

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 2354

DOCKETED 11/06/00
SERVED 11/06/00

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| In the Matter of |) | | |
| |) | | |
| Florida Power & Light Company |) | Docket Nos. | 50-250-LR |
| |) | | |
| Turkey Point Units 3 and 4 |) | | 50-251-LR |
| |) | | |

ORDER

On September 11, 2000, Florida Power & Light Company (“the Applicant”) submitted an application to renew the operating licenses for its Turkey Point Units 3 and 4. On September 26, 2000, the staff of the Nuclear Regulatory Commission (NRC) issued a Notice of Receipt of the Application which indicated that the application is available for public inspection in the NRC’s Public Document Room and on the NRC website. 65 Fed.Reg. 57847. On October 12, 2000, the NRC staff issued a notice of acceptance of the application for docketing and a notice of opportunity for a hearing, setting a deadline of November 13, 2000 for the filing of hearing requests and petitions for leave to intervene. 65 Fed. Reg. 60693, 60694.

1. Lorian Request for Extension of Time

In letters dated October 13, and October 23, 2000, Ms. Joette Lorian, an individual, requested that the time for filing an intervention petition and hearing request be extended by 30 days from the date that a “hard copy” of the license renewal application is placed in a local public document room or library. By letter dated October 27, 2000, the NRC staff informed Ms. Lorian that the license renewal application, the original environmental impact statement for the Turkey Point operating licenses, and other pertinent documents were made available in hard copy for public review at a library in her locality. On October 30, 2000, the Applicant filed an

opposition to Ms. Lorion's extension of time request, asserting, inter alia, that the application was made available at all times in the NRC's Electronic Reading Room.

Pursuant to my authority under 10 C.F.R. § 2.772(b), I extend the time within which Ms. Lorion may file her intervention petition and hearing request until November 27, 2000. The Applicant notes that the application has been available and accessible through the internet (see 65 FR 57847; 65 FR 60693, 60694) and, thus, there should not be a need for additional time to prepare a request for hearing. Nonetheless, in light of the very early stage of this license renewal proceeding, I do not anticipate that this modest extension of time will cause a delay in the Commission's review and hearing process.

2. Applicant Request For Clarification on Time for Responses

In a filing dated October 24, 2000, the Commission received a petition to intervene and request for hearing from another individual, Mr. Mark P. Oncavage. As part of his petition and hearing request, Mr. Oncavage submitted contentions, which are not yet due in this proceeding. The Applicant, in a filing dated November 1, 2000, requested that the Commission clarify whether it the Applicant may defer responding to Mr. Oncavage's contentions until there is an appropriate scheduling order. Pursuant to my authority under 10 C.F.R. § 2.772, I clarify that responses to Mr. Oncavage's contentions may be deferred until an Atomic Safety and Licensing Board has been convened and a schedule for submitting and responding to contentions has been established.

IT IS SO ORDERED

For the Commission

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland
this 6th day of November , 2000

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
FLORIDA POWER & LIGHT COMPANY) Docket Nos. 50-250/251-LR
)
(Turkey Point, Units 3 and 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER OF THE SECRETARY DATED 11/06/00, have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 6TH day of November 2000