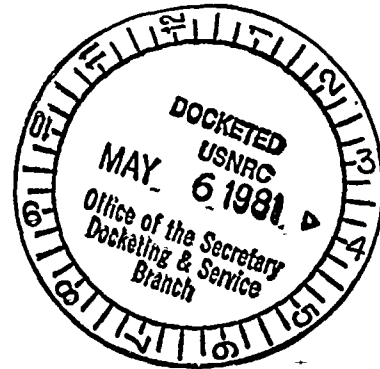


UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

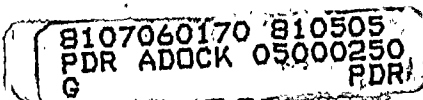


In the Matter of	)	Docket Nos. 50-250-SP
	)	50-251-SP
FLORIDA POWER & LIGHT COMPANY	)	(Proposed Amendments
	)	to Facility Operating
(Turkey Point Nuclear Generating	)	Licenses to Permit
Unit Nos. 3 and 4)	)	Steam Generator Repair)

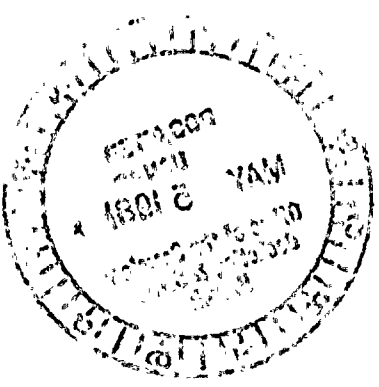
LICENSEE'S RESPONSE IN SUPPORT OF NRC  
STAFF MOTION FOR SUMMARY DISPOSITION  
OF CONTENTION 4B

On April 27, 1981, the NRC Staff filed a document entitled "NRC Staff Objections to Proposed Amended Contention 1 and Third Motion for Summary Disposition," urging the summary disposition of Contentions 1 and 4B. On April 30, 1981, Florida Power & Light Company (FPL or Licensee) filed a response supporting the dismissal of Contention 1. FPL now files its response in support of the motion for summary disposition of Contention 4B.

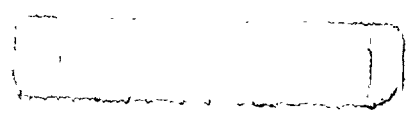
FPL has examined the motion filed by the NRC Staff and the supporting affidavit of Robert F. Abbey, Jr. FPL herewith submits an additional affidavit of Frederick G. Flugger, Habib H. Jabali and Ping K. Wan which provides further support for the summary disposition of Contention 4B. The affidavit attached hereto is consistent with the Abbey affidavit and provides further support for paragraphs numbered 7 through 12 of the Staff's "Statement of Material Facts as to Which There Are No Genuine Issues to be



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Heard."<sup>\*/</sup> Consequently, FPL agrees that there is no genuine issue as to the material facts concerning Contention 4B and submits that the contention should be dismissed.

FPL notes that the Staff Statement of Material Facts states, among other things, that:

7. The proposed repair schedule does not substantially coincide with the historical hurricane season in southeastern Florida and the chance of a tornado occurrence is remote.

The affidavit attached hereto supports that statement. However, consistent with paragraphs numbered 8 through 12 of the Staff's Statement of Material Facts, the attached affidavit also emphasizes that the repair schedule should not be based on the timing of the hurricane season or the low probability of the occurrence of tornadoes since "[t]hese severe meteorological events in no way alter the acceptability of the proposed repair activity."

(p. 10).

Respectfully submitted,



Harold F. Reis  
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LOWENSTEIN, NEWMAN, REIS & AXELRAD  
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Washington, D.C. 20036  
Telephone: (202) 862-8400

Date: May 5, 1981

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<sup>\*/</sup> The affidavit attached hereto refers to two studies. Copies of the studies are also attached.

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