



SAFEGUARDS INFORMATION

March 14, 2002
L-2002-054
10 CFR 2.202
10 CFR 50.4

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

WARNING
UNAUTHORIZED DISCLOSURE
IS PROHIBITED
SECTION 147, ATOMIC ENERGY ACT OF 1954
AND 10 CFR 73.21 VIOLATION SUBJECT
TO CIVIL AND CRIMINAL PENALTIES.

Re: St. Lucie Units 1 and 2
Docket Nos. 50-335, 50-389
Turkey Point Units 3 and 4
Docket Nos. 50-250, 50-251
Response to Order for Interim Safeguards and Security Compensatory Measures

In accordance with the Nuclear Regulatory Commission's (NRC) Order dated February 25, 2002, and 10 CFR 2.202(b), Florida Power & Light Company (FPL) hereby notifies the Commission that FPL has completed actions to implement interim compensatory measures or will complete implementation of such interim actions by August 31, 2002.

FPL has reviewed each interim measure to determine if compliance can be completed by August 31, 2002. Attachment 1 provides a status of each interim measure for St. Lucie and Turkey Point. FPL has either completed action or will be able to complete action by August 31, 2002. FPL has therefore satisfied the Condition of Item C.1. of the Order.

In order to fully understand the objectives of, and methods for, compliance with each interim measure, FPL has referred to the NEI guidance document endorsed by the NRC in the March 11, 2002 letter from Samuel J. Collins (NRC) to Ralph Beedle (NEI). FPL's response not only takes into account the NEI guidance, but also relevant site-specific circumstances. To ensure clarity in FPL's response, FPL has provided Attachment 2 to further describe conditions related to certain interim measures. Attachment 2 contains "Safeguards Information."

FPL recognizes that by responding to the Order, FPL is not objecting to the issuance of an immediately effective order for the Attachment 2 requirements other than requirements B.2.a.(1), B.2.a.(2), and B.2.b.* FPL is not at this time requesting a hearing on these requirements. However, it is FPL's position that this waiver of a right to a hearing on requirements other than B.2.a. (1), B.2.a. (2), and B.2.b is limited to the issuance of the Order to FPL and does not extend to any future right to a hearing or to any other legal process that FPL might have concerning any other order, issuance or determination by the NRC, including, for example, any NRC determination that good cause has not been shown for the relaxation or rescission of any Conditions set forth in the Order, and whether FPL has satisfactorily responded to the Conditions set forth in the Order.

* By letter dated March 14, 2002, FPL requested an extension of time within which to request a hearing on requirements B.2.a.(1), B.2.a.(2), and B.2.b only.

SAFEGUARDS INFORMATION

Additionally, the Order provides that "The Director, Office of Nuclear Reactor Regulation, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause." By way of example, and not by way of limitation, FPL considers a showing of good cause to include delays or disruptions which directly affect FPL's ability to satisfy the Order and which result from unforeseeable conditions beyond the control of FPL, including, but not limited to, acts of God, labor difficulty, unavailability of materials, embargoes, or acts of governmental authorities, including changes in laws, regulations, licenses, or orders.

FPL recognizes that these interim requirements set forth in Attachment 2 to the February 25 Order will remain in effect pending notification from the Commission that a significant change in the threat environment has occurred or until the Commission determines that other changes are needed following a more comprehensive re-evaluation of current safeguards and security programs.

Very truly yours,



J. A. Stall
Senior Vice President, Nuclear
and Chief Nuclear Officer

Attachment 1
Attachment 2 – Contains Safeguards Information

ENCLOSURE CONTAINS SAFEGUARDS
INFORMATION. UPON SEPARATION,
THIS PAGE IS DECONTROLLED.

SAFEGUARDS INFORMATION