



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

September 24, 2012

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

SUBJECT: TURKEY POINT NUCLEAR GENERATING UNIT NO. 4 – WITHDRAWAL OF
CONCRETE CONTAINMENT INSERVICE INSPECTION PROGRAM EXEMPT
TENDON INSPECTION RELIEF REQUEST NO. 7 (TAC NO. ME8835)

Dear Mr. Nazar:

By letter dated June 5, 2012, Florida Power & Light (the licensee, FPL) submitted Relief Request (RR) No. 7 for Turkey Point Nuclear Generating (TPN), Unit No. 4. The licensee requested RR No. 7 in accordance with Title 10 of Code of Federal Regulations (CFR), paragraph 50.55a(a)(3)(i) from the requirements of the American Society of Mechanical Engineers Code Section XI, Paragraph IWL-2521.1(c), which requires that each exempted tendon shall be examined in accordance with IWL-2524 and IWL-2525 to the extent that the end anchorages of the exempt tendon are accessible either during operation or at an outage. The licensee requested approval by September 2012 to perform substitute tendon examinations for inaccessible end of the designated exempt tendons for TPN Unit No. 4 during summer of 2012. The licensee stated that FPL proposes to perform alternative examinations to those in IWL-2521.1(c), which will provide an acceptable level of quality and safety. By letter dated August 17, 2012, the licensee responded to the Nuclear Regulatory Commission (NRC) staff request of additional information (RAI).

The NRC staff noticed that the licensee in its August 17, 2012 response to RAI Question 1 stated that “The preliminary inspection results of 40th year for Turkey Point Unit 4 tendons have no conditions with corrosion greater than or equal to Level 3 corrosion.” During a telephone call on August 28, 2012, between the NRC plant project manager and the FPL licensing manager of Turkey Point, the FPL licensing manager confirmed that the tendon inspections for TPN Unit 4 were completed using the proposed alternatives in the June 5, 2012, RR. The NRC project manager pointed out that this is not consistent with the requirement in 10 CFR 50.55a(a)(3), which states that “Any proposed alternatives must be submitted and authorized prior to implementation.” Therefore, the NRC staff concluded that based on this regulatory requirement the NRC did not have regulatory authority to authorize alternatives that were already implemented by the licensee.

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Subsequently, by letter dated September 14, 2012, the licensee withdrew its submittals for RR No. 7, "because the NRC cannot support approval of the RR." The purpose of this letter is to advise that RR No. 7 is being treated as withdrawn and TAC No. ME8835 will be closed. The NRC Region II staff has been informed of withdrawal of this relief request.

If you have any questions, please contact me at 301-415-1447 or via e-mail at Farideh.Saba@nrc.gov.

Sincerely,

A handwritten signature in black ink that reads "Farideh E. Saba". The signature is written in a cursive, slightly slanted style.

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-251

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Sincerely,

/RA/

Farideh E. Saba, Senior Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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