



L-2011-529
10 CFR 52.3
10 CFR 2.390
10 CFR 50.71(e)
10 CFR 52 Appendix D

December 16, 2011

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 Submittal 9
Submittal of the Annual Update of the COL Application - Revision 3
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. FPL Letter L-2010-289 to NRC, dated December 21, 2010, Combined License Application Submittal 7 - Early Submittal of the Annual Update of the COL Application - Revision 2 and the Semi-Annual Update of the Departures Report
3. FPL Letter L-2010-290 to NRC dated December 21, 2010, Combined License Application Submittal 8 - Part 8 Physical Security Plan - Revision 2
4. FPL Letter L-2011-530 to NRC dated December 16, 2011, Combined License Application Submittal 10 - Part 8 Safeguards/Security Plans - Revision 3

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 (PTN 6 & 7), located in Miami-Dade County, FL on June 30, 2009 (Reference 1). FPL submitted the second annual update to the PTN 6 & 7 COL Application early on December 21, 2010 (References 2 and 3).

This letter provides Revision 3 to the Turkey Point Units 6 and 7 (PTN 6 & 7) COL Application. The updates provided with this letter include the submittal of 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.

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Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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Additionally, Parts 1, 3, 4, 5, 6, 8, 9, 10, and 11 of the PTN 6 & 7 COL Application (COLA) are also updated with Revision 3.

Revision 3 incorporates changes identified by previous FPL correspondence, including responses to requests for additional information (RAI), conforming changes to the FSAR, miscellaneous errata items, standard, and plant specific changes identified since the Revision 2 submittal. Revisions to the COL Application are identified by revision bars in the right margin for text and tables and by the revision number only for figures.

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).

COLA Part 8, Safeguards/Security Plans, Revision 3, consists of two subparts, COLA Part 8A and Part 8B. Part 8A is the Physical Security Plan (PSP), Revision 3, and Part 8B is the Special Nuclear Material Physical Protection Plan Description (SNMPPPD), contain safeguards information as defined in 10 CFR 73.22 and are being submitted by FPL Letter L-2011-530 (Reference 4).

COLA Part 9, Enclosures 1, 2, 3, and 4 contain state and local radiological emergency plans designated as *Sensitive-Federal, State, Foreign Government, and International Agency Controlled*. COLA Part 9, Enclosure 5, FPL PTN 6 & 7 Cyber Security Plan (CSP), Revision 1, and COLA Part 9 Enclosure 6, FPL PTN 6 & 7 Mitigative Strategies Description and Plans Required by 10 CFR 52.80(d), Revision 1, are designated as Security-Related Information. Accordingly, FPL requests that the Part 9 Enclosures 1, 2, 3, 4, 5, and 6 be withheld from public disclosure under 10 CFR 2.390.

COLA Part 9, Enclosure 7, AP1000 Turkey Point Site Specific Seismic Evaluation Report, TPG-1000-S2R-802, Revision 3, contains Westinghouse Proprietary Class 2 information. The Westinghouse proprietary information for which withholding is being requested is further identified in the affidavit signed by Westinghouse Electric Company LLC. The Westinghouse affidavit accompanying this letter (Enclosure 2), sets forth the basis on which the information may be withheld from public disclosure by the Commission and address with specificity the considerations listed in 10 CFR 2.390(b)(4). Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference CAW -11-3306 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066. Based on Enclosure 2 to this letter, FPL requests that Part 9, Enclosure 7 be withheld from public disclosure under 2.390(a)(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)

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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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 of this letter provides a Revision 3 summary for each Part of the COL Application. A roadmap document identifying each change and basis is being prepared as an aid to the NRC reviewers and will be submitted in January 2012.

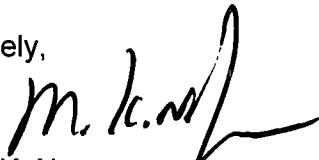
The enclosed optical storage media (OSM), Enclosure 3 of this letter, includes electronic copies of the sensitive version of the COL Application Revision 3 including Part 9, Withheld Information. Pre-submission checks have been successfully performed on the OSMs to validate and verify compliance with NRC guidelines for electronic submittals. Each OSM includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

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 December 16, 2011

Sincerely,



Mano K. Nazar
Executive Vice President and Chief Nuclear Officer

- Enclosure 1: Summary of COL Application Revision 3 Changes
- Enclosure 2: Westinghouse Application for Withholding Proprietary Information from Public Disclosure Affidavit Pursuant to 10 CFR 2.390(a)(4)
- Enclosure 3: Turkey Point Nuclear Plant Units 6 and 7 COL Application, Revision 3, Submittal 9 Sensitive Version,(3 OSMs)

cc: w/o Enclosure 3

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

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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Enclosure 1

Summary of COL Application Revision 3 Changes

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The PTN 6 & 7 COL Application (COLA) Revision 3 is composed of 11 Parts identified below. The revisions to the PTN 6 & 7 COL Application include: changes to standard content incorporated into the updated Vogtle Electric Generating Plant Units 3 and 4 AP1000 Reference COL Application (RCOLA) Revisions 4 and 5; voluntary and supplemental information, miscellaneous errata items; and plant-specific changes necessary to accommodate changes in RCOLA Revisions 4 and 5.

Part 1 General and Financial Information

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

- Standard content changes from Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA Revisions 4 and 5
- Fourth Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated September 14, 2011
- Updated decommissioning cost estimate and decommissioning funding using formulas in NUREG-1307, Revision 14
- Errata corrections

Part 2 Final Safety Analysis Report (FSAR)

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

- Standard content changes from Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA Revisions 4 and 5
- Third Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated April 20, 2011
- Fourth Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated September 14, 2011
- Chapter 2 changes to subsections 2.4.12, and 2.4.13 resulting from a revision to the groundwater model report provided by FPL letter dated February 28, 2011
- Chapter 2 changes to subsection 2.5.2, resulting from new attenuation models for Cuba and the Caribbean Region
- Chapter 3 updated Appendix 3KK, Westinghouse Non-Proprietary Version Appendix 3KK, AP1000 Turkey Point Site Specific Seismic Evaluation Report, TPG-1000-S2R-807, Revision 0
- Incorporated by reference (IBR) standard Appendix 14A, Design Acceptance Criteria/ITAAC Closure Process
- Updated for RAI responses to eRAI 4975, eRAI 5080, eRAI 5112, eRAI 5491, eRAI 5405, eRAI 5190, eRAI 5191, eRAI 5233, eRAI 5308, eRAI 5309, eRAI 5310, eRAI 5311, eRAI 5430, eRAI 5818, eRAI 5889, and eRAI 5908

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submitted by FPL Letters dated October 27, 2010, November 5, 2010, January 31, 2011, February 9, 2011, February 28, 2011, March 8, 2011, March 22, 2011, April 6, 2011, May 11, 2011, June 28, 2011, August 3, 2011, August 17, 2011, August 19, 2011, September 8, 2011, September 15, 2011, September 30, 2011, October 11, 2011, and October 28, 2011

- Errata corrections

Part 3 Environmental Report

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

- Updates Reconciling GW Flow Model and Data Changes
- Expanded ER 9.3 Presentation of Alternative Site Evaluation Process
- Environmental audit information needs item responses provided by FPL Letter dated May 18, 2011
- Updated for RAI responses to eRAI 5482, eRAI 5563, eRAI 5570, eRAI 5763, eRAI 5561, eRAI 5562, eRAI 5498, eRAI 5565, eRAI 5588, eRAI 5589, eRAI 5595, and eRAI 5764 submitted by FPL Letters dated April 15, 2011, April 20, 2011, April 21, 2011, April 25, 2011, April 26, 2011, June 20, 2011, July 7, 2011, July 29, 2011, August 30, 2011, September 1, 2011, September 2, 2011, September 6, 2011, September 13, 2011, and September 30, 2011
- Errata corrections

Part 4 Technical Specifications

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

- Standard content changes from Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA Revisions 4 and 5
- Errata corrections

Part 5 Emergency Plan

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

- Incorporated Evacuation Time Estimate (ETE), Revision 2 submitted by FPL Letter dated August 29, 2011 (Reference 3)
 - Updated for RAI responses to eRAI 5679 submitted by FPL Letters dated May 23, 2011 and July 22, 2011
 - Errata corrections
- Updated Turkey Point Plant Radiological Emergency Plan, Revision 3
 - Updated for RAI responses to eRAI 5681 and eRAI 5797 submitted by FPL Letters dated September 6, 2011, September 30, 2011, October 31, 2011 and November 21, 2011
 - Minor editorial and errata corrections

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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Part 6 Limited Work Authorization

Part 6 was deleted in COL Application Revision 1

- No changes

Part 7 Departures and Exemption Requests

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

- Deleted Mitigative Strategies Exemption request B.3
- New exemption for Special Nuclear Material (SNM) Material Control and Accounting Program Description B.4
- New standard departure STD DEP 8.3-1, Class 1E voltage regulating transformer current limiting features
- Revised departure PTN DEP 9.3-1, DCD change to low-pressure hydrogen gas system
- Errata corrections

Part 8 Safeguards/Security Plans (Revision 3 is being submitted under separate cover)

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

- Updated PSP based on revised RAI responses eRAI 4899 and eRAI 4900 submitted by FPL Letter dated September 6, 2011
- Updated to include the Special Nuclear Material Physical Protection Plan Description, Revision 0
- Errata corrections

Part 9 Withheld Information

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

- Updated Enclosures 3 and 4 to current revisions to county emergency response plans for Miami-Dade County and Monroe County, Florida
- Updated Enclosure 5, FPL Turkey Point Units 6 & 7 Cyber Security Plan, Revision 1
- Updated Enclosure 6, FPL Turkey Point Units 6 & 7 Mitigative Strategies Description and Plans Required by 10 CFR 52.80(d), Revision 1
- Added Enclosure 7, AP1000 Turkey Point Site Specific Seismic Evaluation Report, TPG-1000-S2R-802, Revision 3 (Westinghouse Proprietary Class 2)

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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

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

- Third Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated April 20, 2011
- Fourth Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated September 14, 2011
- Standard content changes from Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA Revisions 4 and 5
- Updated for RAI responses to eRAI 5681, eRAI 5682 submitted by FPL Letters dated August 23, 2011, and September 12, 2011
- Errata corrections

Part 11 Enclosures

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

- Third Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated April 20, 2011
- Fourth Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 RCOLA standard content submittals provided by FPL letter dated September 14, 2011
- Errata corrections
- Updated Enclosure 1, FPL New Nuclear Projects Quality Assurance Program Description, FPL-2, Revision 2
- Added Enclosure 5, FPL Special Nuclear Material (SNM) Material Control and Accounting Program Description, Revision 0
- Added Enclosure 6, Turkey Point 6 & 7 New Fuel Shipping Plan, Revision 0
- Added Enclosure 7, Non-Fuel Special Nuclear Material for Use in Each AP1000 Unit
- Updated Revisions to the Turkey Point 6 & 7 Cyber Security Plan and Turkey Point Units 6 & 7 Mitigative Strategies Description and Plans Required by 10 CFR 52.80(d) were included in COLA Part 9

References:

1. FPL Letter to NRC, L-2010-241 dated October 27, 2010, Response to NRC Request for Additional Information Letter No. 007 (eRAI 4975) Standard Review Plan Section 3.07.01 - Seismic Design Parameters

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

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2. FPL Letter to NRC, L-2010-252 dated November 5, 2010, Response to NRC Request for Additional Information Letter No. 008 (eRAI 5080) Standard Review Plan Section 9.03.03 - Equipment and Floor Drainage System
3. FPL Letter to NRC, L-2010-253 dated November 5, 2010, Response to NRC Request for Additional Information Letter No. 009 (eRAI 5112) Standard Review Plan Section 9.02.04 - Potable and Sanitary Water System
4. FPL Letter to NRC, L-2011-022 dated January 31, 2011, Response to NRC Request for Additional Information Letter No. 012 (eRAI5191) Standard Review Plan Section 07.05 - Information Systems Important to Safety
5. FPL Letter to NRC, L-2011-051 dated February 9, 2011, Response to NRC Request for Additional Information Letter No. 013 (eRAI 5308) Standard Review Plan Section 02.03.01 - Regional Climatology
6. FPL Letter to NRC, L-2011-052 dated February 9, 2011, Response to NRC Request for Additional Information Letter No. 014 (eRAI 5309) Standard Review Plan Section 02.03.02 - Local Meteorology
7. FPL Letter to NRC, L-2011-053, dated February 9, 2011, Response to NRC Request for Additional Information Letter No. 015 (eRAI 5310) Standard Review Plan Section 02.03.03 - Onsite Meteorology Measurement Programs
8. FPL Letter to NRC, L-2011-054 dated February 9, 2011, Response to NRC Request for Additional Information Letter No. 016 (eRAI 5311) Standard Review Plan Section 02.03.05 - Long Term Atmospheric Dispersion Estimates for Routine Releases
9. FPL Letter to NRC, L-2011-071 dated February 28, 2011, Response to NRC Request for Additional Information Letter No. 010 (eRAI 5233) Standard Review Plan Section 02.04.05 - Probable Maximum Surge and Seiche Flooding
10. FPL Letter to NRC, L-2011-082 dated February 28, 2011, Submittal of Groundwater Model Development and Analysis: Units 6 & 7 Dewatering and Radial Collector Well Simulations, Revision 1
11. FPL Letter to NRC, L-2011-106 dated March 8, 2011, Revised Response to NRC Request for Additional Information Letter No. 012 (eRAI5191) Standard Review Plan Section 07.05 - Information Systems Important to Safety
12. FPL Letter to NRC, L-2011-105 dated March 22, 2011, Response to Request for Additional Information 02.04.05-1, Letter No. 010 (eRAI 5233) Standard Review Plan Section 02.04.05 - Probable Maximum Surge and Seiche Flooding
13. FPL Letter to NRC, L-2011-125 dated April 6, 2011, Response to Request for Additional Information 02.04.05-3, Letter No. 010 (eRAI 5233) Standard Review Plan Section 02.04.05 - Probable Maximum Surge and Seiche Flooding
14. FPL Letter to NRC, L-2011-130 dated April 15, 2011, Response to NRC Environmental Request for Additional Information Letter 1102233 (eRAI 5482) Environmental Standard Review Plan Section 3.1 - External Appearance and Plant Layout

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15. FPL Letter to NRC, L-2011-152 dated April 20, 2011, Third Endorsement of Vogtle Electric Generating Plant Units 3 and 4, AP1000 R-COLA Standard Content Submittals
16. FPL Letter to NRC, L-2011-155 dated April 20, 2011, Response to NRC Environmental Request for Additional Information Letter 1103071 (RAI 5498) Environmental Standard Review Plan Section 5.7 - Meteorology and Air Quality Impacts
17. FPL Letter to NRC, L-2011-157 dated April 25, 2011, Response to NRC Environmental Request for Additional Information Letter 1103093 (RAI 5561) Environmental Standard Review Plan Section 2.2 - Land Use
18. FPL Letter to NRC, L-2011-161 dated April 21, 2011, Response to NRC Environmental Request for Additional Information Letter 1103092 (RAI 5595) Environmental Standard Review Plan Section 3.4.4 - Non-Radioactive Waste Systems
19. FPL Letter to NRC, L-2011-162 dated April 26, 2011, Response to NRC Environmental Request for Additional Information Letter 1103102 (RAI 5570) Environmental Standard Review Plan Section 2.5 - Socioeconomics
20. FPL Letter to NRC, L-2011-163 dated April 26, 2011, Response to NRC Environmental Request for Additional Information Letter 1103101 (RAI 5562) Environmental Standard Review Plan Section 2.4.1 - Terrestrial and Wetlands Ecology
21. FPL Letter to NRC, L-2011-165 dated May 11, 2011, Response to NRC Request for Additional Information Letter No. 011 (eRAI 5190) Standard Review Plan Section 02.04.12 - Groundwater
22. FPL Letter to NRC, L-2011-174 dated May 18, 2011, Response to NRC Environmental Audit Data and Information Need Items AQ-4, H-13, H-23, H-31, H-34, H-35, H-38, H-40, NR-6
23. FPL Letter to NRC, L-2011-196 dated May 23, 2011, Response to NRC Request for Additional Information Letter No. 020 (eRAI 5679) Standard Review Plan Section 13.03 - Emergency Planning (ETE)
24. FPL Letter to NRC, L-2011-222 dated June 20, 2011, Response to NRC Environmental Request for Additional Information Letter 1105051 (RAI 5565) Related to Environmental Standard Review Plan Section 8.4 - Assessment of Need for Power
25. FPL Letter to NRC, L-2011-247 dated June 28, 2011, Revised Response to NRC Request for Additional Information Letter No. 014 (eRAI 5309) Standard Review Plan Section 02.03.02 - Local Meteorology
26. FPL Letter to NRC, L-2011-257 dated July 7, 2011, Second Response to NRC Environmental Request for Additional Information Letter 1103093 (RAI 5561) Environmental Standard Review Plan Section 2.2 - Land Use
27. FPL Letter to NRC, L-2011-258 dated July 7, 2011, Second Response to NRC Environmental Request for Additional Information Letter 1103101 (RAI 5562)

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Environmental Standard Review Plan Section 2.4.1 - Terrestrial and Wetlands Ecology

28. FPL Letter to NRC, L-2011-263 dated August 3, 2011, Response to NRC Request for Additional Information Letter No. 024 (eRAI 5405) Standard Review Plan Section 10.04.05 - Circulating Water System
29. FPL Letter to NRC, L-2011-269 dated July 22, 2011, Supplemental Response to NRC Request for Additional Information Letter No. 020 (eRAI 5679) Standard Review Plan Section 13.03 - Emergency Planning (ETE)
30. FPL Letter to NRC, L-2011-281 dated July 29, 2011, Response to NRC Environmental Request for Additional Information Letter 110614 (RAI 5764 Revision 2) Environmental Standard Review Plan Section 3.2.2 - Structures with a Major Environmental Interface
31. FPL Letter to NRC, L-2011-284 dated July 29, 2011, Response to NRC Environmental Request for Additional Information Letter 110614 (RAI 5763 Revision 2) Environmental Standard Review Plan Section 2.3 - Water
32. FPL Letter to NRC, L-2011-294 dated August 17, 2011, Response to NRC Request for Additional Information Letter No. 029 (eRAI 5491) - Standard Review Plan Section 09.02.01 Station Service Water System
33. FPL Letter to NRC, L-2011-332 dated August 19, 2011, Response to NRC Request for Additional Information Letter No. 031 (eRAI 5430) Standard Review Plan Section 12.03-12.04 - Radiation Protection Design Features
34. FPL Letter to NRC, L-2011-333 dated August 30, 2011, Response to NRC Environmental Request for Additional Information Letter 110614 (RAI 5763 Revision 2) Environmental Standard Review Plan Section 2.3 - Water
35. FPL Letter to NRC, L-2011-335 dated September 2, 2011, Response to NRC Environmental Request for Additional Information Letter 1103094 (RAI 5563) Environmental Standard Review Plan Section 9.3 - Alternative Sites
36. FPL Letter to NRC, L-2011-336 dated September 1, 2011, Response to NRC Environmental Request for Additional Information Letter 1104071 (RAI 5588) Environmental Standard Review Plan Section 9.3.1 - Alternative Site Selection Process
37. FPL Letter to NRC, L-2011-347 dated September 6, 2011, Supplemental Responses to NRC Requests for Additional Information Letter No. 005 (eRAI 4899) and Letter No. 006 (eRAI 4900) Standard Review Plan Section 13.06 - Physical Security
38. FPL Letter to NRC, L-2011-352 dated August 29, 2011, Voluntary Submittal of Turkey Point 6 and 7 Evacuation Time Estimate Report, Revision 2
39. FPL Letter to NRC, L-2011-364 dated September 6, 2011, Response to NRC Environmental Request for Additional Information Letter 110614 (RAI 5763 Revision 2) Environmental Standard Review Plan Section 2.3 - Water

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40. FPL Letter to NRC, L-2011-371 dated September 8, 2011, Response to NRC Request for Additional Information Letter No. 032 (eRAI 5889) Standard Review Plan Section 19 - Probabilistic Risk Assessment and Severe Accident Evaluation
41. FPL Letter to NRC, L-2011-378 dated September 13, 2011, Response to NRC Environmental Request for Additional Information Letter 1104071 (RAI 5588) Environmental Standard Review Plan Section 9.3.1 - Alternative Site Selection Process
42. FPL Letter to NRC, L-2011-381 dated September 13, 2011, Response to NRC Environmental Request for Additional Information Letter 110614 (RAI 5763 Revision 2) Environmental Standard Review Plan Section 2.3 - Water
43. FPL Letter to NRC, L-2011-384 dated September 14, 2011, Initial Response to NRC Request for Additional Information Letter No. 035 (eRAI 5681) Standard Review Plan Section 13.03 - Emergency Planning
44. FPL Letter to NRC, L-2011-391 dated September 14, 2011, Fourth Endorsement of Vogtle Electric Generating Plant Units 3 and 4 AP1000 R-COLA Standard Content Submittals
45. FPL Letter to NRC, L-2011-387 dated September 15, 2011, Response to NRC Request for Additional Information Letter No. 032 (eRAI 5889) Standard Review Plan Section 19 - Probabilistic Risk Assessment and Severe Accident Evaluation
46. FPL Letter to NRC, L-2011-395 dated September 30, 2011, Response to NRC Environmental Request for Additional Information Letter 1104121 (RAI 5589) Environmental Standard Review Plan Section 9.3 - Alternative Sites
47. FPL Letter to NRC, L-2011-416 dated September 30, 2011, Second Response to NRC Request for Additional Information Letter No. 035 (eRAI 5681) Standard Review Plan Section 13.03 - Emergency Planning
48. FPL Letter to NRC, L-2011-417 dated September 30, 2011, Response to NRC Request for Additional Information Letter No. 034 (eRAI 5908) Standard Review Plan Section 02.03.01 - Regional Climatology
49. FPL Letter to NRC, L-2011-427 dated October 11, 2011, Response to NRC Request for Additional Information Letter No. 030 (eRAI 5818) Standard Review Plan Section 02.04.06 - Probable Maximum Tsunami Flooding
50. FPL Letter to NRC, L-2011-456 dated October 28, 2011, Response to NRC Request for Additional Information Letter No. 030 (eRAI 5818) Standard Review Plan Section 02.04.06 - Probable Maximum Tsunami Flooding
51. FPL Letter to NRC, L-2011-440 dated October 31, 2011, Third Response to NRC Request for Additional Information Letter No. 035 (eRAI 5681) Standard Review Plan Section 13.03 - Emergency Planning
52. FPL Letter to NRC, L-2011-509 dated November 21, 2011, Initial Response to NRC Request for Additional Information Letter No. 042 (eRAI 5997) Standard Review Plan Section 13.03 - Emergency Planning

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Enclosure 2

Westinghouse Application for

Withholding Proprietary Information from Public Disclosure Affidavit pursuant to 10 CFR
2.390(a)(4)

PTN 6 & 7 COL Application Enclosure 7 of COLA Part 9

AP1000 Turkey Point Site Specific Seismic Evaluation Report, TPG-1000-S2R-802,
Revision 3, contains Westinghouse Proprietary Class 2 information.

The Westinghouse proprietary information for which withholding is being requested is further identified in the affidavit signed by Westinghouse Electric Company LLC. The Westinghouse affidavit sets forth the basis on which the information may be withheld from public disclosure by the Commission and address with specificity the considerations listed in 10 CFR 2.390(b)(4).

Correspondence with respect to the proprietary aspects of this application for withholding or the accompanying affidavit should reference CAW -11-3306 and should be addressed to J. A. Gresham, Manager, Regulatory Compliance, Westinghouse Electric Company LLC, Suite 428, 1000 Westinghouse Drive, Cranberry Township, Pennsylvania 16066.

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

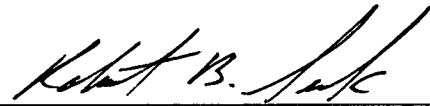
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COMMONWEALTH OF PENNSYLVANIA:

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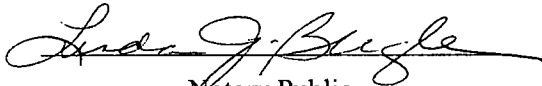
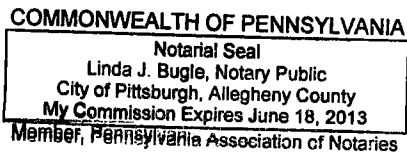
COUNTY OF BUTLER:

Before me, the undersigned authority, personally appeared Robert B. Sisk, who, being by me duly sworn according to law, deposes and says that he is authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit are true and correct to the best of his knowledge, information, and belief:



Robert B. Sisk, Program Manager
International Licensing

Sworn to and subscribed
before me this 30th day
of November 2011.


Notary Public

- (1) I am Program Manager, International Licensing, Westinghouse Electric Company, LLC (Westinghouse), and as such, I have been specifically delegated the function of reviewing the proprietary information sought to be withheld from public disclosure in connection with nuclear power plant licensing and rule making proceedings, and am authorized to apply for its withholding on behalf of Westinghouse.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations and in conjunction with the Westinghouse "Application for Withholding" accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
 - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse.
 - (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitute Westinghouse policy and provide the rational basis required.

Under that system, information is held in confidence if it falls in one or more of several types, the release of which might result in the loss of an existing or potential competitive advantage, as follows:

 - (a) The information reveals the distinguishing aspects of a process (or component, structure, tool, method, etc.) where prevention of its use by any of Westinghouse's competitors without license from Westinghouse constitutes a competitive economic advantage over other companies.

- (b) It consists of supporting data, including test data, relative to a process (or component, structure, tool, method, etc.), the application of which data secures a competitive economic advantage, e.g., by optimization or improved marketability.
- (c) Its use by a competitor would reduce his expenditure of resources or improve his competitive position in the design, manufacture, shipment, installation, assurance of quality, or licensing a similar product.
- (d) It reveals cost or price information, production capacities, budget levels, or commercial strategies of Westinghouse, its customers or suppliers.
- (e) It reveals aspects of past, present, or future Westinghouse or customer funded development plans and programs of potential commercial value to Westinghouse.
- (f) It contains patentable ideas, for which patent protection may be desirable.

There are sound policy reasons behind the Westinghouse system which include the following:

- (a) The use of such information by Westinghouse gives Westinghouse a competitive advantage over its competitors. It is, therefore, withheld from disclosure to protect the Westinghouse competitive position.
- (b) It is information that is marketable in many ways. The extent to which such information is available to competitors diminishes the Westinghouse ability to sell products and services involving the use of the information.
- (c) Use by our competitor would put Westinghouse at a competitive disadvantage by reducing his expenditure of resources at our expense.
- (d) Each component of proprietary information pertinent to a particular competitive advantage is potentially as valuable as the total competitive advantage. If competitors acquire components of proprietary information, any one component

may be the key to the entire puzzle, thereby depriving Westinghouse of a competitive advantage.

- (e) Unrestricted disclosure would jeopardize the position of prominence of Westinghouse in the world market, and thereby give a market advantage to the competition of those countries.
- (f) The Westinghouse capacity to invest corporate assets in research and development depends upon the success in obtaining and maintaining a competitive advantage.
- (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390; it is to be received in confidence by the Commission.
- (iv) The information sought to be protected is not available in public sources or available information has not been previously employed in the same original manner or method to the best of our knowledge and belief.
- (v) The proprietary information sought to be withheld from within the "Transmittal of Turkey Point Site Specific Seismic Evaluation Report TPG-1000-S2R-802, Revision 3 (Proprietary) (APC_TPG_000032).

The information requested to be withheld reveals details of the AP1000 design; timing and content of procurement; sequence and method of construction; and timing and content of inspection and testing. This information was developed and continues to be developed by Westinghouse. The information is part of that which enables Westinghouse to manufacture and deliver products to utilities based on proprietary designs.

Public disclosure of this proprietary information is likely to cause substantial harm to the competitive position of Westinghouse because it would enhance the ability of competitors to provide similar commercial power reactors without commensurate expenses.

The information requested to be withheld is the result of applying the results of many years of experience in an intensive Westinghouse effort and the expenditure of a considerable sum of money.

In order for competitors of Westinghouse to duplicate this information, similar technical programs would have to be performed and a significant manpower effort, having the requisite talent and experience, would have to be expended.

Enclosure 3 (COLA Part 9) contains information requested to be withheld from disclosure under 10 CFR 2.390

Proposed Turkey Point Units 6 and 7

Docket Nos. 52-040 and 52-041

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Enclosure 3

Turkey Point Nuclear Plant Units 6 and 7

COL Application

Revision 3

Submittal 9

Sensitive Version

(3 OSMs)