

December 22, 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: REQUEST FOR EXEMPTIONS FROM CERTAIN REQUIREMENTS IN 10 CFR PART 72 FOR THE TURKEY POINT NUCLEAR PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION – SUPPLEMENTAL INFORMATION NEEDED

Dear Mr. Nazar:

By letter dated November 5, 2010, Florida Power and Light Company (FPL) requested exemptions from the requirements of 10 CFR 72.48(c)(1)(ii)(B), 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(2)(i)(A), 10 CFR 72.212(b)(7), and 10 CFR 72.214. The exemptions were requested so that FPL can use the proposed Amendment No. 1 to the Certificate of Compliance (CoC) 72-1030 (Transnuclear, Inc. NUHOMS® HD-32PTH dry cask storage system) in its entirety for storage of spent fuel at the Turkey Point Nuclear Plant Independent Spent Fuel Storage Installation. Amendment No. 1 to CoC 72-1030, is not yet an approved amendment to a storage cask system in 10 CFR Part 72.

U.S. Nuclear Regulatory Commission staff performed an acceptance review of the exemption request, to determine if the request contains sufficient information to allow the staff to complete the detailed technical review. This letter is to advise you that based on our acceptance review, the request does not contain sufficient information. The information needed to continue our review is described in the enclosure to this letter as a Request for Supplemental Information. In order to schedule our technical review, this supplemental information should be provided by January 21, 2011. If the supplemental information is not received by this date, the review of this request may be delayed. The supplemental information requested and associated timeframe for the FPL response were discussed with Mr. Paul Czaya of your staff on December 13, 2010.

M. Nazar

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If you have any questions regarding this matter, please contact me at 301-492-3571 or Ms. Jennifer Davis at 301-492-3371.

Sincerely,

/RA/

Kristina L. Banovac, Project Manager
Licensing Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-250, 50-251, 72-62,
72-1030

TAC No.: L24485

Enclosure: Request for Supplemental
Information

cc w/encl: Distribution via Listserv

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Kristina L. Banovac, Project Manager
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FLORIDA POWER AND LIGHT COMPANY
DOCKET NOS. 50-250, 50-251, 72-62, AND 72-1030
REQUEST FOR SUPPLEMENTAL INFORMATION
RELATED TO THE REQUEST FOR EXEMPTIONS FROM CERTAIN REQUIREMENTS
IN 10 CFR PART 72 FOR THE TURKEY POINT NUCLEAR PLANT
INDEPENDENT SPENT FUEL STORAGE INSTALLATION

Request for Supplemental Information

The November 5, 2010, exemption request states that Florida Power and Light Company (FPL) is planning to utilize the Transnuclear, Inc. NUHOMS[®] HD-32PTH dry cask storage system (Certificate of Compliance (CoC) 72-1030, Amendment No. 0) for storage of spent fuel at the Turkey Point Nuclear Plant Independent Spent Fuel Storage Installation (ISFSI). The request also states that CoC 72-1030, Amendment No. 0 does not include the “necessary provisions and specific wording and clarifications” required for FPL’s upcoming initial fuel loading campaign at Turkey Point, but that the proposed Amendment No. 1 to CoC 72-1030 (which is not yet an approved amendment to a cask system in 10 CFR Part 72) does contain these necessary provisions and clarifications. No further explanation is provided as to what are these “necessary provisions and specific wording and clarifications”; thus, it is not clear to staff why this exemption to allow use of CoC 72-1030, Amendment No. 1 before it is an approved amendment to a cask system in 10 CFR Part 72, is warranted.

Please provide further justification for FPL’s request for exemption, specifically addressing what are the “necessary provisions and specific wording and clarifications” in the proposed Amendment No. 1 to CoC 72-1030, and why they are needed for the upcoming initial fuel loading campaign at Turkey Point.

Observation

During the staff’s acceptance review of the November 5, 2010, exemption request, staff identified a needed clarification that may require a request for additional information during the detailed technical review. FPL may choose to provide the clarification in its response to this Request for Supplemental Information.

Attachment 2 of the November 5, 2010, request notes: “Transfer of fuel assemblies from the SFP [spent fuel pool] to the ISFSI according to the planned 2011 schedule would also afford FPL flexibility for fuel storage options to address issues or recommendations resulting from security aspects of spent fuel storage.” It is not clear to staff what is meant by this statement. Please clarify what is meant by this statement.

Enclosure