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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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USNRC

ATOMIC SAFETY AND LICENSING BOARD

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Before Administrative Judges:

OFFICE OF SECRETARY  
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BRANCH

G. Paul Bollwerk, III, Chairman  
Dr. James H. Carpenter  
Dr. Peter A. Morris

SERVED APR 09 1992

In the Matter of  
  
ALABAMA POWER COMPANY  
  
(Joseph M. Farley Nuclear  
Plant, Units 1 and 2)

Docket No. 50-348-CivP  
50-364-CivP

ASLBP No. 91-626-02-CivP

April 9, 1992

NOTICE OF HEARING

(Second Phase of Evidentiary Hearing  
in Civil Penalty Proceeding)

On August 21, 1990, the NRC staff issued an Order Imposing Civil Monetary Penalty to Alabama Power Company (APCo). (55 Fed. Reg. 35,230 (1990)). The order alleges that APCo violated certain of the requirements of 10 C.F.R. § 50.49, which mandates that nuclear facility electrical equipment important to safety must be qualified to remain functional during the harsh environmental conditions that will exist during and after a design basis accident. The order imposed a fine of \$450,000 for the alleged violations. Acting pursuant to 10 C.F.R. § 2.205(d), APCo challenged the validity of the staff's order and requested a hearing.


In a January 23, 1992 order, the Licensing Board declared that the evidentiary hearing for this proceeding would be conducted in two phases. During the first phase,

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the staff and APCo could present direct testimony regarding the validity of the civil penalty order and conduct cross-examination relative to that testimony. The order also established that at the second (and concluding) phase of the hearing, the Board would receive staff rebuttal testimony and APCo surrebuttal testimony and provide the parties with the opportunity to cross-examine the sponsoring witnesses. Thereafter, on February 11-14, 18-21, 1992, the Licensing Board conducted the first phase of the evidentiary hearing.

Please take notice that the Board will conduct the second phase of the evidentiary hearing in this proceeding beginning at 9:00 a.m. on Monday, May 18, 1992, in the NRC Hearing Room, Fifth Floor, West Tower, East-West Towers Building, 4350 East-West Highway, Bethesda, Maryland. The hearing will continue each weekday (holidays excepted) until concluded.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

  
G. Paul Bollwerk, III, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland

April 9, 1992

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

ALABAMA POWER COMPANY

(Joseph M. Farley Nuclear Plant,  
Units 1 and 2)

Docket No.(s) 50-348/364-CIVP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOTICE OF HEARING have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Administrative Judge  
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Docket No.(s)50-348/364-CIVP  
LB NOTICE OF HEARING

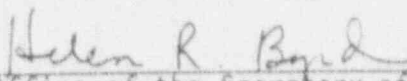
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Dated at Rockville, Md. this  
9 day of April 1992

  
Office of the Secretary of the Commission