



L-2010-183
10 CFR 52.3

September 3, 2010

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

Re: Florida Power & Light Company
Proposed Turkey Point Units 6 and 7
Docket Nos. 52-040 and 52-041
Combined License Application Submittals 4 and 5
Submittal of the Annual Update of the COL Application – Revision 1
and the Semi-Annual Update of the Departures Report

References:

1. FPL Letter L-2009-144 to NRC, dated June 30, 2009, Application for Combined License for Turkey Point Units 6 and 7
2. NRC Letter to FPL dated September 4, 2009, Combined License Application Acceptance Review for Turkey Point Units 6 & 7 Nuclear Power Plants
3. FPL Letter L-2010-185 to NRC, dated September 3, 2010, Response to Request for Additional Information Final Safety Analysis Report (FSAR) Section 2.5
4. FPL Letter L-2010-184 to NRC dated September 3, 2010, Combined License Application Submittal 6 Part 8 Physical Security Plan - Revision 1

Florida Power & Light Company (FPL) submitted a combined license (COL) application for two AP1000 pressurized water reactor units to be located at the Turkey Point site, designated Turkey Point Units 6 and 7, located in Miami-Dade County, FL on June 30, 2009 (Reference 1)

This letter provides the first annual update to the Turkey Point Units 6 and 7 (PTN 6 & 7) COL application. The updates provided with this letter include the annual update of the docketed Final Safety Analysis Report (FSAR) and the semi-annual update of the Departures Report (COL application, Part 2 and Part 7, respectively) as required by 10 CFR 50.71(e)(3)(iii) and 10 CFR Part 52, Appendix D, subsection X.B, respectively. Additionally, Parts 1, 3, 4, 5, 6, 8, 9, 10, and 11 of the PTN 6 & 7 COL application are also updated with Revision 1. This revision includes changes identified by previous correspondence, including responses to requests for additional information (RAI), conforming changes to the FSAR, miscellaneous errata items, and standard and plant specific changes identified since the revision 0 submittal. Revisions to the COL application are identified by revision bars in the right margin for text and tables and by the revision number for figures.

Florida Power & Light Company

700 Universe Boulevard, Juno Beach, FL 33408

D097
MRO

As previously discussed with the NRC staff, portions of Part 2 are being updated in a separate concurrent NRC RAI response submittal, FPL Letter L-2010-185 (Reference 3). With this concurrent submittal, FPL is submitting revised text to the COL application, Part 2, FSAR Sections 2.5.1, 2.5.2, and 2.5.3 in response to RAIs in the NRC COL application acceptance letter dated September 4, 2009 (Reference 2).

This PTN 6 & 7 COL application update contains no Restricted Data or other defense information requiring separation in accordance with 10 CFR 50.33(j). Part 9 contains state and local radiological emergency plans designated as "Sensitive-Federal, State, Foreign Government, and International Agency Controlled," as requested by the NRC. Part 9 also includes the FPL PTN 6 & 7 Cyber Security Plan (CSP), Revision 0, designated as Security-Related Information, and accordingly FPL requests that the CSP be withheld from public disclosure under 10 CFR 2.390(d)(1). Part 8, Physical Security Plan (PSP), contains safeguards information as defined in 10 CFR 73.22 and is being submitted under separate FPL Letter L-2010-184 (Reference 4).

Consistent with common licensing practice and the original FPL COL application, most of the updated application text is written in the present tense, active voice, including discussions of facilities and programs not yet built or implemented. Exceptions to this approach are the discussions of operating experience and completed studies and evaluations, which are written in the past tense. It should be understood, however, that statements regarding facilities (e.g., structures, systems, and components) and pre-construction, pre-operational, and operational activities (e.g., procedures and programs) typically address facilities and activities that have not yet been built or performed and will not be built or performed until it is reasonable and appropriate to do so.

Enclosure 1 provides a summary of the changes to each Part of the COL application and the basis of the changes. A document identifying each change, as well as its source or basis, is being prepared as an aid to the NRC reviewers and will be submitted by September 16, 2010.

The enclosed optical storage media (OSM) include electronic copies of the COL application Revision 1. Enclosure 2 is COL application Submittal 4, the public version of the COL application Revision 1. Enclosure 3 is COL application Submittal 5, the sensitive version of the COL application Revision 1 containing Part 9 information. Pre-submission checks have been successfully performed on the OSMs to validate and verify compliance with NRC guidelines for electronic submittals. Each OSM includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

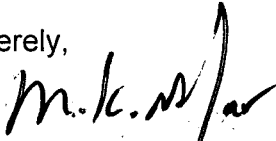
Proposed Turkey Point Units 6 and 7
Docket Nos. 52-040 and 52-041
L-2010-183 Page 3 of 3

If you have any questions, or need additional information, please contact William Maher, Senior Licensing Director – New Nuclear Projects, at 561-691-7490.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 3, 2010

Sincerely,



Mano K. Nazar
Executive Vice President and Chief Nuclear Officer

Enclosure 1: Summary of COL Application Revision 1 Changes

Enclosure 2: Turkey Point Nuclear Plant Units 6 and 7 COL Application, Public Version, Revision 1 (3 OSM Submittal 4)

Enclosure 3: Turkey Point Nuclear Plant Units 6 and 7 COL Application, Sensitive Version, Revision 1, Version (3 OSM Submittal 5)

cc: w/o enclosures 2 and 3

PTN 6 & 7 Project Manager, AP1000 Projects Branch 1, USNRC DNRL/NRO
Regional Administrator, Region II, USNRC
Senior Resident Inspector, USNRC, Turkey Point Plant 3 & 4

Enclosure 1

Summary of COL Application Revision 1 Changes

The PTN 6 & 7 COL application revision is composed of 11 Parts. Each of these parts is identified below along with indication of the revision number contained in this update. The revisions to the PTN 6 & 7 COL application include changes to standard content beyond those incorporated into the updated RCOLA Revision 2.

The COL application update includes voluntary and supplemental information, changes to corporate officers, miscellaneous errata items, and standard and plant-specific changes necessary to reflect changes in Revision 2 of the Bellefonte and Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLAs.

Part 1 General and Financial Information (Revision 1 included)

The Part 1 update includes voluntary and supplemental information and other changes including:

- Changes to corporate officers and miscellaneous errata items.
- LWA request withdrawal submitted by FPL letter on November 10, 2009 (Reference 1).

Part 2 Final Safety Analysis Report (FSAR) (Revision 1 included)

The Part 2 update includes changes identified by previous correspondence and other changes including:

- LWA request withdrawal submitted by FPL letter on November 10, 2009 (Reference 1).
- Updates for voluntary and supplemental information, changes to corporate officers, and miscellaneous errata items.
- The additional information in the areas of geology and seismology, geotechnical, hydrology, and structural engineering submitted by FPL letter on October 1, 2009, (Reference 2).
- Hydrology Audit related information submitted in FPL letter dated April 30, 2010, to provide responses to NRC March 2010 Hydrology Information Audit Supplement Information Requests (Reference 3).
- Responses to RCOLA voluntary and supplemental responses to standard content requests for additional information endorsed in the FPL endorsement of Bellefonte R-COLA standard content requests for additional information letters dated October 5, 2009, October 12, 2009, and January 26, 2010, respectively (References 4, 5, & 6,).
- Responses to RCOLA voluntary and supplemental responses to standard content requests for additional information in the FPL endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 R-COLA standard content safety evaluation report open items letter dated June 11, 2010, (Reference 7).
- Standard and plant-specific changes necessary to reflect the incorporation by reference of some template revisions submitted by the Nuclear Energy Institute (NEI).

Part 3 Environmental Report (Revision 1 included)

The Part 3 update includes voluntary and supplemental information and other changes including:

- LWA request withdrawal submitted by FPL letter on November 10, 2009 (Reference 1).
- Updated for voluntary and supplemental information, changes to corporate officers, and miscellaneous errata items.

Part 4 Technical Specifications (Revision 1 included)

The Part 4 update includes voluntary and supplemental information and other changes including:

- Part 4 was originally submitted as a clean copy ready for issuance with the COL. This update includes change bars to show where the revisions have been made to support NRC review. A clean copy will be prepared once the review is completed on a schedule necessary to support the issuance of the COL.

Part 5 Emergency Plan (Revision 1 included)

The Part 5 update includes voluntary and supplemental information and other changes including:

- The local radiological emergency plans for Monroe and Miami Dade Counties submitted by FPL letter dated July 21, 2009 (Reference 8) have been referenced in PTN 6 & 7 COL application Part 5, Emergency Planning, and incorporated into PTN 6 & 7 COL Part 9, Withheld Information, to be consistent with NRC staff practice to designate these plans as "Non-Publicly Available."
- Minor updates to the Site Emergency Plan to be consistent with FPL fleet changes since the Revision 0 submittal.

Part 6 Limited Work Authorization (Revision 1 included)

The Part 6 update includes changes including:

- Part 6 was revised to delete the request for a LWA submitted by FPL letter on November 10, 2009 (Reference 1).

Part 7 Departures and Exemption Requests (Revision 1 included)

The Part 7 update includes voluntary and supplemental information and other changes including:

- Part 7 was revised to delete the exemption request from the requirement of 10 CFR 52.79(a)(36)(iii) to include the CSP in the COL Application. The PTN 6 & 7 CSP Revision 0 was submitted by FPL Letter L-2010-152 on July 30, 2010 (Reference 8).
- Part 7 was updated for voluntary and supplemental information and miscellaneous errata items.

Part 8 Safeguards/Security Plans (Revision 1 will be submitted under separate cover)

The Part 8 update includes voluntary and supplemental information and other changes including:

- Updated for minor revisions to the text and figures to delete construction roads.
- Updated to indicate piping crossing the canal to the owner controlled area of the plant island.

Part 9 Withheld Information (Revision 1 included)

The Part 9 update includes voluntary and supplemental information and other changes including:

- Part 9 contains state and local radiological emergency plans designated as "Sensitive-Federal, State, Foreign Government, and International Agency Controlled," as requested by the NRC (Reference 8).
- Part 9 also includes the FPL PTN 6 & 7 Cyber Security Plan (CSP), Revision 0, designated as Security-Related Information. The CSP was submitted FPL Letter dated July 29, 2010, (Reference 9).

Part 10 Proposed License Conditions (including inspections, tests, analyses, and acceptance criteria [ITAAC]) (Revision 1 included)

The Part 10 update includes voluntary and supplemental information and other changes including:

- LWA request withdrawal submitted by FPL letter on November 10, 2009 (Reference 1).

Part 11 Enclosures (Revision 1 included)

The Part 11 update includes voluntary and supplemental information and other changes including:

- Enclosure 1 has been updated to include the revised FPL New Nuclear Projects Quality Assurance Program Description (FPL-2), Revision 1.
- Enclosure 2 is replaced to revise the file structure of the enclosure.
- Enclosure 3 is added for the Cyber Security Plan (CSP) Revision 0 required by 10 CFR 52.79(a)(36)(iii) submitted by FPL letter dated July 30, 2010 (Reference 9). The CSP is designated as Security-Related Information, and has been incorporated into PTN 6 & 7 COL Part 9, Withheld Information.
- Enclosure 4 is added as a placeholder for the Mitigative Strategies Report required by 10 CFR 52.80(d) to be provided in a future revision.

References:

1. FPL Letter L-2009-261 to NRC, dated November 10, 2009, Notification to Withdraw Request for a Limited Work Authorization
2. FPL Letter L-2009-162 to NRC, dated October 1, 2009, Response to NRC COL Application Acceptance Review Letter

3. FPL Letter L-2010-087 to NRC, dated April 30, 2010, NRC March 2010 Hydrology Information Audit Supplement Information Request Response
4. FPL Letter L-2009-224 to NRC, dated October 5, 2009, First Endorsement of Bellefonte R-COLA Standard Content Requests for Additional Information
5. FPL Letter L-2009-225 to NRC, dated October 12, 2009, Second Endorsement of Bellefonte R-COLA Standard Content Requests for Additional Information
6. FPL Letter L-2010-010 to NRC, dated January 26, 2010, Third Endorsement of Bellefonte R-COLA Standard Content Requests for Additional Information
7. FPL Letter L-2010-019 to NRC, dated June 11, 2010, First Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 R-COLA Standard Content Safety Evaluation Report Open Items
8. FPL Letter L-2009-174 to NRC, dated July 21, 2009, Supplemental Information - Miami-Dade County, FL and Monroe County, FL - Radiological Emergency Preparedness Plans
9. FPL Letter L-2010-152 to NRC, dated July 29, 2010, Turkey Point Units 6 and 7 Cyber Security Plan, Revision 0

Enclosure 2

Turkey Point Nuclear Plant Units 6 and 7

COL Application

Revision 1

Public Version

(3 OSM Submittal 4)

Enclosure 3

Turkey Point Nuclear Plant Units 6 and 7

COL Application

Revision 1

Sensitive Version

(3 OSM Submittal 5)