

April 23, 2012

The Honorable Ileana Ros-Lehtinen
United States House of Representatives
Washington, D.C. 20515

Dear Congresswoman Ros-Lehtinen:

I am responding to your letter of February 21, 2012, regarding apparent violations of U.S. Nuclear Regulatory Commission (NRC) requirements related to Florida Power and Light Company's (FPL) failure to properly maintain the Turkey Point nuclear power plant's onsite emergency response facility.

On two different occasions in 2010 and 2011, plant personnel disabled portions of the Turkey Point Technical Support Center's (TSC) ventilation system without evaluating the impact to the facility or implementing compensatory measures. The NRC evaluates regulatory performance at commercial nuclear power plants with a color-coded process that classifies regulatory findings as green, white, yellow, or red, in order of increasing safety significance.

The agency completed its review of the situation and determined that the removal of the TSC ventilation system from service without implementation of compensatory measures during these periods constituted a failure to provide and maintain an adequate emergency facility. This violation was determined to be a White finding of low to moderate safety significance that may require additional NRC inspection in the Emergency Preparedness cornerstone.

Additionally, the agency determined that FPL's failure to maintain an adequate emergency facility and failing to report the occurrence as required was a Severity Level III violation and has proposed a Civil Penalty of \$140,000 (Please see the enclosed final significance determination dated April 9, 2012).

Thank you for your interest in this matter. The agency certainly shares your concern with ensuring the safety of all nuclear power plants. Please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776 if you have any questions or would like to discuss this further.

Sincerely,

/RA/

Gregory B. Jaczko

Enclosure:
As stated