

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD



In the Matter of)	Docket Nos. 50-250-SP
FLORIDA POWER & LIGHT COMPANY)	50-251-SP
(Turkey Point Nuclear Generating)	(Proposed Amendments to Facility
Units Nos. 3 and 4))	Operating License to Permit
)	Steam Generator Repair)

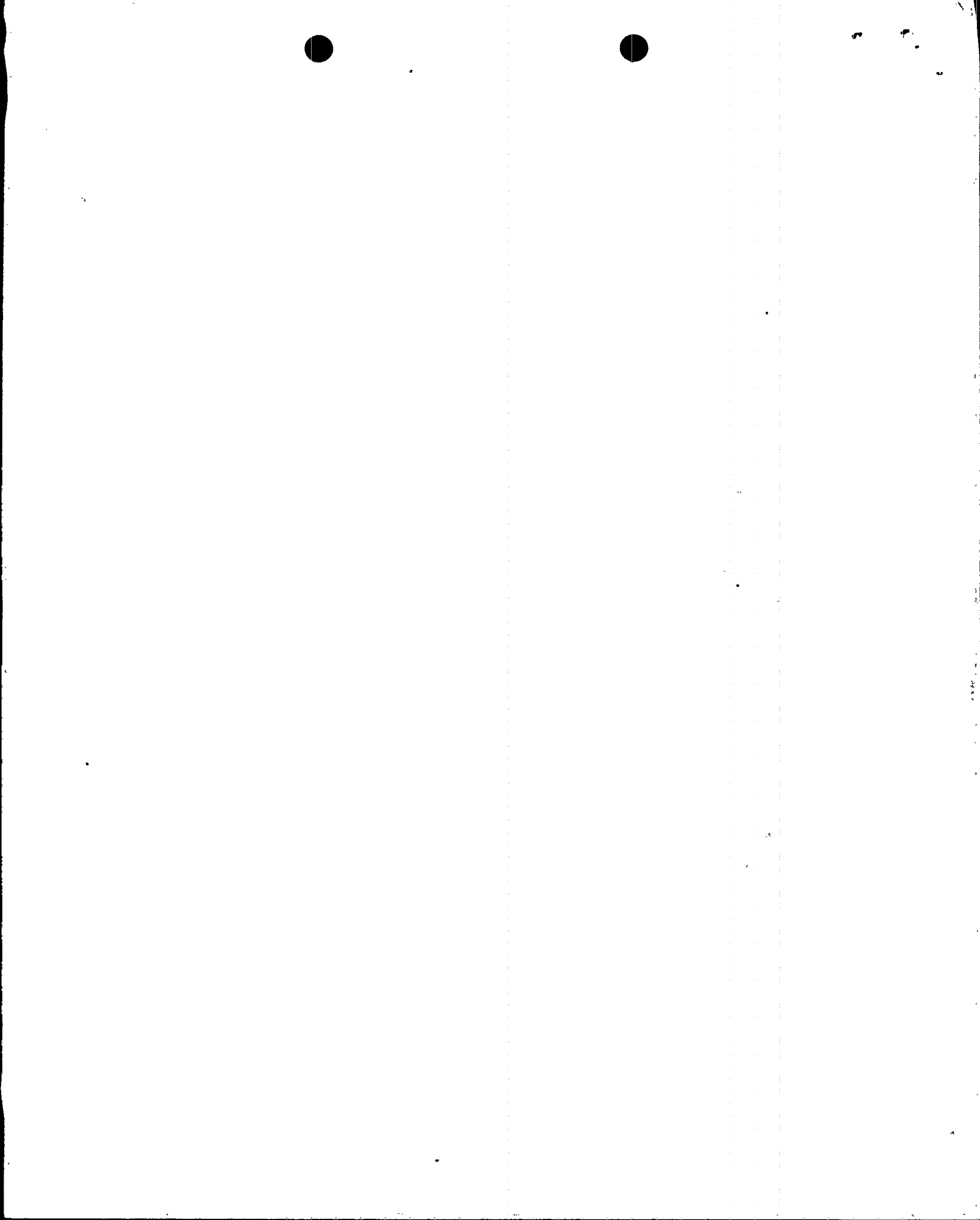
MOTION TO ADOPT PRE-HEARING SCHEDULE
AND
TO SCHEDULE FINAL HEARING

Pursuant to the provisions of 10 CFR Sections 2.703(a)(1), 2.730, and the "Notice of Hearing" issued by the Atomic Safety and Licensing Board August 9, 1979 (44 FR 47821), Licensee respectfully requests that the Board issue an Order adopting the proposed Pre-Hearing Schedule attached to this Motion and schedule the commencement of a Final Hearing for December 4, 1979, in Miami, Florida.

Both Licensee and Intervenor have agreed to the proposed December 4, 1979 hearing date, but the NRC Staff has indicated that it is premature to project dates to file testimony or for the commencement of a hearing. (See letter dated August 31, 1979 from the undersigned co-counsel for Licensee reporting to the Board on the meeting between all parties held August 30, 1979 in Miami, Florida, pursuant to the Board's Order of August 3, 1979.)

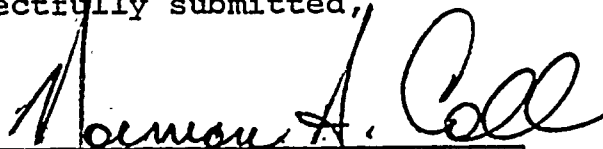
However, the NRC Staff Safety Evaluation for the proposed repairs was issued May 14, 1979, and copies served on the Board

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and parties May 15, 1979. Similarly, the NRC Environmental Impact Appraisal was issued and served on the Board and all parties June 29, 1979. Adoption of the proposed Schedule and scheduling the Final Hearing, as requested, will assist the parties in pre-hearing preparation, including the conduct of discovery and the filing of prepared written testimony.

Respectfully submitted,


A handwritten signature in cursive script, appearing to read "Norman A. Coll", is written over a horizontal line.

NORMAN A. COLL

STEEL HECTOR & DAVIS
Co-Counsel for Licensee
1400 Southeast First National
Bank Building
Miami, Florida 33131

Telephone: (305) 355-2863

Dated: September 4, 1979

PROPOSED SCHEDULE - TURKEY POINT
STEAM GENERATOR REPAIRS
LICENSING HEARING

Thursday	August 30, 1979	Parties meet in Miami - to discuss contentions, possible stipulations, and set a schedule for discovery.
Friday	August 31, 1979	Parties report to Board (ASLB) on meeting of August 30. All parties commence discovery on contentions ruled admissible by Board in Order of August 3, 1979. (Contentions 2, 5, 6, 7, 12 and 18).
Friday	September 14, 1979	Parties simultaneously file and serve statements concerning admissibility of Intervenor's contentions filed with Board with report of August 31, 1979.
Tuesday ^{*/}	October 30, 1979	Cut-off for discovery requests on contentions ruled admissible by the Board in Order of August 3, 1979.
Friday ^{**/}	November 16, 1979	File prepared testimony.
Tuesday ^{**/}	December 4, 1979	Commence hearing.

^{*/} All parties agree that discovery on any other contentions ruled admissible by the Board may commence upon issuance of the Board's order so ruling.

^{**/} Assuming it is consistent with the Board's schedule, both Licensee and Intervenor agree to the proposed December 4 hearing date. The NRC Staff believes it is premature to project dates to file testimony or commence a hearing.

ATTACHMENT

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

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)	50-251-SP
FLORIDA POWER & LIGHT COMPANY)	
(Turkey Point Nuclear Generating)	(Proposed Amendments to Facility
Units Nos. 3 and 4))	Operating License to Permit
)	Steam Generator Repair)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the attached

captioned in the above matter, together with attachment thereto, were served on the following by deposit in the United States mail, first class, properly stamped and addressed, on the date shown below.

Elizabeth S. Bowers, Esquire
Chairman
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. Oscar H. Paris
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dr. David B. Hall
400 Circle Drive
Santa Fe, NM 87501

Atomic Safety & Licensing Board Panel
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U.S. Nuclear Regulatory Commission
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Mr. Mark P. Oncavage
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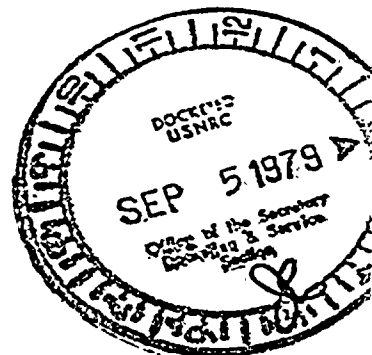
Dated: September 4, 1979



UNITED STATES
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL
WASHINGTON, D.C. 20555

9/4/79

September 4, 1979



Robert M. Lazo, Esq.
Acting Chairman
Atomic Safety and Licensing Board
Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

RE: FLORIDA POWER AND LIGHT COMPANY
(Turkey Point Nuclear Generating
Units 3 and 4, Dockets 50-250 (SP)
and 50-251 (SP), (Proposed Amendments
to Facility Operating License to Permit
Steam Generator Repairs)

Dear Bob:

I have considered the total situation in the proposed Turkey Point proceeding and have determined that I must recuse myself from the Licensing Board. I cannot apply the objectivity and the impartiality required by a member of the Licensing Board Panel. My dissenting opinion to the Board's Order of August 3, 1979, clearly states my position in this matter. I therefore recuse myself from the Turkey Point Board.

Very truly yours,

Elizabeth S. Bowers
for David B. Hall, Member
Atomic Safety and Licensing Board
Panel

