

August 20, 2008

Office of the Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Attention: Adjudications Staff

RE: Request for Hearing and Leave to Intervene
Docket No. 50-266
Point Beach Nuclear Plant

COMES NOW, Saporito Energy Consultants ("SEC") by and through its undersigned President Thomas Saporito (hereinafter Petitioners) pursuant to 10 CFR 2.309 (d) and (f), and hereby submits this Request for Hearing and Leave to Intervene with respect to Federal Register/Vol. 73, No. 151/Tuesday, Aug 5, 2008/Notices.

Standing

10 CFR 2.309 (d)(i), The name, address and telephone number of the requestor or petitioner.

Thomas Saporito, President
Saporito Energy Consultants
1030 Military Tr. #25
Jupiter, Florida 33458
Voice: (561) 283-0613
Fax: (561) 952-4810
Email: saporito3@gmail.com

Mailing Address:

Thomas Saporito, President
Saporito Energy Consultants
Post Office Box 8413
Jupiter, Florida 33468-8413
Voice: (561) 283-0613
Fax: (561) 952-4810
Email: saporito3@gmail.com
www.saporitoenergyconsultants.com

10 CFR 2.309 (d)(ii), The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding.

Thomas Saporito is a U.S. Citizen and therefore has an inherent right under the Act to be made a party to the proceeding. Thomas Saporito is the President of

Saporito Energy Consultants (“SEC”) and therefore SEC has a right under the Act to be made a party to the proceeding.

10 CFR 2.309 (d)(iii), The nature and extent of the requestor’s/petitioner’s property, financial or other interest in the proceeding.

Thomas Saporito and SEC have real property and personal property and financial interests through their prospective business partners and clients of which can be adversely affected should operations at the Florida Power & Light Company (“FPL”) or licensee’s, Point Beach Nuclear Plant cause a release of radioactive particles into the environment. Moreover, such an event could render the Petitioners’ prospective business partners and clients’ homes and property unavailable for human contact or use for many years or forever. Additionally, such an event could forever compromise the environment where the Petitioners’ prospective business partners and clients reside, live, and do business and therefore economically harm Petitioners.

10 CFR 2.309 (d)(iv), The possible effect of any decision or order that may be issued in the proceeding on the Petitioners’ interest.

The possible effect of any decision or order that may be issued in the proceeding could substantially protect the interests of the Petitioners’ prospective business partners and clients’ environment, property, and economic viability and therefore Petitioners’ economic interests.

Contentions

10 CFR 2.309 (f)(1), A request for hearing or petition for leave to intervene must set forth with particularity the contentions sought to be raised.

Contention #1

Petitioners contend here that the proposed amendment involving the steam generator tube rupture (SGTR) event evaluation and the postulated steam line break (SLB), locked rotor, and control rod ejection accident evaluations depicting a loss-of-coolant (LOCA) could eject one or more steam generator tubes resulting in a LOCA event. Petitioners contend that the proposed amendment request therefore increases the probability or consequences of an accident previously evaluated.

Contention #2

Petitioners contend here that the proposed amendment may result in an operational variance outside the parameters considered in a safe shutdown earthquake (SSE) because the Model F steam generators may experience an unacceptable amount of loading on the tubes and result in their failure and/or pullout. Moreover, the margin of burst pullout could possibly fail during normal and postulated accident conditions. Thus, the proposed amendment may

result in a significant increase in the probability or consequence of a SGTR and therefore a possible significant increase in the probability or consequences of an accident previously evaluated.

Contention #3

Petitioners contend here that the proposed amendment creates the possibility of a new or different accident from any accident previously evaluated because the proposed change may result in a tube ejection which from a loss of tube bundle integrity.

Contention #4

Petitioners contend here that the proposed amendment involves a significant reduction in a margin of safety with respect to the required structural margins of the steam generator tubes for both normal and accident conditions through one or more failures of the tubesheet (i.e. Cracking, burst, pullout).

Respectfully submitted,



Thomas Saporito, President
Saporito Energy Consultants
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Jupiter, Florida 33468-8413
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