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 Document Control Branch (Document Control Desk)

SUBJECT: Requests for exemption to 10CFR50.71 (e) (4), updated final
 safety analysis rept rev schedule for Turkey Point, Units 3 &
 4. Requested exemption will not present an undue risk to
 public health & safety.

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L-98-62
10 CFR 50.12
10 CFR 50.71

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

Subject: Turkey Point Units 3 and 4
Docket Nos. 50-250 and 50-251
Request for Exemption to
10 CFR 50.71(e) (4), Updated Final
Safety Analysis Report Revision Schedule

The purpose of this letter is to request, in accordance with the provisions of Title 10 Code of Federal Regulations section 50.12 (10 CFR 50.12), an exemption from certain requirements of 10 CFR Part 50.71 regarding submission of revisions to the common Updated Final Safety Analysis Report (UFSAR) for Turkey Point Units 3 and 4. Specifically, Florida Power and Light Company (FPL) requests exemption from the requirements of 10 CFR Part 50.71(e) (4) which states that revisions to the UFSAR must be submitted annually or 6 months after each refueling outage provided that the interval between successive updates does not exceed 24 months.

The intent of the rule change published in the Federal Register on August 31, 1992 (57 FR 39358), was to provide some reduction in regulatory burden by reducing the frequency of required updates. The burden reduction can only be realized by single-unit facilities or multiple-unit facilities that maintain separate UFSARs. However, the rule as written increases the frequency of required updates for multi-unit sites with a common UFSAR, which is contrary to the intent of the rule. For those facilities with a common UFSAR for a multiple unit site, as is the case of Turkey Point, the literal interpretation of this rule would require revision of the same document within 6 months after each unit's refueling outage.

10 CFR 50.12 states that the Commission may grant exemptions from the requirements of the regulations when special circumstances exist. 10 CFR 50.12(a) (ii) states that special circumstances are present whenever "Application of the regulation in the particular circumstance would not serve the underlying purpose of the rule." Turkey Point Units 3 and 4 have a common UFSAR and have staggered Spring/Fall refueling outages. Based on the literal interpretation of the rule as written, FPL would be required to submit an UFSAR update within 6 months after each refueling outage, resulting in UFSAR updates more frequently than every 12 months. Therefore, in accordance with 10 CFR 50.12(a) (ii), FPL requests an exemption from the requirements of 10 CFR 50.71(e) (4).

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an FPL Group company



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The requested exemption would allow FPL to continue submitting the periodic updates of the common UFSAR for Turkey Point Units 3 and 4 within 6 months after the Turkey Point Unit 4 refueling outages, but not to exceed 24 months from the last revision. Therefore, the requirement that an update be submitted within 6 months after each refueling will not be retained.

The requested exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and safety and security.

Very truly yours,



R. J. Hovey
Vice President
Turkey Point Plant

OIH

cc: L. A. Reyes, Regional Administrator, Region II, USNRC
T. P. Johnson, Senior Resident Inspector, USNRC, Turkey
Point

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