



L-94-92

APR 14 1994

Mr. James Lieberman
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

RE: RECEIPT OF PETITION FOR DIRECTOR'S DECISION
UNDER 10 CFR 2.206

Dear Mr. Lieberman:

This is to acknowledge your letter of April 7, 1994, requesting the response of Florida Power & Light Company (FPL) to a petition filed by Mr. Thomas Saporito pursuant to 10 CFR 2.206.

As you are aware, Mr. Saporito's claims were fully litigated before the Department of Labor in 1989. The Administrative Law Judge who heard the testimony of Mr. Saporito and other witnesses to the event at the time concluded that Mr. Saporito was properly terminated based on a pattern of inappropriate behavior which jeopardized FPL's ability to safely manage its nuclear facility.

FPL will be pleased to respond to the 2.206 petition demonstrating that the petition is factually inaccurate, lacks legal merit, and seeks relief which is wholly unjustified and, in part, beyond the Commission's jurisdiction to grant. FPL's response will be transmitted to your office by May 31, 1994.

If you have any additional questions concerning this matter, please contact me.

Very truly yours,

J. H. Goldberg
President
Nuclear Division

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