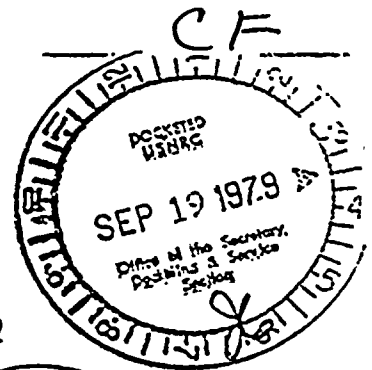


9-19-79

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



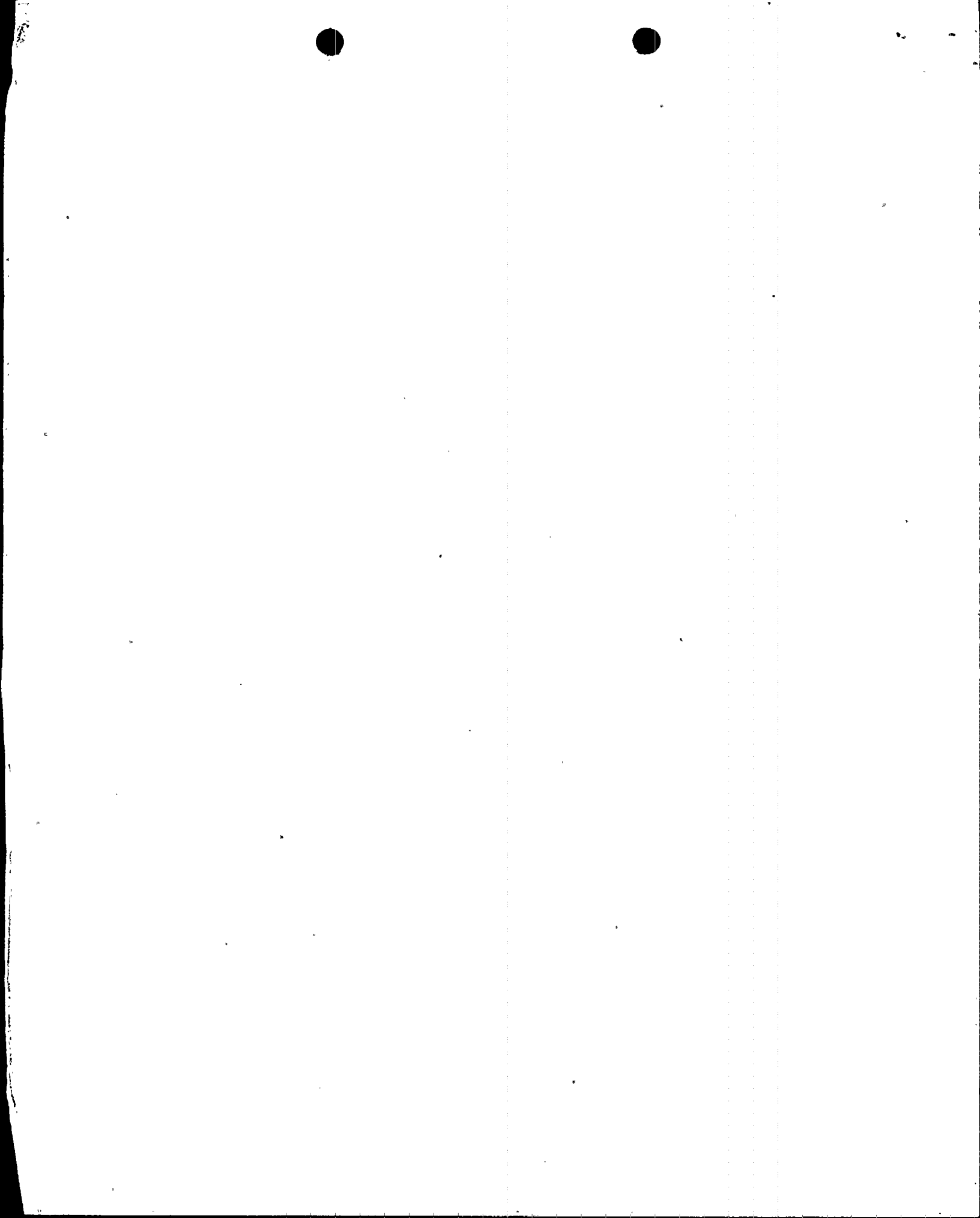
In the Matter of	) Docket Nos. 50-250
FLORIDA POWER & LIGHT COMPANY	) 50-251
(Turkey Point Nuclear Generating	) (Proposed Amendments to Facility
Units Nos. 3 and 4)	) Operating License to Permit
	) Steam Generator Repair)

INTERVENOR'S STATEMENT OF ADMISSIBILITY
OF PROPOSED CONTENTIONS

On August 30, 1979 pursuant to the Atomic Safety and Licensing Board's August 3, 1979 Order, the parties in this action met for discussion on proposed contentions, possible stipulations and to devise a discovery schedule. One outcome of the meeting was that a revised list of 14 contentions was adopted by Intervenor as the issues he chooses to litigate in this proceeding. Of the list of 14 the first 6 contentions are those ruled by the Board as acceptable for litigation in its Order of August 3, 1979, and as such they are not included herein as subject for this statement of admissibility. There was no complete agreement reached thus far between the parties as to either the admissibility or form of the remaining proposed contentions 7 through 14.

Intervenor's position is that Contentions 7 through 14 should be accepted by the Board for litigation. He submits that these contentions clarify the scope of the repair project and resolve potential health hazards to the public and the repair work force. They are sufficiently specific as stated to give Licensee and the NRC Staff adequate notice of the particular areas

7910220 494
G



of concern Intervenor desires to raise in this proceeding.

Regulation 10 CFR 2.714(b) does not envision that prior to Board acceptance of litigable issues Intervenor must provide the ultimate factual predicate to these proposed contentions. However for purposes of assisting the Board in determining the acceptability for litigation of the remaining contentions Intervenor provides here a discussion of his factual analysis of the concerns framed by the contentions. The discussion is in no way meant to be all inclusive nor does Intervenor intend to be in any way limited in his factual proofs in this proceeding to matters discussed. As to the Contentions numbers 7 through 14:

Contention 7. The Licensee and the NRC Staff have failed to state the costs associated with the addition of a "Condensate Polishing System". The only reference to this system is found in the "Safety Evaluation Report", May 14, 1979, p. 3-1, "...the installation and use of condensate polishers will essentially eliminate sludge." The Licensee has denied that the addition of this new system is in any way related to steam generator repairs. In the "Response of Florida Power and Light to Board Order of May 19, 1979", p. 4, the Licensee states: "...installation of non-nuclear components not the subject of the proposed license amendments Within the scope of NEPA, 42 USC sec. 4332(C), the Board has jurisdiction to approve all facets of the repair project.

The isolation of this one component is not compatible with statements in the Licensee's Final Safety and Analysis Report, p.1-1:

"The nuclear power units incorporate a closed cycle pressurized water nuclear steam supply system and a turbine-generator system utilizing dry saturated steam

-2A-

Equipment includes the radioactive waste disposal system, fuel handling system, main transformers, main condensers, and all auxiliaries, structures, and other on site facilities required to provide complete and operable nuclear power units."

The economic and environmental costs of this one component must be fully considered when the costs of repairs are calculated.

The NRC Staff violated 10 CFR 51.5, a, 1C by not including the costs of the acknowledged condenser polishers in a cost/benefit analysis of an Environmental Impact Statement. Furthermore, the NRC Staff has violated 10 CFR 50.55, e, (i), (iii), and (iv) by not evaluating the adequacy of the structure system or component to perform its intended safety function.

The Licensee and the NRC Staff have concealed environmental impact information by the failure to disclose the chemical composition of the condensate polisher effluent, the frequency of discharges, volume per discharge, environmental impact on affected biota, pathways which will allow effluent to enter Federal waterways, and other processes which will allow the effluent to impact the human food chain.

A portion of this information was made available in the "Surry Steam Generator Repair Project", p. 5.5-3:

"(Total of 250-400 regenerations for the station per year.) Total waste volume is approximately 25,600 gallons per regeneration.

- 1) During normal polisher operation
(H-OH operation, to the ammonia break),
the waste volume consists of:

pH = 8.0 to 9.0
 $(\text{NH}_4)_2\text{SO}_4 = 1800 \text{ ppm}$
 $\text{Na}_2\text{SO}_4 = 2540 \text{ ppm}$
30 ppm average 100 ppm max of
Total Suspended Solids (TSS)

- 2) During condenser inleakage operation,
the waste volume consists of:

pH = 8.0 - 9.0
 $(\text{NH}_4)_2\text{SO}_4 = 900 \text{ ppm}$
 $\text{Na}_2\text{SO}_4 = 2530 \text{ ppm}$

NaCl 800 ppm
CO ppm avg - 100 ppm max of TSS

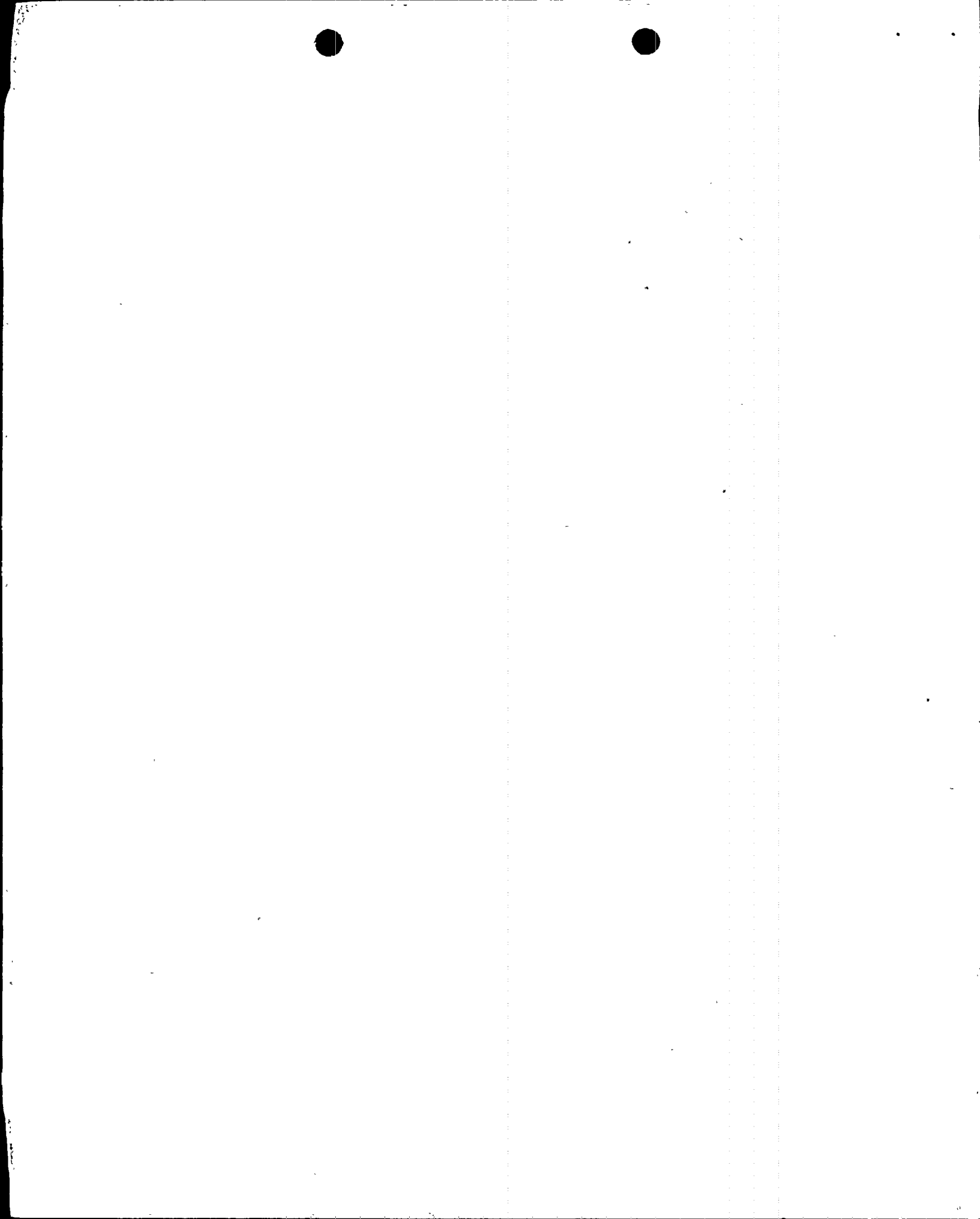
- 3) In addition to items 1 & 2, the following chemicals may be evident:

10 ppm CO_3^{--}
75 ppm SO_4^{--}
1 ppm NO_3^{--}
2 ppm Br-
1 ppm F-
10 ppm Ca-
40 ppm Mg-
15 ppm K-

This effluent will concentrate in the cooling canal environment until released to Biscayne Bay or Card Sound. The release to these Federal Waterways may be accomplished by tidal flushing, storm surge which may breach the dike system, and direct discharge to Card Sound via the Card Sound Canal.

The Final Judgment of Civil Action 70-828-CA, prohibiting the discharge of cooling water into Biscayne Bay contains several exceptions:

- "1. Discharges to and withdrawals from Card Sound shall be made only through the Card Sound Canal.;"
- "6. The flow measured at the control structure shall not exceed 1200 cfs." (cubic feet per second)
- "7. Discharges and withdrawals shall be limited to a tidal regimen (which approximates a six hour period), except in the event that salinity in the cooling system approaches 1.10 times the salinity of the water of Card Sound, or 44 parts per thousand, whichever is more limiting and an additional time period is required to avoid exceeding those limits;"



"During a national power emergency, regional emergency, reactor emergency, or at any time when the health, safety, or welfare of the public may be endangered by the inability of Florida Power and Light to supply electricity from any other sources available to it, the operating limits provided in this final judgement shall be inapplicable."

Tarnes Sound, Little Card Sound, Card Sound, South Biscayne Bay, and Biscayne Bay are all interconnected inshore lagoons.

Pursuant to the salinity and dissolved solids specifications in the Final Judgement, the Licensee will be allowed higher discharge rates than the 1200 cfs limit. If the condensate polisher effluent steadily concentrates the salinity, the discharge rate will increasingly exceed the 1200 cfs limit.

The Board should concern themselves with this new effluent source. A new "National Pollutant Discharge Elimination System" permit must be sought by the Licensee to include this new source of pollution.

10 CFR 50, Interim policy statement on implementation of section 511 of the FWPCA Amendments of 1972, Section 5 states:

"If it is determined that the facility or activity, or any part thereof, will not comply with the limitations or other requirements, then the facility or activity or particular part in question, shall not be approved in the NRC License or Permit."

Contention No. 6.

Concerns of public safety during operation of a reactor, with a large percentage of primary coolant tubes plugged, comes within the jurisdiction of the Board that is hearing litigation on steam generator repairs.

Apparently, the overriding reason for repairing the steam generators at Turkey Point is to obviate the derating scheme outlined by the NRC Staff in the Environmental Impact Appraisal.

There appears to be a momentous safety problem involved, since the Office of Nuclear Reactor Regulation will take the drastic step of beginning a phaseout of the Turkey Point Facility if the corrosion continues. The consequences of a reactor accident that occurs during normal operation and is aggravated by defective steam generators slated for repairs, may be of the highest magnitude of disasters. The NRC, whose primary purpose is to guard the health and safety of the public, must consider the safety problems involved with all aspects of steam generator repairs. The residents of South Florida deserve assurance of safe operation or strong protective measures, if their safety has been compromised. In either case, a reasonable explanation of the dangers, of operating a reactor with defective steam generators should be made public.

The NRC Staff has cryptically stated in the EIA that at 25% tubes plugged, there may not be enough heat transfer area to operate safely.

This statement may satisfy the licensee and the NRC Staff, but it leaves too many questions unanswered to be reassuring. The board should be dissatisfied with such an evasion of a safety problem of such magnitude.

The NRC charges the decision making Federal Agency, the overriding duty of protecting the human environment. One of the facets of the steam generator repair decision is a determination of when repairs become necessary. Until the NRC Staff clearly demonstrates why 25% tubes plugged may be a safety problem and not a threshold of 24.9% or 23%, this threshold stands as arbitrary and capricious. If no proof exists, the safety of the South Florida Community may now be in jeopardy.

The explanation of "not enough heat transfer area" fails to explain what parameters become unconservative..

1. Will decreased transfer area induce transients?
2. Will transients be more likely to lead to IOCAs?
3. Will decreased transfer area induce IOCAs?
4. Will decreased transfer area reduce the safety margin for reacting to a IOCA?
5. Will defective tubes in conjunction with 25% tubes plugged, rupture when primary coolant is lost, thereby stalling the LOCS?
6. Will the workers and the public face the possibility of high radiation exposure due to defective steam generators?

The NRC Staff by concealing important safety parameters is violating 10 CFR 60, Appendix K, 1, sec. a.

Contention No. 9.

The licensee and the NRC Staff have failed to determine the total amount of radiation released offsite, during steam generator repairs. Sources of radiation must include the operating reactor, reactor buildings, steam generators in transit, gaseous emissions, construction dust, air particulates, cooling canal water, decontamination liquids, liquid construction effluent, laundry wastes, primary coolant, processed primary coolant, stored primary coolant, fuel movement, resins, filters, runoff, secondary coolant, spent fuel pits, storage tanks, ducts, radwaste building, concrete, tools, clothing, scaffolding, protective shields, work envelopes, clean rooms, and postulated accidents. Calculations are to be performed in conformance with Regulatory Guide 1.109.

Special consideration must be given to the characteristics of the porous limestone rock underlying Turkey Point and the close proximity of Biscayne Bay. 10 CFR 100.10, (c) states:

"(2) Meteorological conditions at the site and in the surrounding area should be considered."

"(3) Geological and hydrological characteristics of the proposed site may have a bearing on the consequences of an escape of radioactive material from the facility. Special precautions should be planned if a reactor is to be located at a site where a significant quantity of radioactive material effluent might accidentally flow into nearby streams or rivers or might find ready access to underground water tables."

Contention 10.

(a) The SGRR, December 1977, p.2-2 indicates there is no present process to arrest tube and plate corrosion. The EIA issued June 29, 1979 fails to consider this possibility. Such consideration becomes important in two ways: Arresting corrosion before 25% of the tubes become plugged would obviate the necessity of costly steam generator repairs, and if, after repairs are completed, corrosion continues to occur there may still be no mechanism for preventing the degradation of tubes. Thus a new round of costly and dangerous steam generator repairs may have to be undertaken. The NRR has voiced serious doubts about the ability of the re-designed steam generators to withstand corrosive attack. The SER p. 3-1 states:

"The Quatrefoil Plate design has led to some tube degradation in the form of a type of erosion cavitation mechanism in once-through steam generators."

At page 3-2 the SER also states:

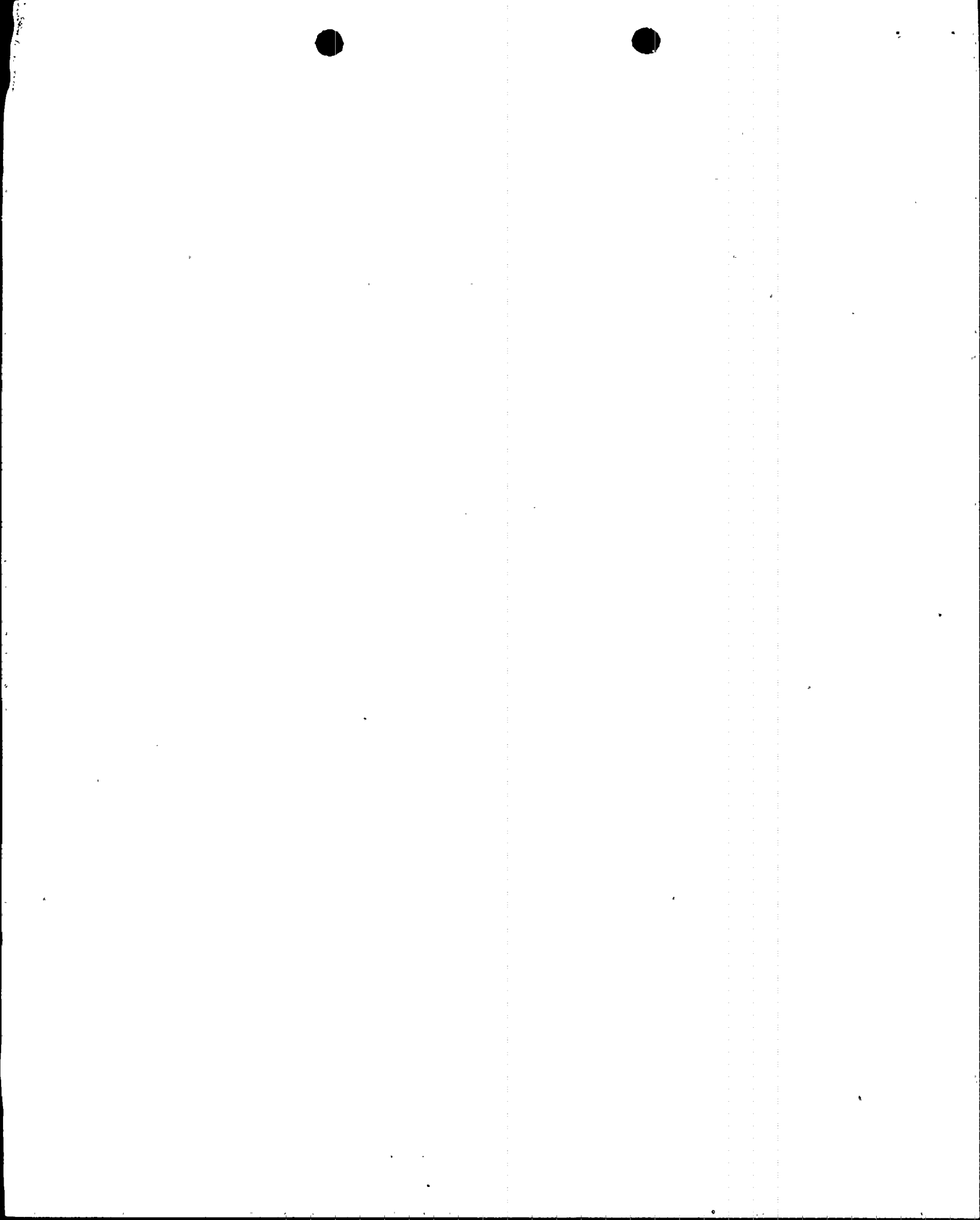
"In the event that denting reactions be initiated we would have some concern over the propensity of this material for stress corrosion cracking in a chloride environment."

(b) The alternative of sleeving degraded tubes should be considered based on the experience of the sleeving project at the Palisades Nuclear Power Station in Michigan.

(c) The Westinghouse Report, WCAP 9398, "Steam Generator Retubing and Refurbishment", describes a process vastly superior to the method proposed in the SGRR.

(1) Worker exposure is estimated at 450-600 Man-Rem per unit. This represents a saving of 1400 Man-Rem for 2 units over the Licensee's estimation of 2600 Man-Rem.

(2) Work can be accomplished in a quarter (91days) as stated on p.5-18 which represents a saving of 232 days outage time for the station.



(3) Defective tubes will be cut and packaged for shipment to a licensed land disposal site. This removes the potential hazards associated with storing defective steam generators in an earthen floor building onsite.

(d) Derating appears as an acceptable course of action when taken in conjunction with alternate methods.

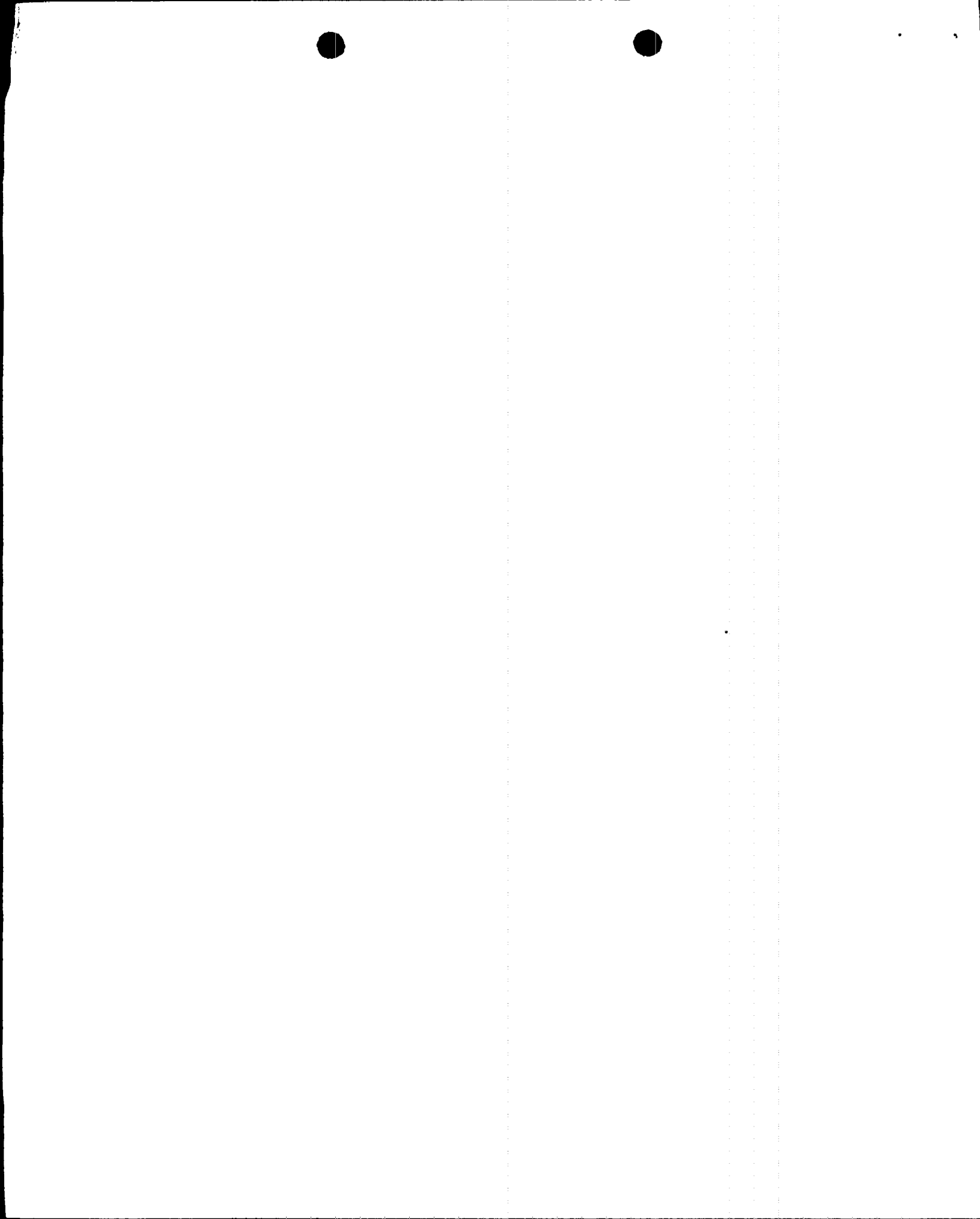
The EIA, June 29, 1979 states that the Westinghouse re-tubing may take 2 years to win approval. Since the present projection of the commencement of repairs is the fall of 1980, there may be a delay of one year incurred if retubing is chosen as the best method. During that year (Fall 1980 to Fall 1981) only Unit no. 4 would be derated at a cost of \$4,380,000 while Unit no. 3 would run full power. In the fall of 1981, the Licensee could elect to repair Unit 4 or Units 4 and 3 in sequence. If Unit 3 is kept running through 1981 to 1982 it would then be in its first year of derated operation and the cost would be \$4,380,000 plus inflation.

(e-j) These may be discussed as one option. The derating formula allows broad flexibility in phasing in Bioconversion, conservation and solar techniques while phasing out the defective operation of Units 3 and 4. Power interruptions and economic dislocation need not occur as conservation and renewable sources slowly expand.

Decommissioning would become necessary if the safest and most economical option is fossil fuel generation of electricity. Economic savings would occur if components used for Units 3 and 4 were converted to fossil fuel generation. The use of cooling canals, barge facilities, existing grid, transformers, turbines and possibly reuse of the reactor buildings can represent areas of great economic savings.

Contention 11. The Licensee has not provided a cost benefit analysis for steam generator repairs. One major factor is assessing costs that has been obfuscated is the time period estimated for accomplishing the proposed repairs. The steam generator repair report (SGRR) p. 2-5 projects an outage time of 207 days. The SER, p. 1-1 states an outage time from 6 to 9 months (183 to 274 days) and later, p.2-13, mentions a projection of a 300 day outage. While the Licensee and the NRC Staff allows a wide latitude in outage time for repairs, all stated replacement electricity costs are based on 207 days which is a very low end estimate. Were the actual outage time to exceed 207 days many other projections become less credible; (1) the costs of replacement electricity, (2) the costs of maintaining a work force, (3) the costs of maintaining construction equipment, (4) the costs related to longer periods of worker exposure, (5) environmental costs of construction effluent (dust, liquid wastes, laundry wastes), and (6) environmental costs of replacement electricity, e.g. thermal pollution from the possible reopening of the Cutler, Riviera and Palatka fossil fuel plants.

(a) All benefits of steam generator repairs can be negated if tube corrosion or other processes requiring tube plugging reoccur. Worker exposure rates will be again elevated and the one time large estimated dose of 2600 Man-Rem (3300 to 5800 Man-Rem according to NUREG-0199) will never show a positive balance. Unit no. 4 was put into commercial operation September 1973. The letter of September 20, 1977 from FP&L to the NRC states that inspections and plugging operations were initiated two years prior to the letter. Thus Unit 4's tubes were degraded within 2 years



of the commencement of commercial operation. It should also be noted that the economic cost of steam generator repairs will be passed on to the rate payers as pure inflation, since no additional generating capacity will be built. If the redesigned lower assemblies fail to prevent reoccurrence of tube degradation the economic burden on the rate payers considerably worsens.

(b) In the letter of June 8, 1979 to the Office of Nuclear Reactor Regulation, FP&L states "fossil fuel used to generate replacement electricity while Turkey Point is Off-Line will cost \$300,000-\$400,000 a day." This statement indicates that the flat \$300,000 per day costs is an insufficient projection. Another problem arising from this statement is that replacement power may encompass many costs other than fossil fuel costs. In effect the most recent estimate on fuel costs may not be a total estimate of replacement power costs. The situation is further worsened if repairs substantially exceed the 207 day outage period.

(c) When assessing costs to the Man-Rem area it should be noted that the research of Dr. Karl Z. Morgan, Health Physicist indicates that the statistical occurrence of cancer may be significantly higher than the FP&L estimate of 0.2 cancers for the 2600 Man-Rem project. In view of the NEPA mandate to consider the degradation of the human environment the consideration of Dr. Morgans analysis is within the jurisdiction of the Board. 40 CFR 1500.4. 10 CFR 50 Appendix I offers interim dollar amounts until better figures can be developed. In view of an increased cancer risk assessment and the skyrocketing costs of health care, under NEPA the Board may consider more realistic costs of a Man-Rem other than \$1,000.

(d) The Licensee has failed to state the final disposition of the defective steam generators. Merely delaying the decision process until the decommissioning of the reactor does not absolve Licensee from assessing the costs of using an irretrievable resource. Until an environmental impact statement is written, questions about future land use cannot be answered. Reasonable questions are (1) when, if ever, will this land be safe for purposes other than storing wastes? (2) What are the costs associated with restoring the land to a higher use? (3) Will the presence of this land, if contaminated pose a hazard to the human environment?

(e) The licensee has attempted to obscure the true scope of the repair project. The SER p.3-1 states:

"Along with the absence of phosphates, planned condenser retubing and the installation and use of condensate polishers will essentially eliminate sludge."

Under NEPA, the Board is charged with the duty of reviewing the entire repair project.

(f) The economic estimate used in the EIA was originally published in the SGRR Rev. 2 December 1977. These estimates have not been revised to account for inflation occurring since 1977. If the target date for repairs is the Fall of 1980 accurate estimates must be provided to arrive at a valid cost benefit analysis.

Contention 12. The Licensee in the SGRR has not made a strong commitment to the ALARA principle. The Licensee in the SGRR p. 7-6 states:

"FP&L subscribes to the precept of maintaining exposures ALARA. This principle must take into account the state of technology and the economics

associated with any reduction in Man-Rem exposure. One overriding consideration is the duration of the Unit outage. Since each day of Unit unavailability is worth about \$300,000, any Man-Rem reduction measures must result in savings of at least 300 Man-Rem per day of increased downtime."

Thus the overriding principle appears to be that any Man-Rem exposure is acceptable if the economic considerations are reasonably high.

Contention 13. Public health is dependent on the accuracy of the monitoring of radioactive releases from Turkey Point. If the monitoring is insufficient NRC effluent standards may be exceeded and the public health may be endangered and may degenerate. Accurate monitoring is central to all NRC effluent standards which in turn impact on the state of the state of the human environment and the accuracy of NEPA related decisions.

Monitoring procedures that are performed infrequently are immediately suspect. The proposed swipe tests on steam generator seals at quarterly intervals demonstrate a callous disregard for the ALARA principle. The storage of radioactive wastes demands the isolation of these wastes from the environment. Having information on the movement of radioactivity only four times a year greatly compromises accurate monitoring on the integrity of the sealwelds. Continual monitoring under some conditions may even prove to be inadequate, but if such a procedure is the safest alternative it must be pursued.

The monitoring procedure for laundry waste water in the SGRR presents the possibility for greatly underestimating the radiation released to the cooling canals. Reliance on a table of estimated releases may have a measure of accuracy for total

effluent release, but day to day concentrations of activity can only be measured on a day to day, sample by sample basis. The SGRR sampling procedure does not conform with the laundry waste water procedure outlined in the FSAR. All liquid wastes will be held up in tanks, analyzed then disposed properly. FSAR p. 11, 1-9.

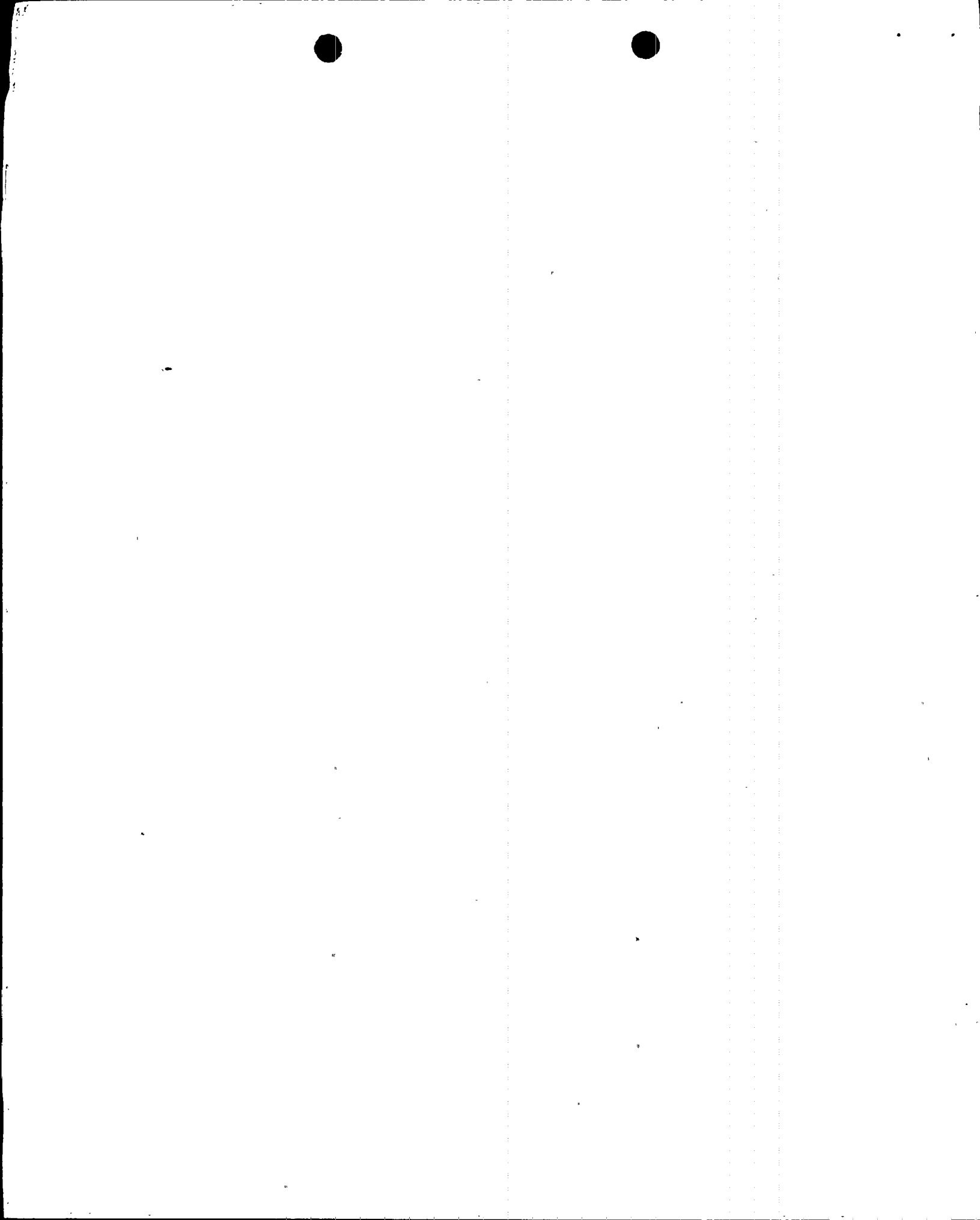
Dosimetry on workers remains suspect. Badges only record doses that strike the badge. Varying radiation fields may produce exposures far higher than recorded when a worker is confined to a cramped space in high radiation fields such as the interior of a steam generator.

A NEPA mandated decision should be based on the most accurate of information. If monitoring procedures are insufficient the NEPA decision may not sufficiently calculate the dangers to the public health and the impact on the environment.

The reports of accidents at the Three Mile Island plant and Rocky Flats show that monitoring procedures during accidental releases were grossly inadequate.

Contention 14. The Licensee is violating NRC Fire Protection Guidelines specified in "Manpower Requirements For Operating Reactors", June 5, 1978. The NRC Staff recommends a fire brigade of 5 men. The Licensee insists on 3 men. The 1 1/2 inch hose is a two man operation in a windowless room. An occurrence of simultaneous fires could not be handled by a 3 man crew. Against the recommendations of the NRC, the Licensee will not install a firewater standpipe system in containment.

The consequences of a fire are grave. Workers will be in a containment building with only one exit. Cutting and welding operations in conjunction with solvents, scaffolding, and



protective shields can produce a fire risk much higher than normal reactor operations. The consequences of a fire in the area of radioactive materials will compromise normal isolating devices such as HERA filters, protective shields and protective clothing. In addition radioactive material may volatilize under fire conditions allowing an uncontrolled release of radiation.

Another objection raised by the NRC Staff and Licensee as to various of Intervenor's Contentions, both accepted for litigation and proposed, questions the applicability of the Federal Water Pollution Control Act (FWPCA) to this proceeding. It is Intervenor's position that FWPCA applies in at least the following ways. 33 USC Sec. 1311(a) imposes the requirement on Licensee of amending their current NPDES permit in order to obtain authorization for changes in their effluent discharges which will occur as a result of new proposed systems such as the condensate polisher demineralizing system and from construction effluents. Both the NPDES permit and the state certification required by 33 USC Sec. 1341 (1978) are requisites for issuance of amendments to Licensee's operating license by the NRC. Section 1341 is unambiguous: there shall be no federal approval of any private activity which results in the release of any water pollutants unless the appropriate state has been duly notified and given an opportunity to hold hearings or conduct other proceedings incident to the issuance or denial of certification. The NRC under this provision of FWPCA is legally powerless to grant the license amendments until the certification is in hand.

FWPCA also applies with regard to any potential discharge of high level radioactive effluent into navigable waters. 33 USC Sec. 1311(f). The Board in weighing the viability of Licensee's proposed repairs must consider pursuant to this provision whether or not there is inherent in the proposed plan a substantial risk for the release of highly radioactive effluent.

FWPCA standards are further involved by reference to the NEPA cost benefit analysis which must be required before NRC decision on the proposed amendments. When considering the impact on public health and the environment of this complete repair project some reference to already promulgated standards such as FWPCA must be performed in order to accurately assess the potential harm that may accrue as a result of the repairs.

For these stated reasons and all that maybe forthcoming Intervenor respectfully requests the Board to accept for litigation his proposed contentions 7 through 14.

Respectfully submitted,
BRUCE S. ROGOW
JOEL V. LUMER
RICHARD A. MARSHALL, JR.
Counsel for Intervenor
3301 College Avenue
Fort Lauderdale, Florida 33314
(305) 587-6660

By Richard A. Marshall, Jr.
Richard A. Marshall, Jr.
18450 S.W. 212th Street
Miami, Florida 33187
305-233-8104

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of

Docket Nos. 50-250
50-251

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Nuclear Generating
Units Nos. 3 and 4)

(Proposed Amendments to
Facility Operating License
to Permit Steam Generator
Repair)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the attached Intervenor's
Statement of Admissibility of Proposed Contentions were served
on the following by deposit in the United States mail, first
class, properly stamped and addressed on September 15, 1979.

Elizabeth S. Bowers, Esq.
Chairperson
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

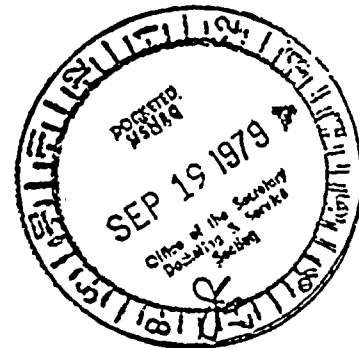
Dr. Oscar H. Paris
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Steven C. Goldberg, Esq.
U.S. Nuclear Regulatory Commission
Office of the Executive Legal Director
Washington D.C. 20555



Norman A. Coll, Esq.
STEEL, HECTOR & DAVIS
1400 Southeast First National Bank Building
Miami, Florida 33131

Harold F. Reis, Esq.
Lowenstein, Newman, Reis, Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington D.C. 20036

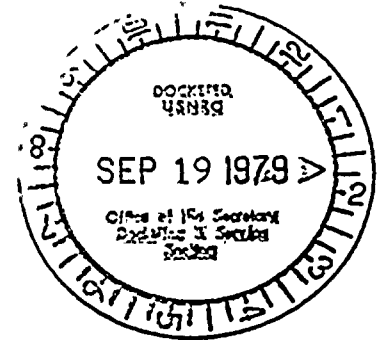
Richard A. Marshall, Jr.
RICHARD A. MARSHALL, JR.
18450 S.W. 212th Street
Miami, Florida 33187
(305) 233-8104

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of
FLORIDA POWER AND LIGHT COMPANY
(Turkey Point Nuclear Generating
Unit Nos. 3 and 4)

Docket Nos. 50-250
50-251
(Proposed Amendments to Facility
Operating Licenses to Permit
Steam Generator Repair)



NRC STAFF RESPONSE TO LICENSEE MOTION TO ADOPT
PRE-HEARING SCHEDULE AND TO SCHEDULE FINAL HEARING

On September 4, 1979, the Licensee filed a motion to adopt a prehearing and hearing schedule in the captioned proceeding. The proposed schedule includes commencement of a hearing on December 4, 1979. The NRC Staff agrees with the proposed schedule with respect to the contentions already admitted, namely, contentions 1 through 6. The Staff ability to proceed to hearing on admitted contention 6 on the proposed schedule assumes the timely acquisition of additional pertinent information from the Licensee.

Several additional contentions have been proposed by the Intervenor and briefed by all parties on September 14, 1979. Due principally to the lack of clarity in the proposed contentions, the Staff is unable to ascertain the extent of testimony preparation necessary to address the underlying issues. Therefore, the Staff is unable to agree to a hearing date(s) on the proposed contentions until, at least, the Board's formal ruling thereon.

Respectfully submitted,

Steven C. Goldberg
Steven C. Goldberg
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 17th day of September, 1979.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF RESPONSE TO LICENSEE MOTION TO ADOPT PRE-HEARING SCHEDULE AND TO SCHEDULE FINAL HEARING" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 17th day of September, 1979:

*Elizabeth S. Bowers, Esq., Chairman
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Dr. Oscar H. Paris
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Mark P. Oncavage
12200 S. W. 110th Avenue
Miami, Florida 33176

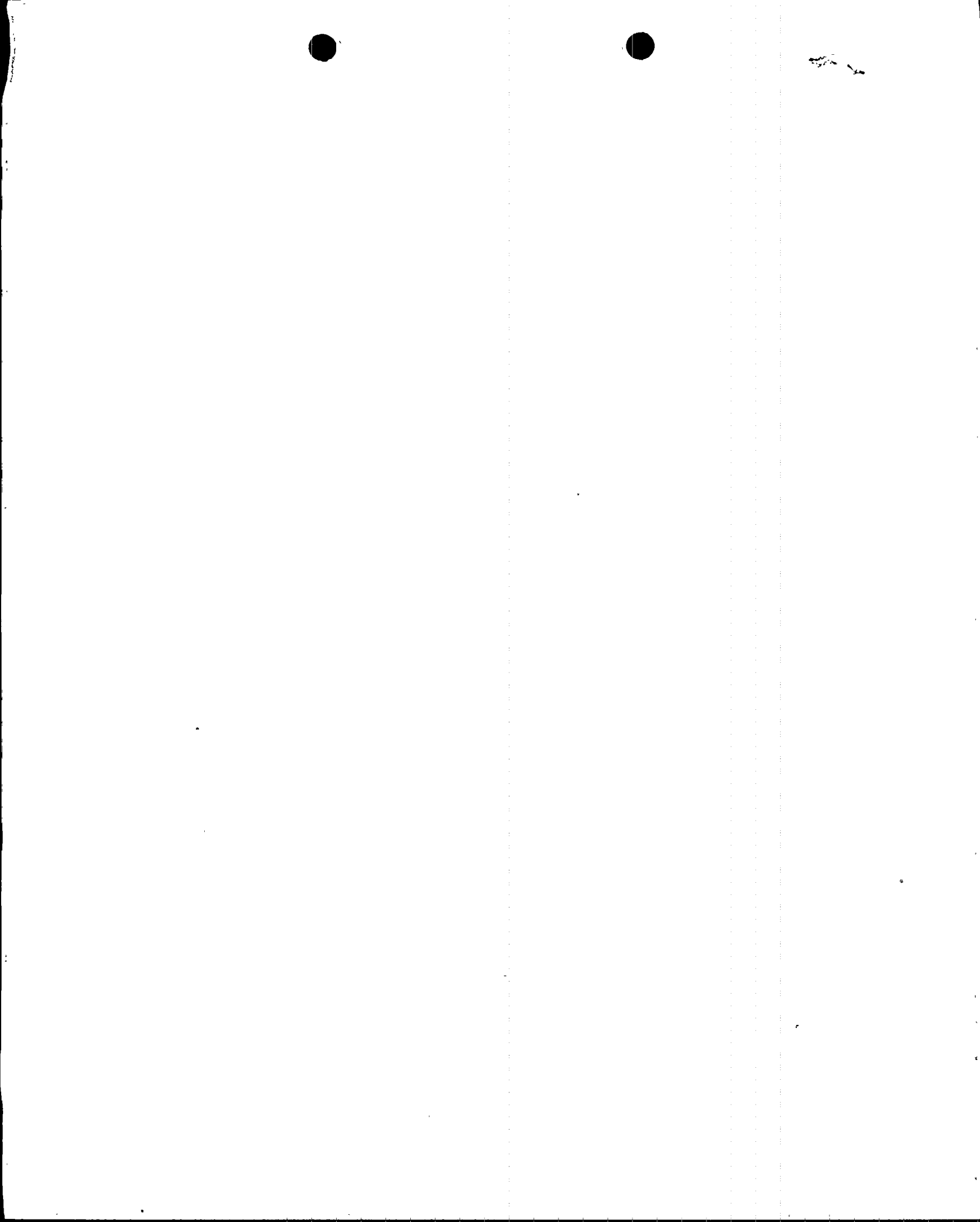
Harold F. Reis, Esq.
Lowenstein, Newman, Reis,
Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

*Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

*Atomic Safety and Licensing
Appeal Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555


*Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Norman A. Coll, Esq.
Steel, Hector & Davis
Southeast First National
Bank Building
Miami, Florida 33131



Martin H. Hodder, Esq.
1131 N.E. 86th Street
Miami, Florida 33138

Bruce S. Rogow, Esq.
Nova Law School
3301 College Avenue
Ft. Lauderdale, Florida 33314



Steven C. Goldberg
Counsel for NRC Staff

9/15/79

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD



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

INTERVENOR'S STATEMENT OF ADMISSIBILITY
OF PROPOSED CONTENTIONS

On August 30, 1979 pursuant to the Atomic Safety and Licensing Board's August 3, 1979 Order, the parties in this action met for discussion on proposed contentions, possible stipulations and to devise a discovery schedule. One outcome of the meeting was that a revised list of 14 contentions was adopted by Intervenor as the issues he chooses to litigate in this proceeding. Of the list of 14 the first 6 contentions are those ruled by the Board as acceptable for litigation in its Order of August 3, 1979, and as such they are not included herein as subject for this statement of admissibility. There was no complete agreement reached thus far between the parties as to either the admissibility or form of the remaining proposed contentions 7 through 14.

Intervenor's position is that Contentions 7 through 14 should be accepted by the Board for litigation. He submits that these contentions clarify the scope of the repair project and resolve potential health hazards to the public and the repair work force. They are sufficiently specific as stated to give Licensee and the NRC Staff adequate notice of the particular areas

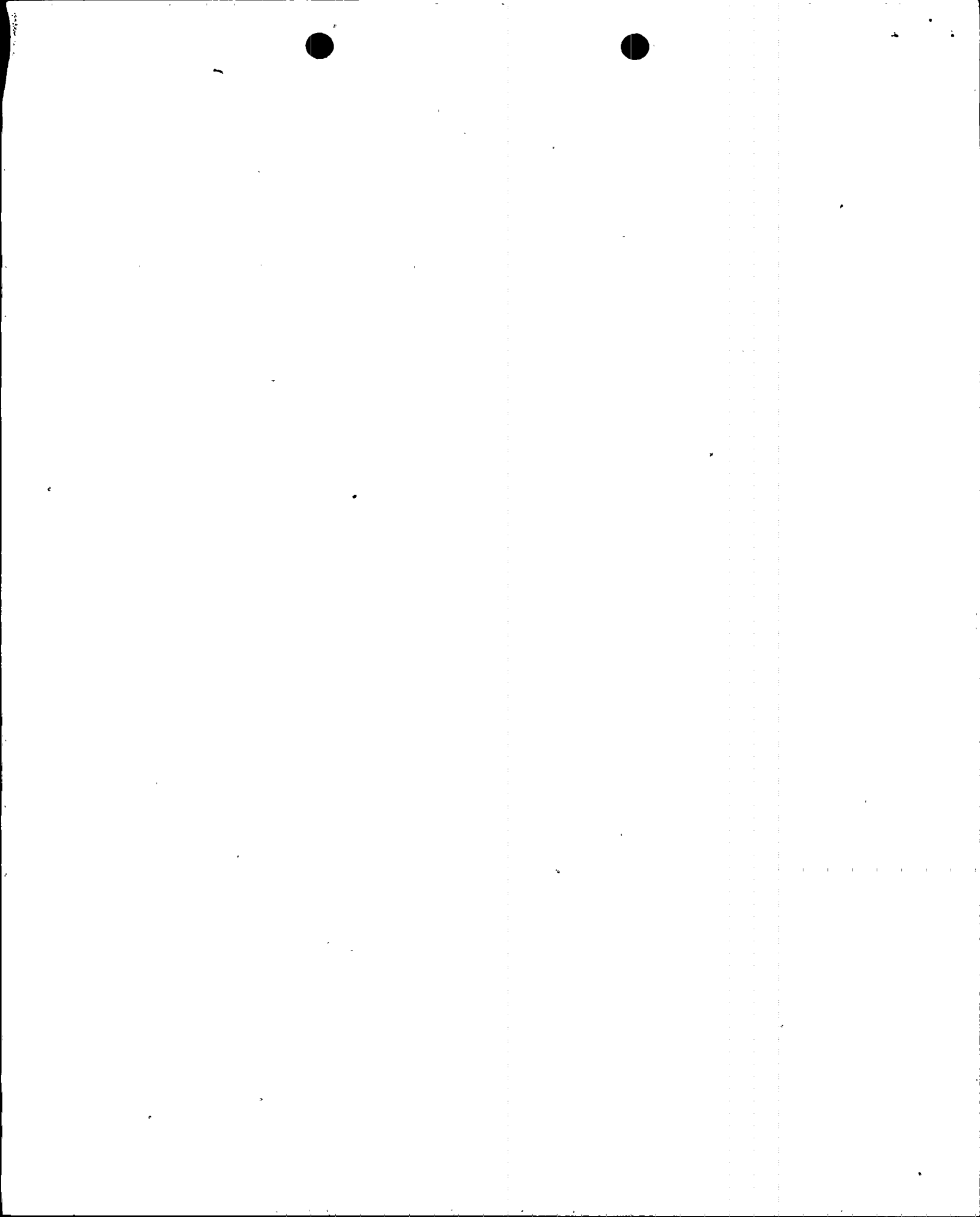
of concern Intervenor desires to raise in this proceeding.

Regulation 10 CFR 2.714(b) does not envision that prior to Board acceptance of litigable issues Intervenor must provide the ultimate factual predicate to these proposed contentions. However for purposes of assisting the Board in determining the acceptability for litigation of the remaining contentions Intervenor provides here a discussion of his factual analysis of the concerns framed by the contentions. The discussion is in no way meant to be all inclusive nor does Intervenor intend to be in any way limited in his factual proofs in this proceeding to matters discussed. As to the Contentions numbers 7 through 14:

Contention 7. The Licensee and the NRC Staff have failed to state the costs associated with the addition of a "Condensate Polishing System". The only reference to this system is found in the "Safety Evaluation Report", May 14, 1979, p. 3-1, "...the installation and use of condensate polishers will essentially eliminate sludge." The Licensee has denied that the addition of this new system is in any way related to steam generator repairs. In the "Response of Florida Power and Light to Board Order of May 19, 1979", p. 4, the Licensee states: "...installation of non-nuclear components not the subject of the proposed license amendments Within the scope of NEPA, 42 USC sec. 4332(C), the Board has jurisdiction to approve all facets of the repair project.

The isolation of this one component is not compatible with statements in the Licensee's Final Safety and Analysis Report, p.1-1:

"The nuclear power units incorporate a closed cycle pressurized water nuclear steam supply system and a turbine-generator system utilizing dry saturated steam



-2A-

Equipment includes the radioactive waste disposal system, fuel handling system, main transformers, main condensers, and all auxiliaries, structures, and other on site facilities required to provide complete and operable nuclear power units."

The economic and environmental costs of this one component must be fully considered when the costs of repairs are calculated.

The NRC Staff violated 10 CFR 51.5, a, 1C by not including the costs of the acknowledged condenser polishers in a cost/benefit analysis of an Environmental Impact Statement. Furthermore, the NRC Staff has violated 10 CFR 50.55, a, (i), (iii), and (iv) by not evaluating the adequacy of the structure system or component to perform its intended safety function.

The Licensee and the NRC Staff have concealed environmental impact information by the failure to disclose the chemical composition of the condensate polisher effluent, the frequency of discharges, volume per discharge, environmental impact on affected biota, pathways which will allow effluent to enter Federal waterways, and other processes which will allow the effluent to impact the human food chain.

A portion of this information was made available in the "Surry Steam Generator Repair Project", p. 5.5-3:

"(Total of 250-400 regenerations for the station per year.) Total waste volume is approximately 25,600 gallons per regeneration.

- 1) During normal polisher operation (H-OH operation, to the ammonia break), the waste volume consists of:

pH = 8.0 to 9.0
 $(\text{NH}_4)_2\text{SO}_4 = 1800 \text{ ppm}$
 $\text{Na}_2\text{SO}_4 = 2540 \text{ ppm}$
CC ppm average 100 ppm max of
Total Suspended Solids (TSS)

- 2) During condenser inleakage operation, the waste volume consists of:

pH = 8.0 - 9.0
 $(\text{NH}_4)_2\text{SO}_4 = 900 \text{ ppm}$
 $\text{Na}_2\text{SO}_4 = 2530 \text{ ppm}$

NaCl 800 ppm
80 ppm avg - 100 ppm max of TSS

- 3) In addition to items 1 & 2, the following chemicals may be evident:

10 ppm CO_3^{2-}
75 ppm SO_4^{2-}
1 ppm NO_3^-
2 ppm Br-
1 ppm F-
10 ppm Cl-
40 ppm Mg-
15 ppm K-

This effluent will concentrate in the cooling canal environment until released to Biscayne Bay or Card Sound. The release to these Federal Waterways may be accomplished by tidal flushing, storm surge which may breach the dike system, and direct discharge to Card Sound via the Card Sound Canal.

The Final Judgment of Civil Action 70-828-CA, prohibiting the discharge of cooling water into Biscayne Bay contains several exceptions:

- "1. Discharges to and withdrawals from Card Sound shall be made only through the Card Sound Canal.;"
- "6. The flow measured at the control structure shall not exceed 1200 cfs." (cubic feet per second)
- "7. Discharges and withdrawals shall be limited to a tidal regimen (which approximates a six hour period), except in the event that salinity in the cooling system approaches 1.10 times the salinity of the water of Card Sound, or 44 parts per thousand, whichever is more limiting and an additional time period is required to avoid exceeding those limits;"

"During a national power emergency, regional emergency, reactor emergency, or at any time when the health, safety, or welfare of the public may be endangered by the inability of Florida Power and Light to supply electricity from any other sources available to it, the operating limits provided in this final judgement shall be inapplicable."

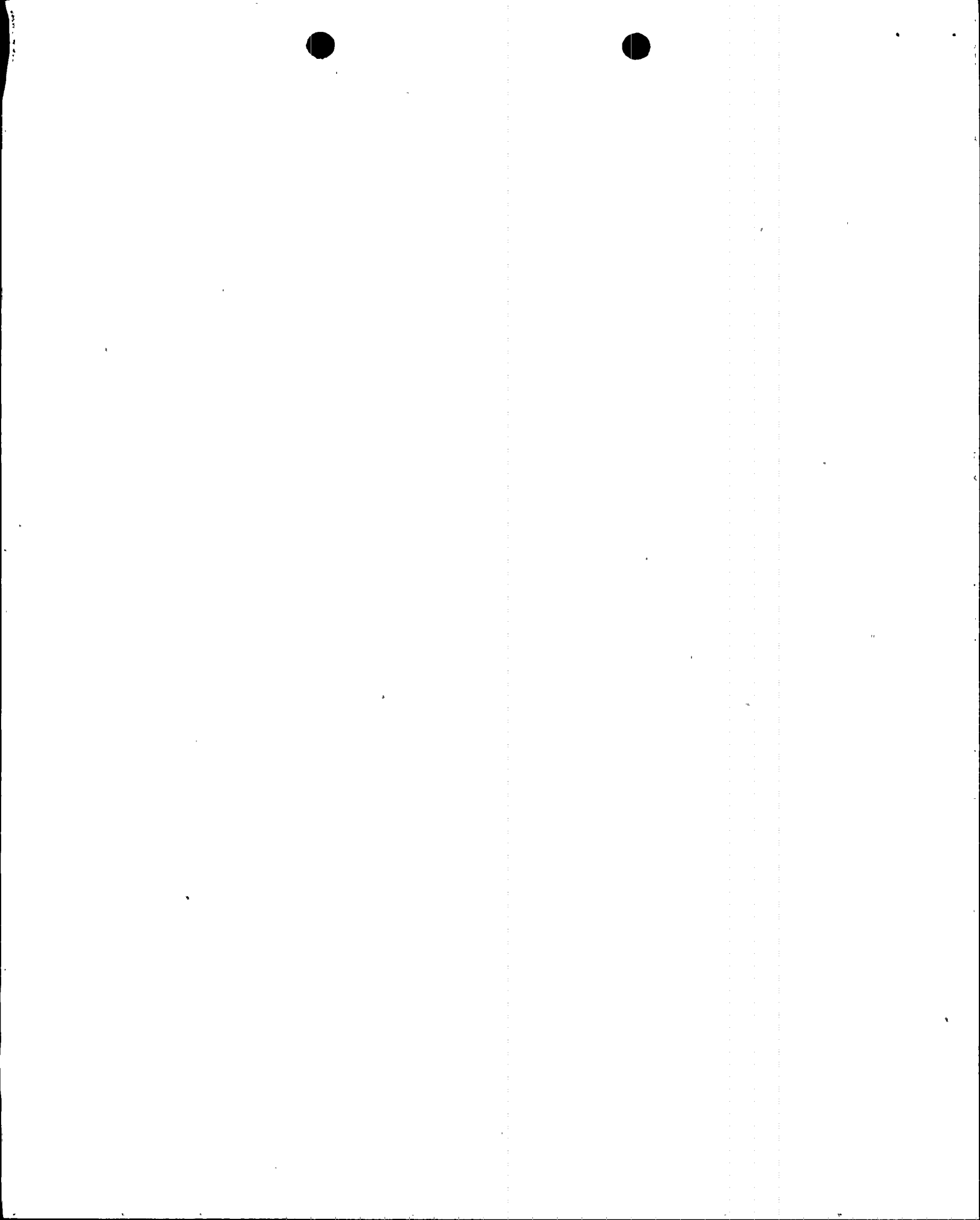
Tarnes Sound, Little Card Sound, Card Sound, South Biscayne Bay, and Biscayne Bay are all interconnected inshore lagoons.

Pursuant to the salinity and dissolved solids specifications in the Final Judgement, the Licensee will be allowed higher discharge rates than the 1200 cfs limit. If the condensate polisher effluent steadily concentrates the salinity, the discharge rate will increasingly exceed the 1200 cfs limit.

The Board should concern themselves with this new effluent source. A new "National Pollutant Discharge Elimination System" permit must be sought by the Licensee to include this new source of pollution.

10 CFR 50, Interim policy statement on implementation of section 511 of the FWPCA Amendments of 1972, Section 5 states:

"If it is determined that the facility or activity, or any part thereof, will not comply with the limitations or other requirements, then the facility or activity or particular part in question, shall not be approved in the AEC License or Permit."



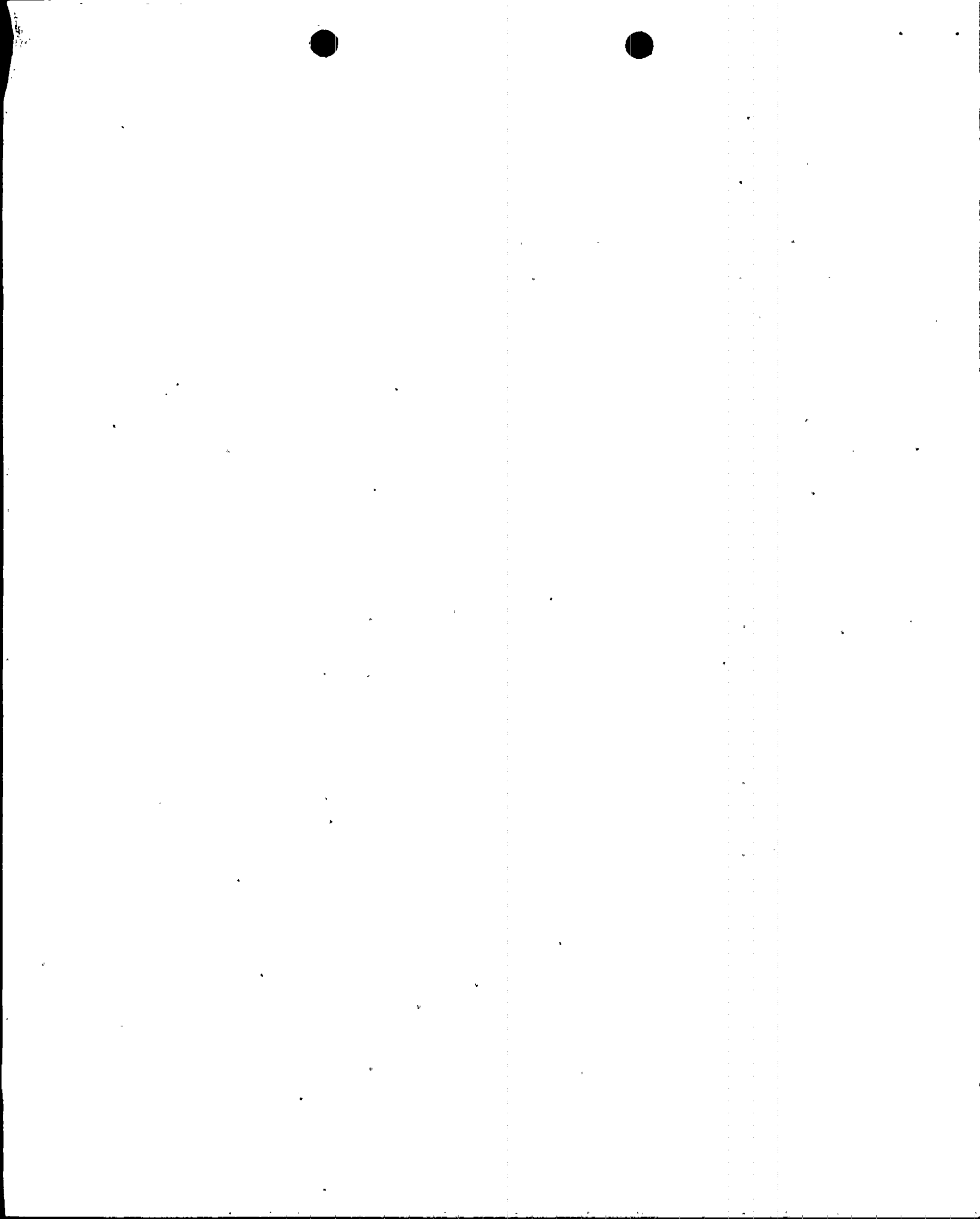
Contention No. 2.

Concerns of public safety during operation of a reactor, with a large percentage of primary coolant tubes plugged, comes within the jurisdiction of the Board that is hearing litigation on steam generator repairs.

Apparently, the overriding reason for repairing the steam generators at Turkey Point is to obviate the derating scheme outlined by the NRC Staff in the Environmental Impact Appraisal.

There appears to be a momentous safety problem involved, since the Office of Nuclear Reactor Regulation will take the drastic step of beginning a phaseout of the Turkey Point Facility if the corrosion continues. The consequences of a reactor accident that occurs during normal operation and is aggravated by defective steam generators slated for repairs, may be of the highest magnitude of disasters. The NRC, whose primary purpose is to guard the health and safety of the public, must consider the safety problems involved with all aspects of steam generator repairs. The residents of South Florida deserve assurance of safe operation or strong protective measures, if their safety has been compromised. In either case, a reasonable explanation of the dangers, of operating a reactor with defective steam generators should be made public.

The NRC Staff has cryptically stated in the EIA that at 25% tubes plugged, there may not be enough heat transfer area to operate safely.



This statement may satisfy the licensee and the NRC Staff, but it leaves too many questions unanswered to be reassuring. The board should be dissatisfied with such an evasion of a safety problem of such magnitude.

The NRC charges the decision making Federal Agency, the overriding duty of protecting the human environment. One of the facets of the steam generator repair decision is a determination of when repairs become necessary. Until the NRC Staff clearly demonstrates why 25% tubes plugged may be a safety problem and not a threshold of 24.9% or 23%, this threshold stands as arbitrary and capricious. If no proof exists, the safety of the South Florida Community may now be in jeopardy.

The explanation of "not enough heat transfer area" fails to explain what parameters become unconservative..

1. Will decreased transfer area induce transients?
2. Will transients be more likely to lead to IOCAs?
3. Will decreased transfer area induce IOCAs?
4. Will decreased transfer area reduce the safety margin for reacting to a IOCA?
5. Will defective tubes in conjunction with 25% tubes plugged, rupture when primary coolant is lost, thereby stalling the SCOS?
6. Will the workers and the public face the possibility of high radiation exposure due to defective steam generators?

The NRC Staff by concealing important safety parameters is violating 10 CFR 50, Appendix K, 1, sec. a.

Contention No. 9.

The Licensee and the NRC Staff have failed to determine the total amount of radiation released offsite, during steam generator repairs. Sources of radiation must include the operating reactor, reactor buildings, steam generators in transit, gaseous emissions, construction dust, air particulates, cooling canal water, decontamination liquids, liquid construction effluent, laundry wastes, primary coolant, processed primary coolant, stored primary coolant, fuel movement, resins, filters, runoff, secondary coolant, spent fuel pits, storage tanks, ducts, radwaste building, concrete, tools, clothing, scaffolding, protective shields, work envelopes, clean rooms, and postulated accidents. Calculations are to be performed in conformance with Regulatory Guide 1.109.

Special consideration must be given to the characteristics of the porous limestone rock underlying Turkey Point and the close proximity of Biscayne Bay. 10 CFR 100.10, (c) states:

"(3) Meteorological conditions at the site and in the surrounding area should be considered."

"(3) Geological and hydrological characteristics of the proposed site may have a bearing on the consequences of an escape of radioactive material from the facility. Special precautions should be planned if a reactor is to be located at a site where a significant quantity of radioactive material effluent might accidentally flow into nearby streams or rivers or might find ready access to underground water tables."

Contention 10.

(a) The SGRR, December 1977, p.2-2 indicates there is no present process to arrest tube and plate corrosion. The EIA issued June 29, 1979 fails to consider this possibility. Such consideration becomes important in two ways: Arresting corrosion before 25% of the tubes become plugged would obviate the necessity of costly steam generator repairs, and if, after repairs are completed, corrosion continues to occur there may still be no mechanism for preventing the degradation of tubes. Thus a new round of costly and dangerous steam generator repairs may have to be undertaken. The NRR has voiced serious doubts about the ability of the re-designed steam generators to withstand corrosive attack. The SER p. 3-1 states:

"The Quatrefoil Plate design has led to some tube degradation in the form of a type of erosion cavitation mechanism in once-through steam generators."

At page 3-2 the SER also states:

"In the event that denting reactions be initiated we would have some concern over the propensity of this material for stress corrosion cracking in a chloride environment."

(b) The alternative of sleeving degraded tubes should be considered based on the experience of the sleeving project at the Palisades Nuclear Power Station in Michigan.

(c) The Westinghouse Report, WCAP 9398, "Steam Generator Retubing and Refurbishment", describes a process vastly superior to the method proposed in the SGRR.

(1) Worker exposure is estimated at 450-600 Man-Rem per unit. This represents a saving of 1400 Man-Rem for 2 units over the Licensee's estimation of 2600 Man-Rem.

(2) Work can be accomplished in a quarter (91 days) as stated on p.5-18 which represents a saving of 232 days outage time for the station.

(3) Defective tubes will be cut and packaged for shipment to a licensed land disposal site. This removes the potential hazards associated with storing defective steam generators in an earthen floor building onsite.

(d) Derating appears as an acceptable course of action when taken in conjunction with alternate methods.

The EIA, June 29, 1979 states that the Westinghouse re-tubing may take 2 years to win approval. Since the present projection of the commencement of repairs is the fall of 1980, there may be a delay of one year incurred if retubing is chosen as the best method. During that year (Fall 1980 to Fall 1981) only Unit no. 4 would be derated at a cost of \$4,380,000 while Unit no. 3 would run full power. In the fall of 1981, the Licensee could elect to repair Unit 4 or Units 4 and 3 in sequence. If Unit 3 is kept running through 1981 to 1982 it would then be in its first year of derated operation and the cost would be \$4,380,000 plus inflation.

(e-j) These may be discussed as one option. The derating formula allows broad flexibility in phasing in Bioconversion, conservation and solar techniques while phasing out the defective operation of Units 3 and 4. Power interruptions and economic dislocation need not occur as conservation and renewable sources slowly expand.

Decommissioning would become necessary if the safest and most economical option is fossil fuel generation of electricity. Economic savings would occur if components used for Units 3 and 4 were converted to fossil fuel generation. The use of cooling canals, barge facilities, existing grid, transformers, turbines and possibly reuse of the reactor buildings can represent areas of great economic savings.

Contention 11. The Licensee has not provided a cost benefit analysis for steam generator repairs. One major factor is assessing costs that has been obfuscated is the time period estimated for accomplishing the proposed repairs. The steam generator repair report (SGRR) p. 2-5 projects an outage time of 207 days. The SER, p. 1-1 states an outage time from 6 to 9 months (183 to 274 days) and later, p.2-13, mentions a projection of a 300 day outage. While the Licensee and the NRC Staff allows a wide latitude in outage time for repairs, all stated replacement electricity costs are based on 207 days which is a very low end estimate. Were the actual outage time to exceed 207 days many other projections become less credible; (1) the costs of replacement electricity, (2) the costs of maintaining a work force, (3) the costs of maintaining construction equipment, (4) the costs related to longer periods of worker exposure, (5) environmental costs of construction effluent (dust, liquid wastes, laundry wastes), and (6) environmental costs of replacement electricity, e.g. thermal pollution from the possible reopening of the Cutler, Riviera and Palatka fossil fuel plants.

(a) All benefits of steam generator repairs can be negated if tube corrosion or other processes requiring tube plugging reoccur. Worker exposure rates will be again elevated and the one time large estimated dose of 2600 Man-Rem (3300 to 5800 Man-Rem according to NUREG-0199) will never show a positive balance. Unit no. 4 was put into commercial operation September 1973. The letter of September 20, 1977 from FP&L to the NRC states that inspections and plugging operations were initiated two years prior to the letter. Thus Unit 4's tubes were degraded within 2 years

of the commencement of commercial operation. It should also be noted that the economic cost of steam generator repairs will be passed on to the rate payers as pure inflation, since no additional generating capacity will be built. If the redesigned lower assemblies fail to prevent reoccurrence of tube degradation the economic burden on the rate payers considerably worsens.

(b) In the letter of June 8, 1979 to the Office of Nuclear Reactor Regulation, FP&L states "fossil fuel used to generate replacement electricity while Turkey Point is Off-Line will cost \$300,000-\$400,000 a day." This statement indicates that the flat \$300,000 per day costs is an insufficient projection. Another problem arising from this statement is that replacement power may encompass many costs other than fossil fuel costs. In effect the most recent estimate on fuel costs may not be a total estimate of replacement power costs. The situation is further worsened if repairs substantially exceed the 207 day outage period.

(c) When assessing costs to the Man-Rem area it should be noted that the research of Dr. Karl Z. Morgan, Health Physicist indicates that the statistical occurrence of cancer may be significantly higher than the FP&L estimate of 0.2 cancers for the 2600 Man-Rem project. In view of the NEPA mandate to consider the degradation of the human environment the consideration of Dr. Morgans analysis is within the jurisdiction of the Board. 40 CFR 1500.4. 10 CFR 50 Appendix I offers interim dollar amounts until better figures can be developed. In view of an increased cancer risk assessment and the skyrocketing costs of health care, under NEPA the Board may consider more realistic costs of a Man-Rem other than \$1,000.

(d) The Licensee has failed to state the final disposition of the defective steam generators. Merely delaying the decision process until the decommissioning of the reactor does not absolve Licensee from assessing the costs of using an irretrievable resource. Until an environmental impact statement is written, questions about future land use cannot be answered. Reasonable questions are (1) when, if ever, will this land be safe for purposes other than storing wastes? (2) What are the costs associated with restoring the land to a higher use? (3) Will the presence of this land, if contaminated pose a hazard to the human environment?

(e) The licensee has attempted to obscure the true scope of the repair project. The SER p.3-1 states:

"Along with the absence of phosphates, planned condenser retubing and the installation and use of condensate polishers will essentially eliminate sludge."

Under NEPA, the Board is charged with the duty of reviewing the entire repair project.

(f) The economic estimate used in the EIA was originally published in the SGRR Rev. 2 December 1977. These estimates have not been revised to account for inflation occurring since 1977. If the target date for repairs is the Fall of 1980 accurate estimates must be provided to arrive at a valid cost benefit analysis.

Contention 12. The Licensee in the SGRR has not made a strong commitment to the ALARA principle. The Licensee in the SGRR p. 7-6 states:

"FP&L subscribes to the precept of maintaining exposures ALARA. This principle must take into account the state of technology and the economics

associated with any reduction in Man-Rem exposure. One overriding consideration is the duration of the Unit outage. Since each day of Unit unavailability is worth about \$300,000, any Man-Rem reduction measures must result in savings of at least 300 Man-Rem per day of increased downtime."

Thus the overriding principle appears to be that any Man-Rem exposure is acceptable if the economic considerations are reasonably high.

Contention 13. Public health is dependent on the accuracy of the monitoring of radioactive releases from Turkey Point. If the monitoring is insufficient NRC effluent standards may be exceeded and the public health may be endangered and may degenerate. Accurate monitoring is central to all NRC effluent standards which in turn impact on the state of the state of the human environment and the accuracy of NEPA related decisions.

Monitoring procedures that are performed infrequently are immediately suspect. The proposed swipe tests on steam generator seals at quarterly intervals demonstrate a callous disregard for the ALARA principle. The storage of radioactive wastes demands the isolation of these wastes from the environment. Having information on the movement of radioactivity only four times a year greatly compromises accurate monitoring on the integrity of the sealwelds. Continual monitoring under some conditions may even prove to be inadequate, but if such a procedure is the safest alternative it must be pursued.

The monitoring procedure for laundry waste water in the SGRR presents the possibility for greatly underestimating the radiation released to the cooling canals. Reliance on a table of estimated releases may have a measure of accuracy for total

effluent release, but day to day concentrations of activity can only be measured on a day to day, sample by sample basis. The SGRR sampling procedure does not conform with the laundry waste water procedure outlined in the FSAR. All liquid wastes will be held up in tanks, analyzed then disposed properly. FSAR p. 11, 1-9.

Dosimetry on workers remains suspect. Badges only record doses that strike the badge. Varying radiation fields may produce exposures far higher than recorded when a worker is confined to a cramped space in high radiation fields such as the interior of a steam generator.

A NEPA mandated decision should be based on the most accurate of information. If monitoring procedures are insufficient the NEPA decision may not sufficiently calculate the dangers to the public health and the impact on the environment.

The reports of accidents at the Three Mile Island plant and Rocky Flats show that monitoring procedures during accidental releases were grossly inadequate.

Contention 14. The Licensee is violating NRC Fire Protection Guidelines specified in "Manpower Requirements For Operating Reactors", June 5, 1978. The NRC Staff recommends a fire brigade of 5 men. The Licensee insists on 3 men. The 1 1/2 inch hose is a two man operation in a windowless room. An occurrence of simultaneous fires could not be handled by a 3 man crew. Against the recommendations of the NRC, the Licensee will not install a firewater standpipe system in containment.

The consequences of a fire are grave. Workers will be in a containment building with only one exit. Cutting and welding operations in conjunction with solvents, scaffolding, and

protective shields can produce a fire risk much higher than normal reactor operations. The consequences of a fire in the area of radioactive materials will compromise normal isolating devices such as HERA filters, protective shields and protective clothing. In addition radioactive material may volatilize under fire conditions allowing an uncontrolled release of radiation.

Another objection raised by the NRC Staff and Licensee as to various of Intervenor's Contentions, both accepted for litigation and proposed, questions the applicability of the Federal Water Pollution Control Act (FWPCA) to this proceeding. It is Intervenor's position that FWPCA applies in at least the following ways. 33 USC Sec. 1311(a) imposes the requirement on Licensee of amending their current NPDES permit in order to obtain authorization for changes in their effluent discharges which will occur as a result of new proposed systems such as the condensate polisher demineralizing system and from construction effluents. Both the NPDES permit and the state certification required by 33 USC Sec. 1341 (1978) are requisites for issuance of amendments to Licensee's operating license by the NRC. Section 1341 is unambiguous: there shall be no federal approval of any private activity which results in the release of any water pollutants unless the appropriate state has been duly notified and given an opportunity to hold hearings or conduct other proceedings incident to the issuance or denial of certification. The NRC under this provision of FWPCA is legally powerless to grant the license amendments until the certification is in hand.

FWPCA also applies with regard to any potential discharge of high level radioactive effluent into navigable waters. 33 USC Sec. 1311(f). The Board in weighing the viability of Licensee's proposed repairs must consider pursuant to this provision whether or not there is inherent in the proposed plan a substantial risk for the release of highly radioactive effluent.

FWPCA standards are further involved by reference to the NEPA cost benefit analysis which must be required before NRC decision on the proposed amendments. When considering the impact on public health and the environment of this complete repair project some reference to already promulgated standards such as FWPCA must be performed in order to accurately assess the potential harm that may accrue as a result of the repairs.

For these stated reasons and all that maybe forthcoming Intervenor respectfully requests the Board to accept for litigation his proposed contentions 7 through 14.

Respectfully submitted,
BRUCE S. ROGOW
JOEL V. LUMER
RICHARD A. MARSHALL, JR.
Counsel for Intervenor
3301 College Avenue
Fort Lauderdale, Florida 33314
(305) 587-6660

By Richard A. Marshall, Jr.
Richard A. Marshall, Jr.
18450 S.W. 212th Street
Miami, Florida 33187
305-233-8104

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of

Docket Nos. 50-250
50-251

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Nuclear Generating
Units Nos. 3 and 4)

(Proposed Amendments to
Facility Operating License
to Permit Steam Generator
Repair)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the attached Intervenor's
Statement of Admissibility of Proposed Contentions were served
on the following by deposit in the United States mail, first
class, properly stamped and addressed on September 15, 1979.

Elizabeth S. Bowers, Esq.
Chairperson
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

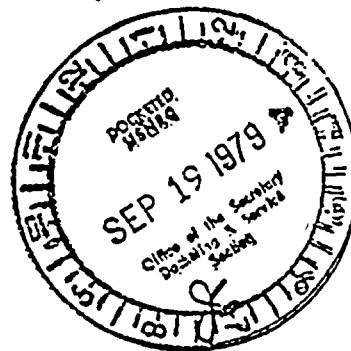
Dr. Oscar H. Paris
Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Dr. Emmeth A. Luebke
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington D.C. 20555

Steven C. Goldberg, Esq.
U.S. Nuclear Regulatory Commission
Office of the Executive Legal Director
Washington D.C. 20555



Norman A. Coll, Esq.
STEEL, HECTOR & DAVIS
1400 Southeast First National Bank Building
Miami, Florida 33131

Harold F. Reis, Esq.
Lowenstein, Newman, Reis, Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington D.C. 20036

Richard A. Marshall, Jr.
RICHARD A. MARSHALL, JR.
18450 S.W. 212th Street
Miami, Florida 33187
(305) 233-8104

28260