

2-13-80

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

In the Matter of)	
)	
FLORIDA POWER & LIGHT COMPANY)	Docket No. 50-389
)	
(St. Lucie Nuclear Power Plant,)	
Unit No. 2))	
)	

MOTION FOR EXTENSION OF TIME
TO SUBMIT DIESEL GENERATOR DATA

Florida Power & Light Company moves for an order extending the time within which to submit the data requested by the Board on the St. Lucie 1 diesel generators on the following grounds:

(1) The information is contained in the daily plant log entries made since 1976 which are handwritten, in abbreviated language, and are not capable of readily being reviewed and interpreted.

(2) After initial efforts were made to compile the information from review of each of the daily plant log entries, the data compiled was randomly re-checked and it was discovered that all of the available information had not been retrieved.

(3) In order to accurately compile the information which does exist, additional time will be required.

(4) In order to analyze the data and present it in a form which is understandable, additional time is also

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necessary so that persons gathering the data can communicate with those persons who recorded it, perform the analysis, and prepare the requisite affidavit(s) to accompany the data.

Florida Power & Light Company requests an extension of time from February 15, 1980 to March 14, 1980 within which to submit the information to the Board and the parties. Counsel for the NRC Staff, William Olmstead, Esq., has authorized us to represent to the Board that the NRC Staff has no objection to the grant of this motion. Counsel for the Intervenors, Martin H. Hodder, Esq., has authorized us to represent to the Board that the Intervenors have no objection to the grant of this motion if the Intervenors are afforded two (2) weeks from the date the data is submitted within which to submit their proposed Findings of Fact and Conclusions of Law.

We suggest that the present schedule for submission of Findings of Fact and Conclusions of Law not be modified, but that the Board permit any party to file a supplement, if it desires, within two (2) weeks from the date the data is submitted.

Respectfully submitted,

STEEL, HECTOR & DAVIS
Co-counsel for Applicant
Florida Power & Light Company
1400 Southeast First National Bk. Bldg.
Miami, FL. 33131
Telephone: (305) 577-2863

By: 

NORMAN A. COLL

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that true and correct copies of
FPL's "Motion for Extension of Time to Submit Diesel Generator
Data," captioned in the above matter, were served on the
following by deposit in the United States mail, first class,
properly stamped and addressed, on the date shown below:

Mr. C. R. Stephens, Supervisor Docketing and Service Section Office of the Secretary of the Commission Nuclear Regulatory Commission Washington, DC 20555	* Richard S. Salzman, Esq. Atomic Safety & Licensing Appeal Board Nuclear Regulatory Commission Washington, DC 20555
* Michael C. Farrar, Esq. Chairman Atomic Safety & Licensing Appeal Board Nuclear Regulatory Commission Washington, DC 20555	Alan S. Rosenthal, Esq. Chairman Atomic Safety & Licensing Appeal Panel Nuclear Regulatory Commission Washington, DC 20555
* Dr. W. Reed Johnson Atomic Safety & Licensing Appeal Board Nuclear Regulatory Commission Washington, DC 20555	Edward Luton, Esq. Chairman Atomic Safety & Licensing Board Panel Nuclear Regulatory Commission Washington, DC 20555

Michael Glaser, Esq.
Alternate Chairman
Atomic Safety & Licensing Board
1150 17th Street, NW
Washington, DC 20036

Dr. Marvin M. Mann
Technical Advisor
Atomic Safety & Licensing Board
Nuclear Regulatory Commission
Washington, DC 20555

Dr. David L. Hetrick
Professor of Nuclear Engineering
University of Arizona
Tuscon, AZ 85721

Dr. Frank F. Hooper
Chairman
Resource Ecology Program
School of Natural Resources
University of Michigan
Ann Arbor, MI 48104

Martin Harold Hodder, Esq.
1130 NE 86 Street
Miami, FL 33138

DATED this 13th day of
February, 1980.

Terence J. Anderson, Esq.
University of Miami
School of Law
Coral Gables, FL 33134

William D. Paton, Esq.
Counsel for NRC Regulatory
Staff
Nuclear Regulatory Commission
Washington, DC 20555

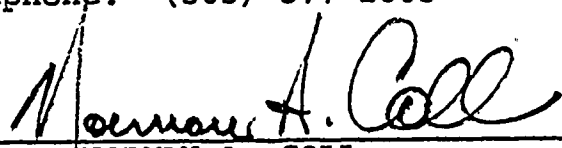
William J. Olmstead, Esq.
Nuclear Regulatory Commission
Washington, DC 20555

Local Public Document Room
Indian River Junior College
Library
3209 Virginia Avenue
Ft. Pierce, FL 33450

Harold F. Reis, Esq.
Lowenstein, Newman, Reis,
Axelrad & Toll
1025 Connecticut Avenue, NW
Washington, DC 20036

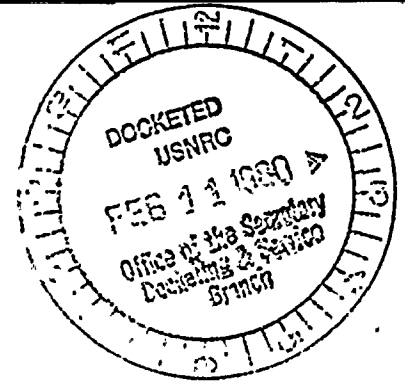
STEEL, HECTOR & DAVIS
Co-Counsel for Applicant
Florida Power & Light Company
1400 Southeast First National Bk. Bldg.
Miami, FL 33131
Telephone: (305) 577-2863

By


NORMAN A. COLL

* delivered by courier service
to Messrs. Farrar, Johnson and Salzman

2/11/80



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the

Atomic Licensing And Licensing Appeal Board

Michael C. Farrar, Chairman and presiding officer

In the Matter of)
) Docket No. 50-389
FLORIDA POWER & LIGHT COMPANY)
(St. Lucie Nuclear Power Plant,))
Unit No. 2))

Motion for Leave to File

Intervenors move that the Appeal Board grant leave to file the enclosed Intervenors' Reply and in support of this motion intervenors state:

1. On December 14, 1979, the Appeal Board granted FPL and the staff leave to respond to intervenors motion requesting consideration of class 9 accidents by January 18, 1980, and granted intervenors leave to file a reply within two weeks thereafter (Tr. pp. 877-79).

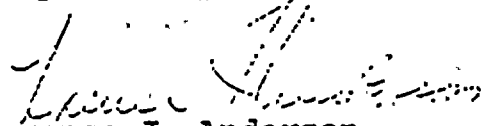
2. The undersigned counsel received a copy of FPL's response on or about January 18, 1980, but did not receive a copy of the staff's response until January 29 and co-counsel, Mr. Hodder, received it in the mail on January 24, 1980.

GRANTED
For the Appeal Board 2/8/80
C. Jean Bishop
Secretary to the Appeal Board

3. Because of the delay in the mail and the confusion over whether a copy had been sent to the undersigned, Intervenor's Reply was not completed and mailed until February 5, 1980.

4. Under Commission rules, because the responses were served by mail, intervenors would have two weeks plus five days or until February 6, 1980, to file their reply. 10 CFR § 2.710. Because confusion has arisen over whether the Appeal Board intended this rule to apply when it granted intervenors leave to reply, intervenors have submitted this motion.

Respectfully submitted,


Terence J. Anderson
University of Miami School
of Law
Coral Gables, Florida 33134
(305) 284-2253 or 2971