

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION
 ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

E. Roy Hawken, Chair

Dr. Michael F. Kennedy

Dr. William C. Burnett

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In the Matter of

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Docket Nos. 52-040 and 52-041

Florida Power & Light Company

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ASLBP No. 10-903-02-COL-BD01

Turkey Point,

)

Units 6 and 7

)

)

February 2, 2012

MOTION FOR LEAVE FOR CITIZENS ALLIED FOR
 SAFE ENERGY TO FILE A NEW CONTENTION

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BACKGROUND

Citizens Allied for Safe Energy, Inc. (CASE) is an all volunteer non-profit Florida corporation with approximately 125 members most of whom live within twenty-five miles of the Turkey Point power plant near Homestead, Florida. CASE is dedicated to promoting the decentralized production and distribution of renewable energy, energy conservation and efficiency and opposition to the licensure of Turkey Point Units 6 & 7 on several grounds.

On August 20, 2010 CASE filed CITIZENS ALLIED FOR SAFE ENERGY,

INC. PETITION TO INTERVENE AND REQUEST FOR A HEARING –
REVISED. On February 28, 2011 the ASLB issued a MEMORANDUM AND
ORDER (Ruling on Petitions to Intervene). In that document, at 107/108, part of
Contention 7, FAILURE AND OMISSION OF THE FPL COL FOR THE
PROPOSED TURKEY POINT NUCLEAR REACTORS 6&7 TO CONSIDER TO
INCLUDE A SO-CALLED “LOW-LEVEL” RADIOACTIVE WASTE EXTENDED
STORAGE PLAN was admitted. On January 3, 2012 Florida Power & Light
Company (FPL) filed a MOTION FOR SUMMARY DISPOSITION OF CASE
CONTENTION 7.

INTRODUCTION

On January 23, 2012 CASE filed a RESPONSE TO FPL MOTIONS TO
DISMISS CASE CONTENTION 6 AS MOOT and FOR SUMMARY
DISPOSITION OF CASE CONTENTION 7 in which CASE said it would not
oppose these motions. Also, in that filing, CASE advised all parties “CASE will
review FPL’s filings on January 3, 2012 and will file new contentions in a timely
manner based on new information provided in those filings as warranted.”. At 1.

NEW CONTENTION

Pursuant to 10 C.F.R. § 2.307(a) and the Atomic and Safety Licensing
Board’s (the “Board”) March 30, 2011 Initial Scheduling Order and Administrative
Directives, CASE is proffering a new contention (attached) in a timely manner.

*A motion and proposed new or amended contention as specified above shall be
deemed timely under 10 C.F.R. § 2.309(f)(2)(iii) if it is filed within thirty (30) days of the
date when the new and material information on which it is based first becomes available.
Within twenty-five (25) days after service of the motion and proposed contention, any
other party may file an answer responding to all elements of the motion and contention.
Within seven (7) days of service of the answer, the movant may file a reply. At 8.*

CASE’S new contention is based on new information provided in FPL’s
filing of January 3, 2012 referenced above.

CONCLUSION

CASE requests that the new contention be admitted so that these important matters can receive a full and thorough hearing and detailed analysis and consideration.

Respectfully submitted,

Dated: January 9, 2012

/signed electronically by/

Barry J. White

Authorized Representative

Citizens Allied for Safe Energy, Inc.

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E. Roy Hawkens, Chair
Dr. Michael F. Kennedy
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In the Matter of)
) Docket No. 52-040 and 52-041
Florida Power & Light Company)
)
Combined License Application for)
Turkey Point Units 6 & 7)
_____)

CERTIFICATE OF SERVICE

I, Barry J. White, hereby certify that copies of the document above and all documents related to this motion were served upon the following persons by Electronic Information Exchange and/or electronic mail.

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Dated: February 2, 2012

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