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 FACIL: 50-250 Turkey Point Plant, Unit 3, Florida Power and Light C 05000250
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SUBJECT: Provides notification that util determined exemption from requirements of 10CFR73.55(d) re biometrics access control, issued 931129, is no longer required for Turkey Point Plant.

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L-98-43
10 CFR 50.4
10 CFR 73.4
10 CFR 73.5

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

RE: Turkey Point Units 3 and 4
Docket Nos. 50-250 and 50-251
Exemption - Biometrics Access Control

The purpose of this letter is to notify the NRC that Florida Power & Light Company (FPL) has determined the exemption from the requirements of 10 CFR 73.55(d), "Access Requirements," issued on November 29, 1993, is no longer required for Turkey Point Plant. This determination is based on the changes to 10 CFR 73.55(d)(5) that were effective on January 16, 1998, (62FR63640) and are discussed below. Turkey Point Plant will comply with the revised rule as stated in 10 CFR 73.55(d)(5), and would have no objection should the NRC withdraw this exemption for Turkey Point Plant.

By letter (L-93-178) dated August 18, 1993, as supplemented by letter (L-93-248) dated October 13, 1993, FPL requested an exemption from certain requirements of 10 CFR 73.55(d), "Access Requirements," for Turkey Point Units 3 and 4. The exemption related 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 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 of the requested exemption, 10 CFR 73.55(d), "Access Requirements," paragraph (1), specified that "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 (e.g., contractors) 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 proposed an alternative unescorted access control system which eliminated the need to issue and retrieve badges at each entrance/exit location and would allow individuals with unescorted access to keep their badges with them when departing the site. On November 29, 1993, the NRC approved and issued the requested exemption from 10 CFR 73.55(d)(5).

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On December 2, 1997, NRC published a final rule, which became effective on January 16, 1998, that changed nuclear power plant security requirements in 10 CFR 73.55. The final rule changes 10 CFR 73.55(d)(5), "Control of contractor employee badges," such that individuals not employed by the licensee but who require frequent and extended access to protected and vital areas may be authorized access to such areas without an escort provided that he or she displays a licensee-issued picture badge upon entrance into the protected area. In addition, the final rule states in 10 CFR 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." FPL continues to have in place measures to confirm the identity and authorization for access of badge holders upon entry into the protected area. These measures are described in the Turkey Point Plant Physical Security Plan.

Please contact us if there are any questions about this submittal.

Very truly yours,



R. J. Hovey
Vice President
Turkey Point Plant

SM

cc: Regional Administrator, Region II, USNRC
Senior Resident Inspector, USNRC, Turkey Point Plant

