



NEPC

## NATIONAL ENVIRONMENTAL PROTECTION CENTER

*"My life belongs to the whole community, and as long as I live, it is my privilege to do for it whatsoever I can. I want to be thoroughly used up when I die, for the harder I work, the more I live. I rejoice in life for its own sake. Life is no "brief candle" to me. It is a sort of splendid torch which I have got hold of for the moment, and I want to make it burn as brightly as possible before handing it on to future generations."*

*- George Bernard Shaw, 1907 -*

May 6th, 2003

William Travers  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

RE: PETITION UNDER 10 C.F.R. 2.206 - FLORIDA POWER & LIGHT COMPANY

Dear Mr. Travers:

In accordance with 10 C.F.R. 2.206 the National Environmental Protection Center ("NEPC") by and through its undersigned executive director herein petitions the U.S. Nuclear Regulatory Commission ("NRC") to take immediate and specific actions with respect to NRC licensee Florida Power & Light Company ("FPL") regarding operations at your licensee's St. Lucie Unit 1 and Unit 2 operating nuclear reactors.

Specific Request #1 - petitioner request that the NRC issue a confirmatory order requiring the immediate shut-down of both licensee reactors.

Specific Request #2 - petitioners request that the NRC deny the licensee's April 18, 2002 request for relief from NRC Order (EA-03-009) requiring specific inspections of the reactor pressure vessel ("RPV") head and associated penetration nozzles on the licensee's reactor vessels.

Specific Request #3 - petitioners request that the NRC hold public hearings before the agency's Atomic Safety and Licensing Board Panel ("ASLBP") to allow for the public's participation in ascertaining the safety implications which should be considered and explored concerning continued operations at the licensee's facility with respect to NRC Order (EA-03-009) and any effects that relaxing the inspection requirements of the agency's Order may have on the overall environment and public health and safety.

Basis and Justification - petitioners assert that NRC Order (EA-03-009) requires the licensee to take certain and specific inspection activities to ensure for the protection of the public's health and safety and the protection of the environment through continued operation of the licensee's reactors in a manner consistent with 10 C.F.R. Part 50. NEPC does not believe the licensee's basis for requesting the NRC to relax its aforementioned Order is sufficient to warrant such relaxation by the NRC. In deed, NEPC strongly believes that any relaxation of the agency's Order would jeopardize public health and safety.

Petitioners believe that the NRC should issue an order to cause the immediate shut-down of both licensee reactors located at the Ft. Pierce facility to allow NRC and the licensee an

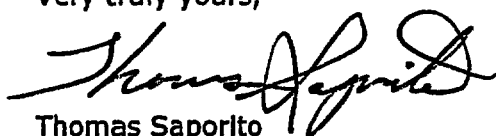
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opportunity to more fully and completely evaluate the condition of both reactor vessels in such a manner that will provide adequate assurance that an accident caused by degradation of the reactor vessels will not release radioactive materials or radioactive particles into the environment from a breach of the reactor containment structure as a direct or indirect result of a possible explosion caused by formation of hydrogen in an accident scenario much like the Three Mile Island event.

To the extent that the public has a right to participate in NRC matters concerning operations at the agency's licensee's facilities, the NRC should provide the public an opportunity to be heard before the ASLBP so that an accurate record may be developed and considered with respect to the licensee's request for relaxation of NRC's Order and to allow the introduction of evidence and testimony for proper consideration by NRC in making its determination in this matter accordingly.

On behalf of the general public and the entire membership of NEPC, the NRC is hereby urged to grant petitioner's request under 10 C.F.R. 2.206 post haste.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas Saporito", written in a cursive style.

Thomas Saporito  
Executive Director

cc: Media News Sources