

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

Before Administrative Judges:

Michael M. Gibson, Chairman
Dr. Michael F. Kennedy
Dr. William W. Sager

In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Nuclear Generating, Units 3 and 4)

Docket Nos. 50-250-LA and 50-251-LA

ASLBP No. 15-935-02-LA-BD01

June 3, 2016

DISCLOSURE

Pursuant to 10 C.F.R. § 2.347(c), the Board hereby notifies Citizens Allied for Safe Energy, Inc., Florida Power & Light Company, and the NRC Staff that the Board received the attached email concerning the merits of this proceeding on June 1, 2016.¹ This communication will not be considered by the Board for any purpose or in any manner.²

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael M. Gibson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 3, 2016

¹ Under 10 C.F.R. § 2.347(a)(1), “[i]nterested persons outside the agency may not make or knowingly cause to be made to any Commission adjudicatory employee, any ex parte communication relevant to the merits of the proceeding.” Although a non-party “might not be covered by the ex parte rules . . . because it may not be an ‘interested person,’” Philadelphia Electric Co. (Limerick Generating Station, Units 1 & 2), CLI-86-18, 24 NRC 501, 504–05 (1986), the Board is making this disclosure out of an abundance of caution.

² This Disclosure has been served this date by the Office of the Secretary on those designated in the accompanying service list through the agency’s E-filing system and by e-mail.

ATTACHMENT 1

From: Thomas Saporito [<mailto:saprodani@gmail.com>]

Sent: Wednesday, June 01, 2016 8:54 AM

To: Gibson, Michael <Michael.Gibson@nrc.gov>; Kennedy, Michael <Michael.Kennedy@nrc.gov>; Sager, William <William.Sager@nrc.gov>; nicole.peperl@nrc.gov; jennifer.scro@nrc.gov; hearingdoc@nrc.gov; bwtamia@bellsouth.net; Klett, Audrey <Audrey.Klett@nrc.gov>

Subject: [External_Sender] May 31, 2016 ASLB Initial Decision - FPL Turkey Point Nuclear Plant

Hon. Chairman:

To the extent that the U.S. Nuclear Regulatory Commission (NRC) - Atomic Safety and Licensing Board (ASLB) has rendered an Initial Decision on May 31, 2016 - in the matter of the Florida Power & Light Company (FPL) - Turkey Point Nuclear Plant (TPN) Cooling Canal System (CCS) - the ASLB has erred as a matter of law - and should **reconsider its Initial Decision** for the reason(s) stated herein.

The NRC Petition Review Board (PRB) is actively engaged in consideration of a Petition filed under 10 CFR 2.206 - seeking enforcement action against the licensee FPL - related to licensed operations at the TPN facility with respect to the CCS. The undersigned petitioner has engaged the NRC Office of the Inspector General (OIG) to monitor the proceeding as there appears to be **overwhelming evidence** that the NRC Staff who participated in approving the licensee's LAR to allow licensed operations at the TPN facility with a CCS temperature increase to 104 degrees (F) - **knew that the LAR should have been denied** for the reasons stated in the ASLB's Initial Decision and argued by the opposing party in the ASLB proceeding.

Moreover, there also appears to be substantial evidence showing that NRC personnel appear to have engaged in a "cover-up" of documentation that evidences that the **NRC Staff was fully aware that the licensee's LAR should have been DENIED** - none-the-less - the NRC Staff knowingly approved the LAR.

To the extent that further public engagement with the NRC PRB is expected by the undersigned in the near future - as required under 10 CFR 2.206 - the evidence of apparent "wrong-doing" by the NRC Staff in approving the licensee's LAR will be discussed and turned over to the NRC OIG accordingly. The ASLB is urged to attend the upcoming NRC PRB teleconference.

NRC Project Manager - Audrey Klett is the NRC Contact Person - Audrey.Klett@nrc.gov

Respectfully,
Thomas Saporito

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NUCLEAR REGULATORY COMMISSION

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FLORIDA POWER & LIGHT COMPANY)	Docket Nos. 50-250 and 50-251-LA
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(Turkey Point Nuclear Generating)	
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **DISCLOSURE** have been served upon the following persons by Electronic Information Exchange and by electronic mail.

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Turkey Point, Units 3 & 4, Docket Nos. 50-250 and 50-251-LA

DISCLOSURE

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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 3rd day of June, 2016