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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Dr. Robert M. Lazo, Chairman
Dr. Richard F. Cole
Dr. Emmeth A. Luebke

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In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Plant,
Units 3 & 4)

Docket Nos. 50-250-OLA-1
50-251-OLA-1

ASLBP No. 84-496-03 LA
(Vessel Flux Reduction)

September 18, 1985

ORDER SCHEDULING HEARING

This proceeding concerns License Amendments No. 93 and 99 issued for the Turkey Point nuclear reactors on December 23, 1984. The amendments to the technical specifications of Operating Licenses DPR-41 and DPR-31 were requested to support Florida Power & Light Company's (Licensee's) program for reduction of neutron bombardment (vessel flux) and consequent embrittlement of the pressure vessel walls. Notice of the proposed amendments was published in the Federal Register on October 7, 1983. 48 Fed. Reg. 45,862-63. On August 16, 1985, this Licensing Board denied Licensee's Motion for Summary Disposition on Intervenor's Contention (d), finding that genuine issues as to material facts remain for litigation. LBP-85-29, 22 NRC ____ (1985).

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On September 9, 1985, Licensee filed a Motion to Establish Schedule for Hearings. In its Motion, Licensee informed the Licensing Board that the NRC Staff supported the schedule proposed but that the Center for Nuclear Responsibility, Inc., and Joette Lorion (Intervenors) did not. With all parties participating, the Board on September 12, 1985, conducted a prehearing conference by telephone and heard oral argument concerning Licensee's Motion.

At the conclusion of the prehearing conference, the Board stated that it would grant Intervenors a portion of the extension of time requested by them, and identified two possible target dates for convening the evidentiary hearing. The parties were told that the exact time and place would be announced as soon as definite arrangements were made.

ORDER

WHEREFORE, IT IS ORDERED, in accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Commission, and PLEASE TAKE NOTICE:

1. That an evidentiary hearing in this proceeding shall commence at 9:30 a.m., local time, Tuesday, December 10, 1985 at:

United States District Courthouse
Old Building
300 NE First Avenue
Miami, Florida 33101

2. That the hearing shall be conducted continuously day to day until all evidence on matters outstanding has been received or until continued by further order of the Board;

3. That written direct testimony shall be served on the parties and the Licensing Board by express mail or its equivalent by November 25, 1985, or by hand delivery by November 26, 1985; and

4. That all persons who request the opportunity to make a limited appearance shall be afforded an opportunity to state their views or to file a written statement regarding matters within the scope of this license amendment proceeding on the first day of the hearings or at such other times as the Licensing Board may for good cause designate.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD


Robert M. Lazo, Chairman
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland,
this 18th day of September, 1985.