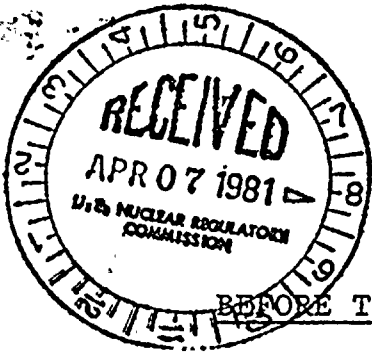
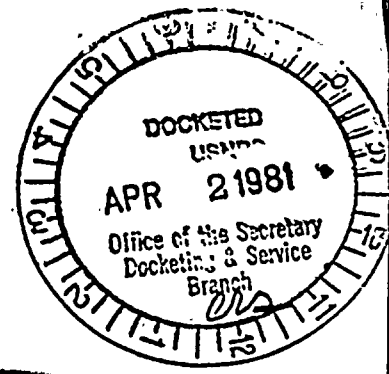


3/31/81



RELATED CORRESPONDENCE



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
Units Nos. 3 and 4)

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

MOTION PURSUANT TO RULE 2.749 (c)

COMES NOW the Intervenor. Mark P. Oncavage, by and through his undersigned attorney and moves the Board to refuse the application for Summary Disposition filed by the NRC Staff on or about March 23, 1981, or in the alternative for an Order continuing the time within which the Intervenor must respond and as grounds therefor would state:

1. That on December 9th, 1980, the Intervenor served a document entitled Motion to Permit Entry Upon Turkey Point Site on the NRC Staff and the Licensee.
2. That the Licensee refused the Intervenor's request to permit entry upon the Turkey Point Site and a hearing was duly held before the Board on March 24th, 1981.
3. That said hearing was set on the Board's initiative and at said hearing the Board ruled that the Intervenor would have permission to enter upon the Turkey Point Site to conduct certain tests and samplings.
4. That the conditions and limitations to be set upon said

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inspection have not yet been determined and the Intervenor should have the right to complete the entry onto the site and to complete the tests and monitoring which are set forth in the Motion before the Intervenor should be forced to respond to the pending Motion for Summary Disposition.

5. That the Intervenor at the hearing indicated that said inspection was relevant to contentions two and six and the Intervenor should be entitled to complete his discovery prior to having to respond to the Summary Disposition filed by the NRC Staff.

6. That based on the present schedule the Intervenor would have to respond to the Motion for Summary Disposition before his discovery was completed.

WHEREFORE, the Intervenor respectfully moves this Board pursuant to Rule 2.749 (c) to refuse the application for Summary Disposition or in the alternative to continue the time within which the Intervenor must respond to twenty-five (25) days after the date the site inspection is completed.

Respectfully submitted,

Law Offices of Neil Chonin, P.A.
Attorneys for Intervenor
Suite 1400 Amerifirst Bldg.
One S. E. 3rd Avenue
Miami, Florida 33131
Telephone: 377-3023

By


Neil Chonin

Certificate of Service

I HEREBY CERTIFY that copies of Motion Pursuant to Rule 2.749(c) in the above captioned proceeding have been served on the following by deposit in the United States Mail, this 30th day of MARCH, 1981.

Marshall E. Miller, 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

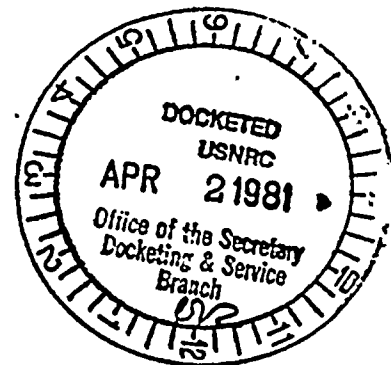
Harold F. Reis, Esquire
Lowenstein, Newman, Reis, Axelrad & Toll
1025 Connecticut Avenue, N.W.
Washington, D.C. 20036

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

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