Require the licensee to state whether the TPN Unit-4 B Cold Leg High Head Safety Injection (HHSI) flow path was inoperable prior to discovery of the void identified at 1540 hours as described in NRC EN45791, and if so, state the estimated time period that the system was inoperable; and
4. Require the licensee to identify the "root-cause" of the void described in NRC EN45791 and state what, if any, corrective actions were taken to prevent recurrence; and
5. Require the licensee to determine whether or not alternative means were available (other than an observation made by licensee engineering personnel) for the licensee to become aware of the void described in NRC EN45791, and if so, describe in detail such alternative means; and
6. Require the licensee to determine whether or not any operator annunciation system failed to engage to alert the reactor operator on duty about the existence of the void described in NRC EN45791, and if so, require the licensee to determine the "root-cause" of the failed system and state why the failure was not timely reported to the NRC; and
7. Require the licensee to determine whether reactor operator error played any role in the existence of the void described in NRC EN45791, and if so, describe the context of the operator error and any licensee actions taken to prevent recurrence; and
8. Require the licensee to determine whether or not public health and safety was compromised as a direct or indirect result of the void described in NRC EN45791, and if so, provide a detailed context for NRC evaluation; and
9. Require the licensee to make the same evaluations described in items 1-8 above with respect to the TPN Unit-3.

Respectfully submitted,



Thomas Saporito, Citizen
United States of America

Power Reactor:	Event Number: 45791
Facility: TURKEY POINT Region: 2 State: FL Unit: [] [4] [] RX Type: [3] W-3-LP, [4] W-3-LP NRC Notified By: ROGER MONTGOMERY HQ OPS Officer: PETE SNYDER	Notification Date: 03/25/2010 Notification Time: 20:18 [ET] Event Date: 03/25/2010 Event Time: 15:40 [EDT] Last Update Date: 03/25/2010
Emergency Class: NON-EMERGENCY 10 CFR Section: 50.72(b)(3)(v)(D) - ACCIDENT MITIGATION	Person (Organization): EUGENE GUTHRIE (R2DO)

Unit	SCRAM Code	RX CRIT	Initial PWR	Initial RX Mode	Current PWR	Current RX Mode
4	N	Y	100	Power Operation	100	Power Operation

Event Text

HIGH HEAD SAFETY INJECTION INOPERABLE DUE TO VOIDS IDENTIFIED IN PIPING.

"At 1540 on 3/25/2010, engineering identified a gas void in the Unit 4 B Cold Leg High Head Safety Injection (HHSI) pipe which exceeded the station's allowable gas accumulation acceptance criteria. This condition rendered the cold leg injection flow path inoperable and required entry into Technical Specification 3.0.3 at 1540. The void was immediately vented and Technical Specification 3.0.3 was exited at 1750."

The licensee notified the NRC Resident Inspector.