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L-2010-303
10 CFR 50.90
10 CFR 2.390

DEC 21 2010

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
Supplemental Response to NRC Request for Additional Information (RAI)
Regarding Extended Power Uprate (EPU) License Amendment Request
(LAR) No. 205 and Equivalent Margin Analysis (EMA)

References:

- (1) M. Kiley (FPL) to U.S. Nuclear Regulatory Commission (L-2010-113), "License Amendment Request No. 205: Extended Power Uprate (EPU)," (TAC Nos. ME4907 and ME4908), October 21, 2010.
- (2) Email from J. Paige (NRC) to S. Franzone (FPL), "EPU Acceptance Review Question Re: Equivalent Margin Analysis," November 1, 2010
- (3) M. Kiley (FPL) to U.S. Nuclear Regulatory Commission (L-2010-268), "Response to NRC Request for Additional Information (RAI) Regarding Extended Power Uprate (EPU) License Amendment Request (LAR) No. 205 and Equivalent Margin Analysis (EMA)," November 12, 2010.

By letter L-2010-113 dated October 21, 2010 [Reference 1], Florida Power and Light Company (FPL) requested to amend Facility Operating Licenses DPR-31 and DPR-41 and revise the Turkey Point Units 3 and 4 Technical Specifications (TS). The proposed amendment will increase each unit's licensed core power level from 2300 megawatts thermal (MWt) to 2644 MWt and revise the Renewed Facility Operating Licenses and TS to support their operation at this increased core thermal power level. This represents an approximate increase of 15% and is therefore considered an extended power uprate (EPU).

By email from the U.S. Nuclear Regulatory Commission (NRC) Project Manager (PM) dated November 1, 2010 [Reference 2], additional information regarding the EMA was requested by the Vessels and Internals Integrity Branch to support the acceptance review of the EPU LAR. The EMA was cited in Licensing Report Section 2.1.2.2.5 of the EPU LAR submittal [Reference 1] as supporting documentation for evaluation of the reactor vessel materials. FPL provided its response to the RAI on the EMA by letter L-2010-268 dated November 12, 2010 [Reference 3]. The response included a copy of a proprietary EMA Reconciliation Report that addressed EPU conditions, AREVA NP Document 51-9133594-000, Turkey Point Units 3 and 4 EMA Reconciliation, dated March 12, 2010.

After review of the FPL RAI response, the NRC staff has determined that one of the referenced calculations, AREVA NP Document 77-2312-003 (ANP-2312P, Rev. 3), "Low Upper-Shelf Toughness Fracture Mechanics Analysis of Reactor Vessels of Turkey Point Units 3 and 4 for Extended Life Through 48 Effective Full Power Years," AREVA NP Inc., dated January 2010, will also be required for its review of the EMA.

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Attachment 1 contains the requested proprietary calculation. Attachment 2 contains the application for withholding the proprietary information contained in Attachment 1 from public disclosure. As Attachment 1 contains information proprietary to Areva, NP, Inc (Areva), it is supported by an affidavit signed by Areva, the owner of the information. The affidavit sets forth the basis for which the information may be withheld from public disclosure by the Commission and addresses with specificity considerations listed in paragraph (b)(4) of §2.390 of the Commission's regulations. Accordingly, it is respectfully requested that the information which is proprietary to Areva be withheld from public disclosure in accordance with 10 CFR 2.390 of the Commission's regulations.

Correspondence with respect to the copyright or proprietary aspects of the items provided in Attachment 2 of this letter or the supporting Areva affidavit should be addressed to Gayle F. Elliot, Product Licensing, Areva NP Inc, P.O. Box 10935, Lynchburg, VA 24506-0935.

In accordance with 10 CFR 50.91(b)(1), a copy of this letter is being forwarded to the State Designee of Florida.

This submittal does not alter the significant hazards consideration or environmental assessment previously submitted by FPL letter L-2010-113 [Reference 1].

This submittal contains no new commitments and no revisions to existing commitments.

Should you have any questions regarding this submittal, please contact Mr. Robert J. Tomonto, Licensing Manager, at (305) 246-7327.

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

Executed on December 21, 2010.

Very truly yours,



Michael Kiley
Site Vice President
Turkey Point Nuclear Plant

Attachments

cc: USNRC Regional Administrator, Region II
USNRC Project Manager, Turkey Point Nuclear Plant
USNRC Resident Inspector, Turkey Point Nuclear Plant
Mr. W. A. Passetti, Florida Department of Health (w/o attachments)

Turkey Point Units 3 and 4
SUPPLEMENTAL RESPONSE TO NRC RAI
REGARDING EPU LAR NO. 205
AND EQUIVALENT MARGIN ANALYSIS

ATTACHMENT 2

Areva Affidavit for Attachment 1

This coversheet plus 3 pages

withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4) "Trade secrets and commercial or financial information."

6. The following criteria are customarily applied by AREVA NP to determine whether information should be classified as proprietary:

- (a) The information reveals details of AREVA NP's research and development plans and programs or their results.
- (b) Use of the information by a competitor would permit the competitor to significantly reduce its expenditures, in time or resources, to design, produce, or market a similar product or service.
- (c) The information includes test data or analytical techniques concerning a process, methodology, or component, the application of which results in a competitive advantage for AREVA NP.
- (d) The information reveals certain distinguishing aspects of a process, methodology, or component, the exclusive use of which provides a competitive advantage for AREVA NP in product optimization or marketability.
- (e) The information is vital to a competitive advantage held by AREVA NP, would be helpful to competitors to AREVA NP, and would likely cause substantial harm to the competitive position of AREVA NP.

The information in the Document is considered proprietary for the reasons set forth in paragraphs 6(b), 6(d) and 6(e) above.

7. In accordance with AREVA NP's policies governing the protection and control of information, proprietary information contained in this Document has been made available, on a limited basis, to others outside AREVA NP only as required and under suitable agreement providing for nondisclosure and limited use of the information.

8. AREVA NP policy requires that proprietary information be kept in a secured file or area and distributed on a need-to-know basis.

9. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Ronnie L. Gardner

SUBSCRIBED before me this 17th
day of December 2010.

Kathleen A. Bennett

Kathleen Ann Bennett
NOTARY PUBLIC, COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES: ~~8/31/11~~
Reg. # 110864

