

MAR 21 1979

Docket Nos: 50-520 250
50-521 251

The Honorable Richard Stone
United States Senator
Post Office Box 4081
Tallahassee, Florida 32303

Dear Senator Stone:

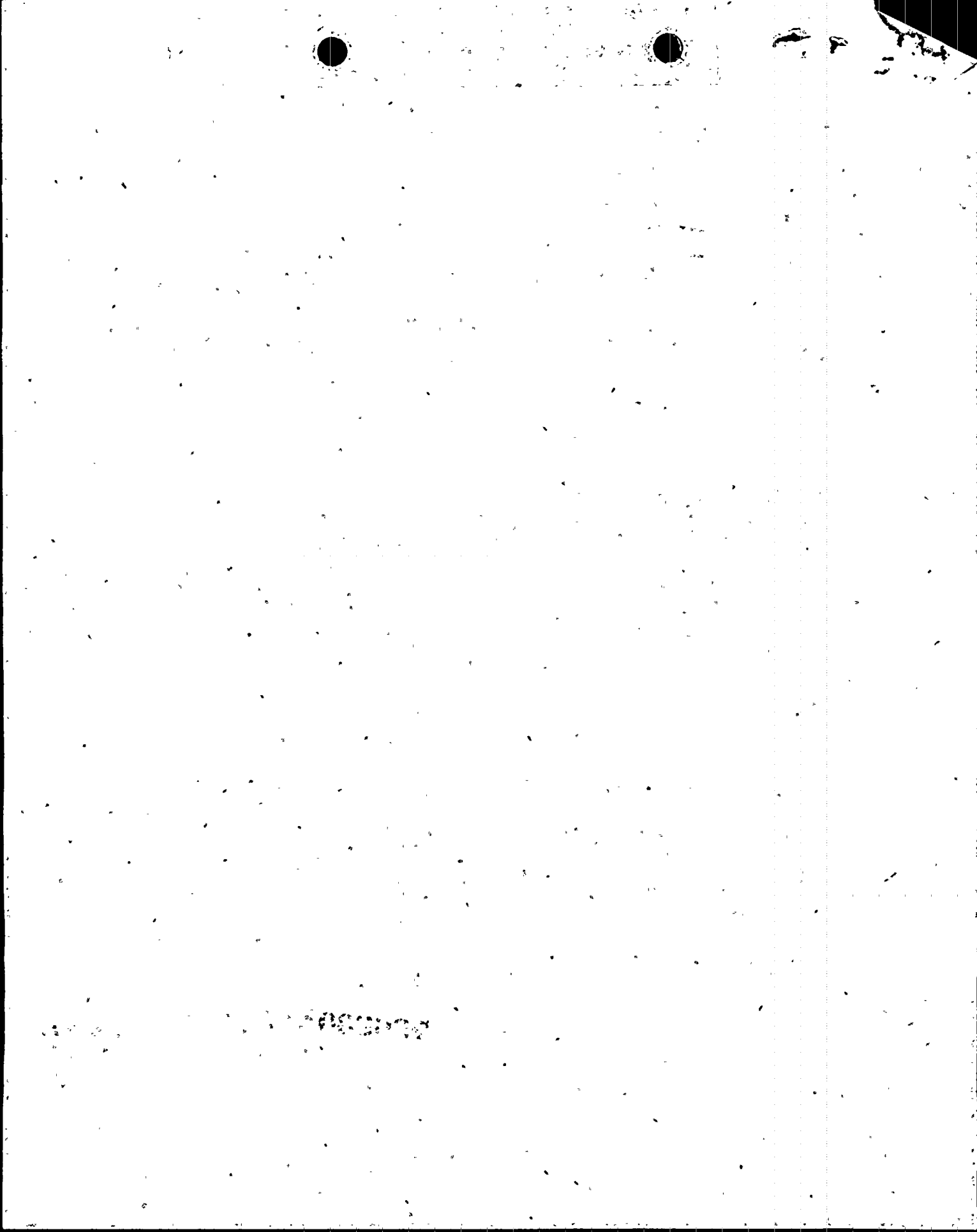
I am writing in response to your March 1, 1979 letter to the NRC requesting consideration of a letter you received from a constituent, Mark P. Oncavage, which requested that you urge the Nuclear Regulatory Commission (NRC) to hold a hearing in connection with the license amendment application filed by the Florida Power and Light Company (FPL) to repair the steam generators now in use at its Turkey Point Nuclear Generating Unit Nos. 3 and 4. As Mr. Oncavage acknowledges in his correspondence with you, the NRC issued a Notice in the Federal Register on December 13, 1977, which provided an opportunity for a hearing in this matter. Under the terms of the Notice, any request for a hearing, in the form of a petition for leave to intervene, was to be filed no later than January 13, 1978. The Notice further described the Commission's requirements for consideration of non-timely petitions.

By letters dated February 9 and 22, 1979, about thirteen months late, Mr. Oncavage filed a petition for leave to intervene in this matter. On February 27, 1979, an NRC Atomic Safety and Licensing Board was established to rule upon the petition. The NRC Staff, in its written response to the petition on March 1, 1979, observed that the petition was untimely filed, and stated that in its present form did not set forth sufficient facts justifying its late filing. A copy of this pleading is enclosed. The NRC Staff did, however, state that Mr. Oncavage could amend his petition to attempt to set forth sufficient justification for its late filing, and forwarded a copy of the appropriate NRC regulations to Mr. Oncavage for his consideration.

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HAB

OFFICE >						
CURNAME >						
DATE >						



The Honorable Richard Stone

- 2 -

On March 8, 1979, FPL filed a written response in opposition to the petition.

The matter is currently pending before the Licensing Board for consideration. It has not ruled on the petition to date.

Sincerely,

(Signed) T. A. Rehm

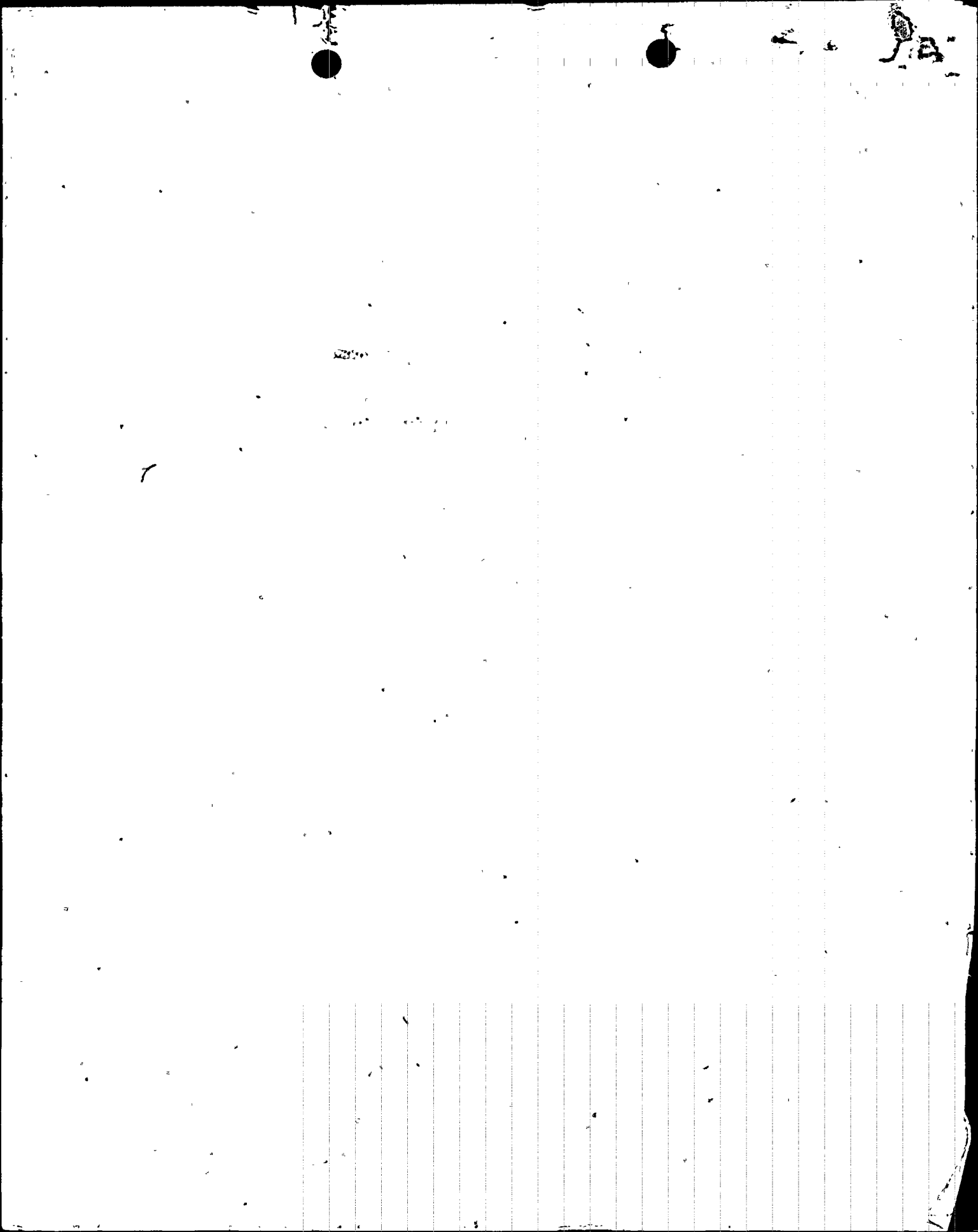
Lee V. Gossick
Executive Director for Operations

Enclosures:

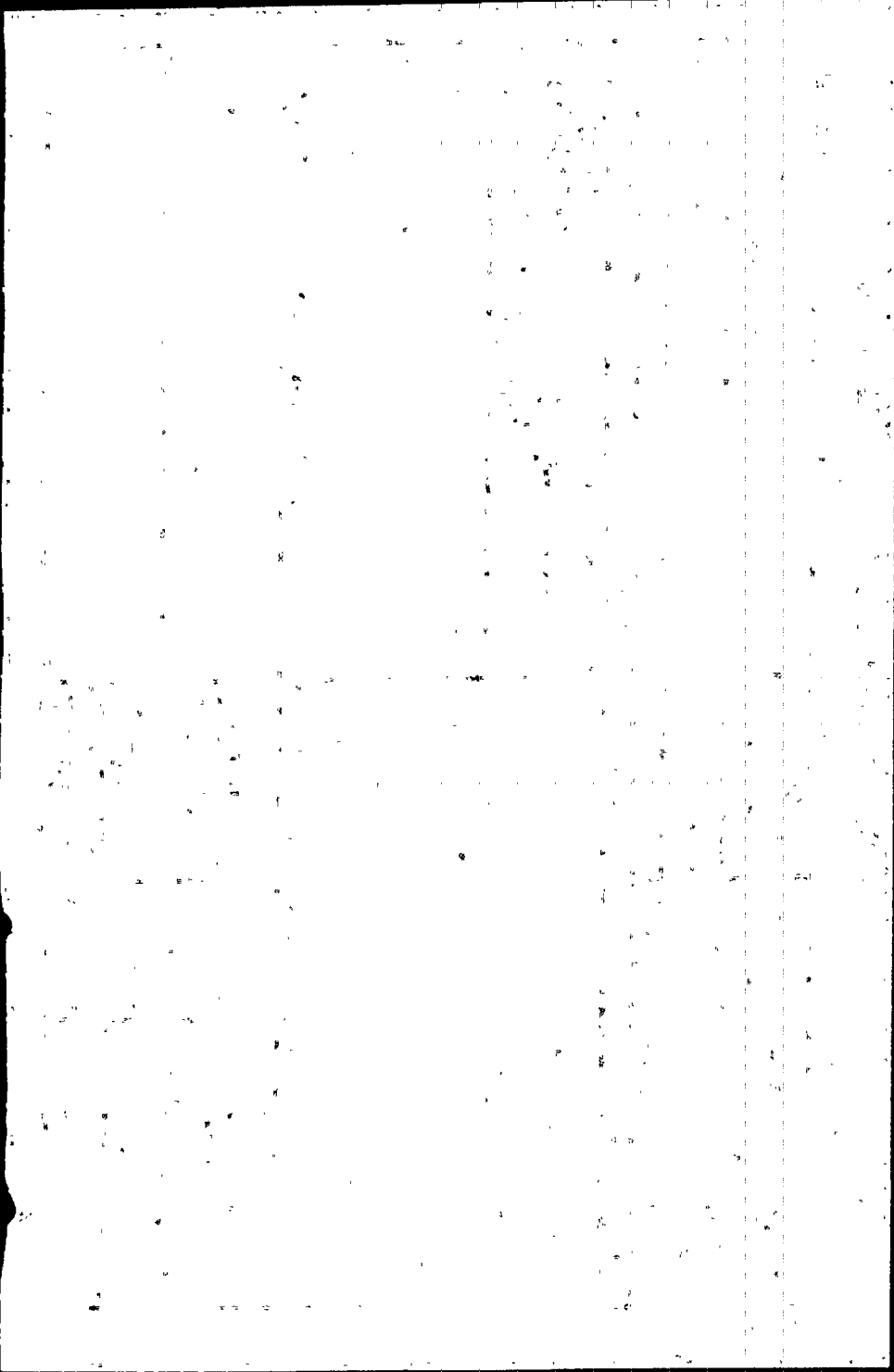
1. NRC Staff Response dtd. 3/1/79.
2. Incoming ltr fm Mark P. Oncavage to Senator Stone dtd. 2/19/79.

NRC Central File
 OELD FF (2)
 LPDR
 D&SS
 Shapar/Engelhardt
 Christenbury/Scinto
 GHCunningham, III/MKarman
 SECY 79-0392 (3)
 Hayden
 OCA (3)
 EDO (#05564)

OFFICE	OELD	OELD <i>YHO</i>	OELD <i>ESC</i>	<i>PERO</i>	<i>YED</i>	OCA
SURNAME	SCGoldberg:jd	GHCunningham	EChristenbury			<i>RLP</i>
DATE	3/16/79	3/19/79	3/19/79	3/19/79	3/20/79	3/20/79



FROM: Sen. Richard Stone		ACTION CONTROL	DATES:	CONTROL NO. 05564
TO: OCG		COMPL DEADLINE	3/19/79	DATE OF DOCUMENT 3/17/79
DESCRIPTION <input type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER		ACKNOWLEDGMENT		PREPARE FOR SIGNATURE OF: <input type="checkbox"/> CHAIRMAN <input type="checkbox"/> EXECUTIVE DIRECTOR OTHER: Offical
Encl 1er from Mark P. Cucavage re problems with steam generators at Turkey Point & reg hearings		INTERIM REPLY		
CLASSIFIED DATA		FINAL REPLY		
DOCUMENT/COPY NO.		FILE LOCATION		
NUMBER OF PAGES		SPECIAL INSTRUCTIONS OR REMARKS		
POSTAL REGISTRY NO.		Direct reply to home office		
ASSIGNED TO:	DATE	Return recording w/reply		
Shonar	3/19/79	<i>50 500/1/31</i>		
		SI 79-0352		
		LEGAL REVIEW <input type="checkbox"/> FINAL <input type="checkbox"/> COPY		
		ASSIGNED TO:	DATE	NO LEGAL OBJECTIONS NOTIFY:
				<input type="checkbox"/> EDO ADMIN & CORRES BR
				EXT. _____
				COMMENTS, NOTIFY:
				EXT. _____
		JCAE NOTIFICATION RECOMMENDED: <input type="checkbox"/> YES <input type="checkbox"/> NO		



No. 79-0392

Logging Date _____

NRC SECRETARIAT

- TO: Commissioner _____ Date _____
- Exec. Dir./Oper. Gen. Counsel
- Cong. Liaison Solicitor
- Public Affairs Secretary
- _____

Incoming: Senator Richard Stone

From: Constituent referral from Mark Oncavage

To: OCA Date 3/1/79

Subject: Urges hearing be held & EIS be prepared for Turkey Pt. steam generator replacement

Prepare reply for signature of:

- Chairman
- Commissioner _____
- EDO, GC, CL, SOL, PA, SECY
- Signature block omitted
- _____
- Return original of incoming with response

Rec'd 3/8/79
 Date 2:00
 Time _____

For direct reply*

Suspense: March 19

- For appropriate action See SECY Ticket #79-0269
- For information
- For recommendation

Remarks: Cpy to OCA to Acknowledge. Original to Docket

For the Commission: Combs

*Send three (3) copies of reply to Secy Mail Facility

