



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

April 6, 2010

Mr. Mano Nazar  
Executive Vice President and  
Chief Nuclear Officer  
Florida Power and Light Company  
P.O. Box 14000  
Juno Beach, FL 33408-0420

**SUBJECT: TURKEY POINT NUCLEAR PLANT, UNITS 3 AND 4 – ACCEPTANCE OF REQUESTED LICENSING ACTION REGARDING THE SPENT FUEL POOL CRITICALITY ANALYSIS TAKING CREDIT FOR BORAFLEX LICENSE AMENDMENT REQUEST (TAC NOS. ME3443 AND ME3444)**

Dear Mr. Nazar:

By letter dated February 25, 2010, Florida Power & Light Company submitted a license amendment for Turkey Point, Units 3 and 4. The proposed amendment would facilitate the implementation of previously approved Amendment No.234, Boraflex Remedy, and documents the technical basis and justification to continue to credit Boraflex material in the criticality analysis for the Turkey Point Unit 3 spent fuel pool until September 30, 2012. The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this amendment request. The acceptance review was performed to determine if there was sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), an amendment to the license (including the technical specifications) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. Section 50.34 of 10 CFR addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. Given the lesser scope and depth of the acceptance review as compared to the

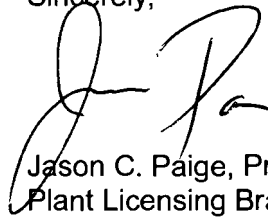
M. Nazar

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detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

If you have any questions, please contact the Turkey Point Project Manager, Jason C. Paige, at (301) 415-5888.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Paige', written over a printed name.

Jason C. Paige, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

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- 2 -

detailed technical review, there may be instances in which issues that impact the NRC staff's ability to complete the detailed technical review are identified despite completion of an adequate acceptance review. You will be advised of any further information needed to support the NRC staff's detailed technical review by separate correspondence.

If you have any questions, please contact the Turkey Point Project Manager, Jason C. Paige, at (301) 415-5888.

Sincerely,

*/RA/*

Jason C. Paige, Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-250 and 50-251

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**NRR-106**

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