

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: Florida Power and Light
Turkey Point COL, Units 6 & 7

Docket Number: 52-040-COL and 52-041-COL

ASLBP Number: 10-903-02-COL-BD01

Location: teleconference

Date: Tuesday, June 30, 2015

Work Order No.: NRC-1709

Pages 294-304

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 ATOMIC SAFETY AND LICENSING BOARD PANEL

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6 CONFERENCE CALL

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8 In the Matter of: :Docket No.

9 FLORIDA AND POWER :52-040-COL

10 LIGHT COMPANY :52-041-COL

11 (Turkey Point COL :ASLPB No. 10-903-02-COL-BD01

12 Units 6 and 7) :

13 -----x

14 Tuesday, June 30, 2015

16 Teleconference

18 BEFORE:

19 E. ROY HAWKENS, Chair

20 DR. MICHAEL F. KENNEDY, Administrative Judge

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P-R-O-C-E-E-D-I-N-G-S

3:03 p.m.

JUDGE HAWKENS: We're on the record, Mr. Jackson. Good afternoon. My name is Roy Hawkens. I'm the Licensing Board chairman in this case, entitled Florida Power and Light Company, Turkey Point Units 6 and 7, Docket Nos. 52-040-COL and 52-041-COL. A second member of the Licensing Board is with me, Dr. Mike Kennedy.

The third member of the Board, Dr. Bill Burnett, is not participating. He's in China, but he gave his concurrence to go forward with this pre-hearing telephone conference. Dr. Kennedy and I are joined by the Licensing Board law clerks, Matt Zogby and Nicole Pepperl. We're also joined by the Licensing Board administrative assistant, Karen Valloch. Would counsel for the parties please introduce themselves for the record, starting with joint interveners?

MR. TOTOIU: Good afternoon. This is Jason Totoiu, with the Everglades Law Center, participating on behalf of joint interveners.

JUDGE HAWKENS: Thank you. FPL?

MR. LEWIS: Yes, Judge Hawkens. This is David Lewis with the law firm Pillsbury Winthrop Shaw

1 Pittman, representing Florida Power and Light. Also
2 on the phone, on another line, is Mr. Steven Hamrick,
3 a senior attorney with Florida Power and Light.

4 JUDGE HAWKENS: Thank you, Mr. Lewis. NRC
5 staff?

6 MR. WEISMAN: Robert Weisman representing
7 the NRC staff. I have with me Anthony Wilson and
8 Myrisha Lewis, and also Alicia Williamson, the project
9 manager.

10 JUDGE HAWKENS: Thank you, Mr. Weisman.
11 As we indicated in an earlier issued Licensing Board
12 order, we determined that oral argument would assist
13 us in deciding the admissibility of joint interveners'
14 contentions. The purpose of this telephone conference
15 is to discuss location and potential dates for that
16 argument.

17 As far as location, the Board has
18 determined that a telephone conference would be
19 adequate, unless the parties would prefer all to
20 appear in the NRC headquarters hearing room. Let me
21 start with joint interveners, Mr. Totoiu, and see what
22 your preference would be. Do you have the funding,
23 the availability or so forth to come up to Rockville,
24 or would you prefer to handle an oral argument
25 telephonically?

1 MR. TOTOIU: We're amenable to either
2 option. We could attend in person in D.C. or
3 telephonically.

4 JUDGE HAWKENS: All right, thank you. Mr.
5 Lewis?

6 MR. LEWIS: Yes, we would agree to either.
7 We have more flexibility by teleconference. Mr.
8 Hamrick will be on vacation July 6 through 10, but
9 could be available by teleconference, would not be
10 available if it was at NRC headquarters during that
11 week.

12 JUDGE HAWKENS: I see, but you're amenable
13 regardless, though, to appearing in Rockville?

14 MR. LEWIS: Yes.

15 JUDGE HAWKENS: Thank you. Mr. Weisman,
16 I know it's a pretty long distance for you to join us
17 in the hearing room. Would you be amenable to either
18 the hearing room or telephone conference?

19 MR. WEISMAN: As the Board wishes, Your
20 Honor.

21 JUDGE HAWKENS: Thank you. All right.
22 Let's turn now to potential dates for the oral
23 argument. Mr. Totoiu, what dates in July would you be
24 available?

25 MR. TOTOIU: I would be available between

1 -- from the 13th to the 23rd.

2 JUDGE HAWKENS: Is that inclusive, Mr.
3 Totoiu?

4 MR. TOTOIU: Yes, all those days, 13th,
5 14th, 15th, 16th, 17th, 20th, 21st, 22nd, 23rd.

6 JUDGE HAWKENS: All right, thank you. Mr.
7 Lewis? Oh, let me -- before asking about your
8 availability in August, Mr. Totoiu, let me check with
9 Mr. Lewis as far as his availability in July.

10 MR. LEWIS: During the week of July 6th,
11 be available for a teleconference. The week of July
12 13th, I'd be available on the 13th, 16th or 17th, and
13 available any time the week of July 20th.

14 JUDGE HAWKENS: All right, thank you. Mr.
15 Weisman, in July, your availability?

16 MR. WEISMAN: Your Honor, the staff is
17 available July 13th through the 24th, 27th, 29th, 30th
18 and 31st, but we would prefer the 23rd or 24th, Your
19 Honor.

20 JUDGE HAWKENS: All right, thank you. Let
21 me repeat that back to you because I might have missed
22 some of that, Mr. Weisman. I have you available 13th
23 through the 24th, the 27th, and here's what I might
24 have missed. I understood you to say the 27th, 29th
25 and 31st?

1 MR. WEISMAN: I'm sorry. I should have
2 said the 27th through the 31st, that whole time.

3 JUDGE HAWKENS: Got you, but your
4 preference would be the 23rd or 24th?

5 MR. WEISMAN: Correct.

6 MR. LEWIS: Judge Hawken, this is Mr.
7 Lewis. We're also available the 27th through the
8 31st.

9 JUDGE HAWKENS: I turn back to Mr. Totoiu.
10 You would not be available the 27th through the 31st,
11 is that correct?

12 MR. TOTOIU: That is correct.

13 JUDGE HAWKENS: Then you would not be
14 available on the 24th, either?

15 MR. TOTOIU: Correct.

16 JUDGE HAWKENS: All right. Mr. Totoiu,
17 have you looked to the next month to see your
18 availability in August?

19 MR. TOTOIU: Yes.

20 JUDGE HAWKENS: Can you tell me your
21 availability that month, please?

22 MR. TOTOIU: It appears that I am
23 available from August 10th through the 31st.

24 JUDGE HAWKENS: The 10th through the 31st
25 inclusive?

1 MR. TOTOIU: Correct.

2 JUDGE HAWKENS: Thank you. Mr. Lewis, how
3 about you in August?

4 MR. LEWIS: I'm available, Judge Hawken, s,
5 the 3rd through the 7th. The next two weeks I was
6 going to be on vacation, but could be available by
7 teleconference, and I'm available the week of the
8 24th.

9 JUDGE HAWKENS: Thank you. Mr. Weisman?

10 MR. WEISMAN: Your Honor, the staff is
11 available the entire month of August, but if we could
12 avoid from the 3rd to the 7th of August, we'd
13 appreciate it.

14 JUDGE HAWKENS: You prefer to avoid the
15 3rd through the 7th?

16 MR. WEISMAN: Yes, Your Honor.

17 JUDGE HAWKENS: Thank you. Let me just
18 share with you some information about judge
19 availability that will provide information to you, as
20 far as what our thoughts are. In July, we're going to
21 have a judge absent and unavailable the 22nd through
22 the end of the month. He'll be out of the United
23 States. That will be an important factor for us in
24 scheduling this. That same judge will also be out of
25 the country in August, from the 1st through the 14th.

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1 Thereafter, we'll have another judge absent from the
2 23rd through the end of the month. Those are some of
3 the scheduling parameters we'll be working under as we
4 determine what date to set argument for. My personal
5 inclination is I would like to have the arguments in
6 July, if possible.

7 Looking at the availability of joint
8 interveners, which is the 13th through the 23rd, and
9 then looking at availability of FPL and NRC staff, it
10 looks like it would be probably scheduling it sometime
11 within that time frame, when both the staff and FPL
12 are available. But we're going to have to just
13 telephone conference. We'll sit together, identify a
14 date, and issue a scheduling order sometime this week
15 that will also include the location, the amount of
16 time for presentation, and any particular issues we
17 would like the parties to focus on.

18 I don't anticipate it would be a long
19 argument. I think it likely it would be no more than
20 one or one and one half hours. Are there any
21 additional matters that counsel wish to discuss or
22 bring to our attention? Let me start with Mr. Totoiu.

23 MR. TOTOIU: I have no issues, Your Honor.

24 JUDGE HAWKENS: Thank you. Mr. Lewis?

25 MR. LEWIS: No issues, Your Honor.

1 JUDGE HAWKENS: All right. Mr. Weisman?

2 MR. WEISMAN: Nothing here, Your Honor.

3 JUDGE HAWKENS: All right. Thank you very
4 much for participating today. I'm going to terminate,
5 but before you hang up, I'd ask you to wait to ensure
6 that Mr. Jackson has all the information he needs from
7 you. With that, the judges will terminate our
8 participation and adjourn. Thank you very much.

9 (Whereupon, the above-entitled
10 teleconference was concluded at 3:16 p.m.)
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