

UNITED STATES NUCLEAR REGULATORY COMMISSIONFLORIDA POWER & LIGHT CO.ST. LUCIE, UNITS 1 AND 2DOCKETS NOS. 50-335 AND 50-389ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition for action under 10 CFR 2.206 dated June 12, 1996, by Mr. Thomas J. Saporito, Jr. and on behalf of the National Litigation Consultants. The Petition pertains to St. Lucie, Units 1 and 2.

The Petitioners requested the Commission (1) to issue a confirmatory order requiring that the Florida Power and Light Company (Licensee) not operate the St. Lucie Nuclear Station, Unit 1 above 50% of its power level capacity, (2) to require the Licensee to specifically identify the "root cause" for the premature failure of the steam generator tubing, and (3) to require the Licensee to specifically state what corrective measures will be implemented to prevent recurrence of steam generator tube failures in all the steam generators in Unit 1 and Unit 2.

The Director of the Office of Nuclear Reactor Regulation has determined to deny the Petition. The reasons for this denial are explained in the "Director's Decision Pursuant to 10 CFR 2.206" (DD-96-19), the complete text of which follows this notice, and is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

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A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 18th day of November 1996.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, reading "Frank J. Miraglia, Jr.", written in dark ink.

Frank J. Miraglia, Jr., Acting Director  
Office of Nuclear Reactor Regulation