

May 23, 1994

Docket No. 50-250
and 50-251

Mr. J. H. Goldberg
President - Nuclear Division
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

Dear Mr. Goldberg:
SUBJECT: TURKEY POINT UNITS 3 AND 4 - REQUEST FOR EXEMPTION FROM 10 CFR 50
APPENDIX E (TAC NOS. M89061 AND M89062)

By letter dated March 23, 1994, Florida Power & Light Company (FPL) requested an exemption from the requirement to conduct "an annual U. S. Nuclear Regulatory Commission (NRC) evaluated emergency preparedness exercise in calendar year 1994 for Turkey Point Units 3 and 4." Additional information was provided by your letter dated April 13, 1994.

Based on conversations between our staffs related to the foregoing correspondence, we understand that FPL intends to conduct the required exercise, and that the only relief sought, by exemption, is a request that the NRC not evaluate the exercise.

An exemption is appropriate where a licensee seeks relief from regulatory requirements which it, the licensee, would otherwise be required to satisfy. In this case, an exemption does not appear to be appropriate since it is our understanding that you are not seeking relief from any requirements that are applicable to FPL. FPL must meet the requirements of 10 CFR 50 Appendix E regardless of the NRC evaluation of the exercise.

Unless we hear from you further, we shall terminate our review of this matter and close TAC Numbers M89061 and M89062.

Sincerely,
(Original Signed By)
Richard P. Croteau, Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

9407110266 940523
PDR ADOCK 05000250
P PDR

cc: See next page
Distribution

<u>Docket File</u>	HBerkow	EJordan
NRC & Local PDRs	ETana	ACRS (10)
PDII-2 RE	RCroteau	OPA
SVarga	SVerrelli	FKantor
GLainas	OGC	JStohr

AAK3

OFFICE	LA:PDII-2	PM:PDII-2	D:PDII-2	DRSS	OGC	RII:DRSS
NAME	ETana	RCroteau	HBerkow*	FCongel*	STURK*	PStohr**
DATE	5/ /94	5/23/94	5/19/94	5/ /94	5/19/94	5/23/94
OFFICE	AD:DRPE	D:DRPE				
NAME	GLainas*	SVarga*				
DATE	5/23/94	5/23/94				

** Telcos w/Ken Bair

NRC FILE CENTER COPY

* see previous concurrence
OFFICIAL RECORD COPY - DOCUMENT NAME G:\TP-EP2.LTR

000007

FOI
1/0



1944

Mr. J. H. Goldberg
Florida Power and Light Company

Turkey Point Plant

CC:
Harold F. Reis, Esquire
Newman and Holtzinger, P.C.
1615 L Street, N.W.
Washington, DC 20036

Mr. Joe Myers, Director
Division of Emergency Preparedness
Department of Community Affairs
2740 Centerview Drive
Tallahassee, Florida 32399-2100

Jack Shreve, Public Counsel
Office of the Public Counsel
c/o The Florida Legislature
111 West Madison Avenue, Room 812
Tallahassee, Florida 32399-1400

Regional Administrator,
Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street, N.W. Suite 2900
Atlanta, Georgia 30323

John T. Butler, Esquire
Steel, Hector and Davis
4000 Southeast Financial Center
Miami, Florida 33131-2398

Attorney General
Department of Legal Affairs
The Capitol
Tallahassee, Florida 32304

Mr. Thomas F. Plunkett, Site
Vice President
Turkey Point Nuclear Plant
Florida Power and Light Company
P.O. Box 029100
Miami, Florida 33102

Plant Manager
Turkey Point Nuclear Plant
Florida Power and Light Company
P.O. Box 029100
Miami, Florida 33102

Joaquin Avino
County Manager of Metropolitan
Dade County
111 NW 1st Street, 29th Floor
Miami, Florida 33128

Mr. H. N. Paduano, Manager
Licensing & Special Projects
Florida Power and Light Company
P.O. Box 14000
Juno Beach, Florida 33408-0420

Senior Resident Inspector
Turkey Point Nuclear Generating
Station
U.S. Nuclear Regulatory Commission
P.O. Box 1448
Homestead, Florida 33090

Mr. Edward J. Weinkam
Licensing Manager
Turkey Point Nuclear Plant
P.O. Box 4332
Princeton, Florida 33032-4332

Mr. Bill Passetti
Office of Radiation Control
Department of Health and
Rehabilitative Services
1317 Winewood Blvd.
Tallahassee, Florida 32399-0700