

50-335/389



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 28, 1998

Mr. T. F. Plunkett
President - Nuclear Division
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

SUBJECT: BIOMETRICS ACCESS CONTROL EXEMPTION - ST. LUCIE PLANT, UNITS 1
AND 2 - (TAC NOS. MA4250 AND MA4251)

Dear Mr. Plunkett:

By letter dated February 4, 1998, Florida Power and Light Company (FPL) notified the U.S. Nuclear Regulatory Commission (NRC) that its current exemption from the requirements of 10 CFR 73.55(d), "Access Requirements," issued on November 29, 1993, is no longer required.

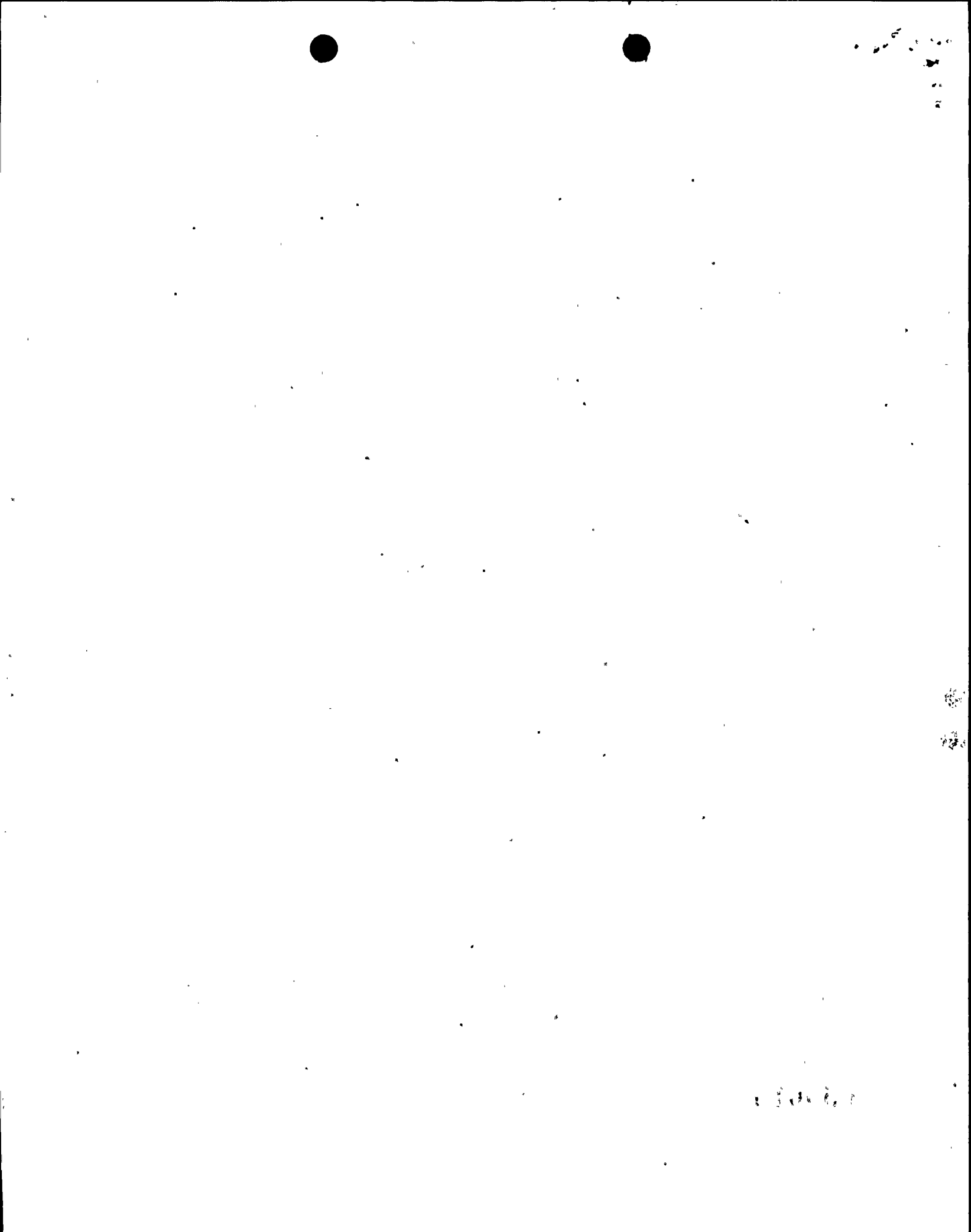
FPL's current exemption relates to the requirements for the issuance, storage, and retrieval of badges for contractors who have been granted unescorted access to the protected area of the St. Lucie plant site. With the implementation of the hand geometry biometric system for site access control, NRC authorized FPL to allow photograph identification badges for contractors to be taken offsite. At the time that the exemption was requested, 10 CFR 73.55(d), "Access Requirements," paragraph (1), specified, "The licensee shall control all points of personnel and vehicle access into the protected area." Additionally, 10 CFR 73.55(d)(5) required that, "a numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." 10 CFR 73.55(d)(5) also stated that individuals not employed by the licensee may be authorized access to protected areas without an escort provided the individual, "...receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area..."

FPL's determination that its current exemption is no longer necessary was based on the changes to 10 CFR 73.55(d)(5), "Control of contractor employee badges," that became effective on January 16, 1998. The changes affect individuals employed by the licensee who require frequent and extended access to protected and vital areas so that they may be authorized access to such areas without escort provided they display a licensee-issued picture badge upon entrance into the protected area. The revised rule also states in §73.55(d)(5)(ii) that, "Badges may be removed from the protected area when measures are in place to confirm the identity and authorization for access of the badge holder upon entry into the protected area." In addition, FPL stated in its letter that the St. Lucie plant will comply with the revised rule as stated in §73.55(d)(5), and would have no objection should the NRC withdraw the exemption for the St. Lucie plant.

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December 28, 1998

Mr. T. F. Plunkett

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The NRC staff recognizes that in those situations where the amended rule grants licensees the same thing as the licensee is allowed to do by the exemption, then the rule governs the license and the exemption is no longer necessary. In the case of §73.55(d) the rule is governing, no further action is required regarding the current exemption to §73.55(d)(5).

Sincerely,

Original signed by:

William C. Gleaves, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-335
and 50-389

cc: See next page

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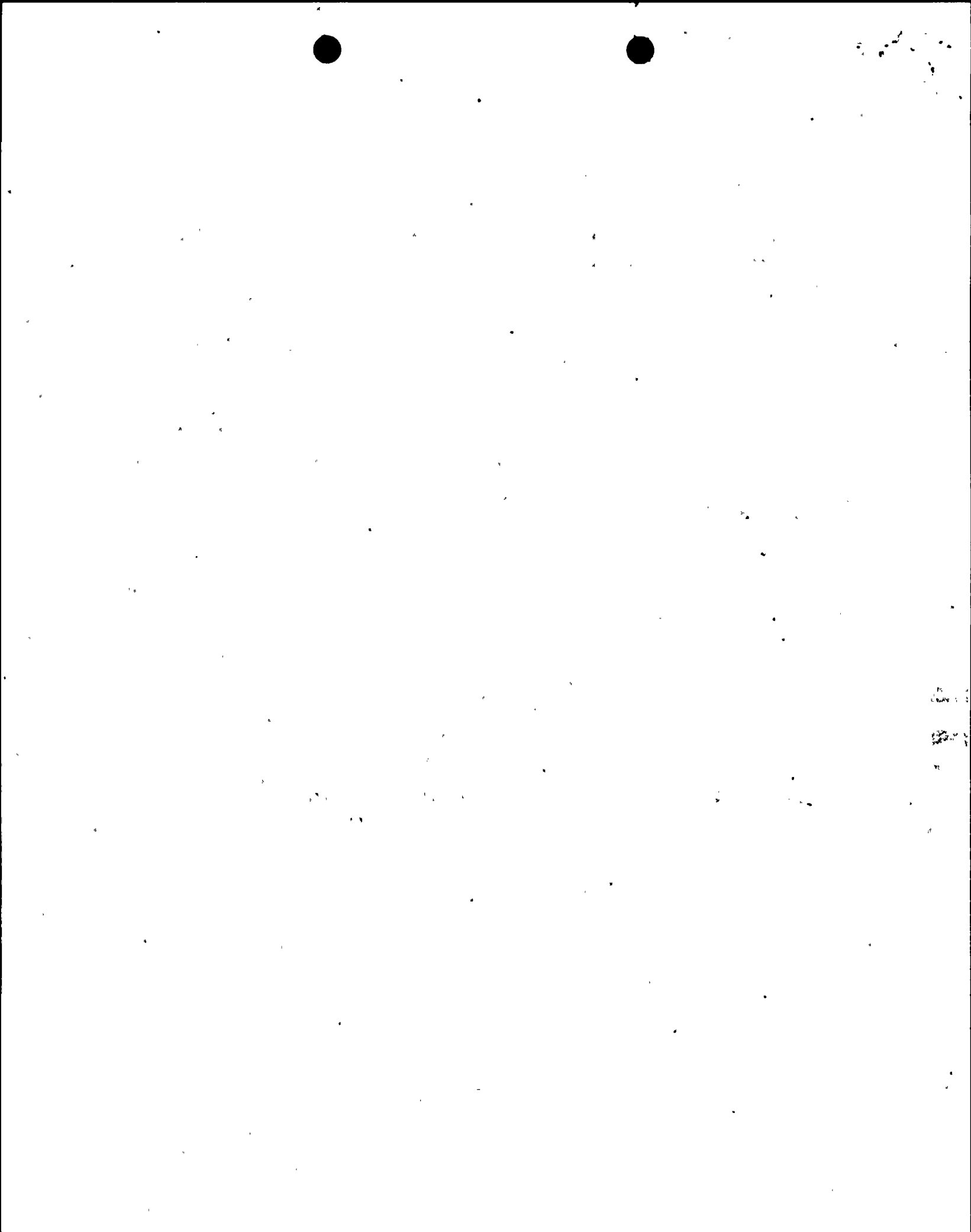
Docket-File	PUBLIC	St. Lucie R/F	J. Zwolinski	OGC
T. Quay	ACRS	L. Plisco, RII	W. Gleaves	B. Clayton
F. Hebdon				

DOCUMENT NAME: G:\STLUCIE\EXPT4250.WPD

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NAME	W. Gleaves: <i>WCG</i>		B. Clayton <i>BC</i>		<i>W. Gleaves</i>	F. Hebdon <i>FH</i>		T. Quay <i>TQ</i>
DATE	12/3/98		12/3/98		12/17/98	12/28/98		12/8/98

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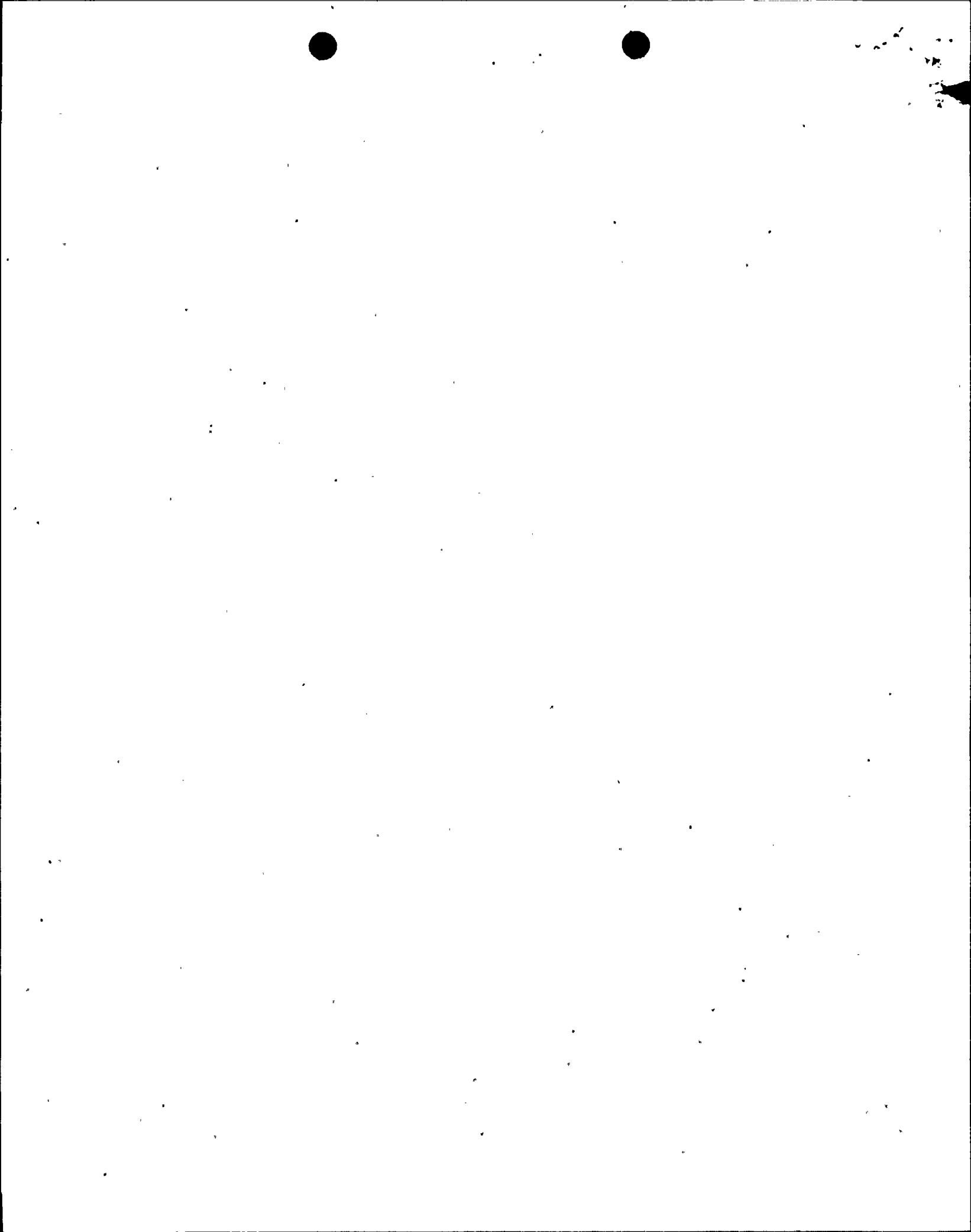
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DATE	12/3/98		12/3/98		12/17/98	12/28/98		12/8/98

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Mr. T. F. Plunkett

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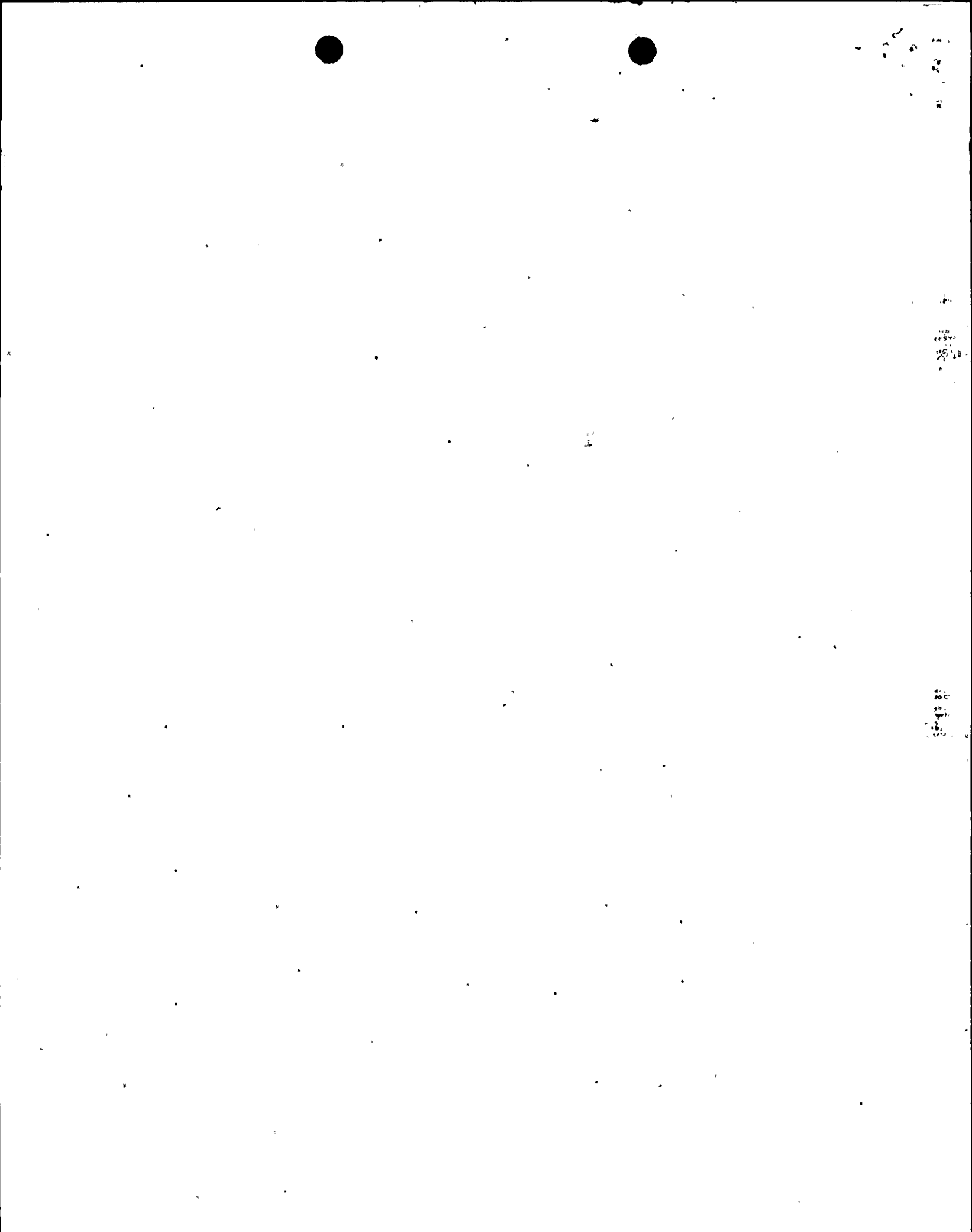
Sincerely,



William C. Gleaves, Project Manager
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

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