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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

'87 DEC 15 P2:35

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

DOCKETING & SERVICE

In the Matter of
FLORIDA POWER & LIGHT COMPANY
(Turkey Point Plant,
 Units 3 & 4)

B712170083 B7121 PDR ADDCK 05000

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Docket Nos. 50-250-0LA-2 50-251-0LA-2

(Spent Fuel Pool Expansion)

December 11, 1987

INTERVENOR'S PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

I. INTRODUCTION AND BACKGROUND

By letter dated March 14, 1987, the Licensee, Florida Power and Light Company (FPL), applied for amendments to allow the expansion of Turkey Point Units 3 and 4 spent fuel pools. On June 7, 1984, the Nuclear Regulatory Commission (NRC) published a notice of consideration of the issuance of amendments to the Turkey Point operating licenses in the Florida Register (49 Fed. Reg. 23715 (1984)). On July 9, 1984, the Center for Nuclear Responsibility, Inc. (Center) and Joette Lorion (Intervenors) filed a petition for leave to intervene in the spent fuel pool expansion license amendment proceeding and requested that a hearing be held prior to issuance of the subject license amendments.

On November 21, 1984, the NRC Staff made a final determination that the amendments involved no significant hazards consideration and issued the license amendments that would allow FPL to rerack their spent fuel pools to increase storage from 621 to 1404 spaces for each pool (49 Fed. Reg. 46832 (1984)).

On March 7, 1985, Intervenors submitted their Amended Petition to Intervene and on March 27, 1985, the Atomic Safety and Licensing Board (ASLB or Board) held a prehearing conference in Miami to consider the ten contentions in Intervenor's petition.

On September 16, 1985, the Board admitted Intervenors as parties to the proceeding and accepted seven of their ten contentions (Contentions 3, 4, 5, 6, 7, 8, and 10) as issues to be litigated in the proceeding.

On January 23, 1986, the Licensee filed a motion for summary disposition of each Contention raised by Intervenors with eleven affidavits from eight technical experts conferring the Contentions. On February 18, 1986, the NRC Staff filed their NRC Staff Response to Licensee Motion for Summary Disposition of Contentions in which it agreed with the Licensee's Motion with respect to all contentions except Contention 4. In support of their Motion, the NRC Staff submitted two affidavits from two technical experts. Subsequently on February 18, 1986, the NRC Staff submitted its own motion for summary disposition of Contention 4.

Intervenors, who did not have the advantage of counsel or expert witnesses, filed their response on March 19, 1986, with Affidavits prepared by Joette Lorion, Intervenor and Director of the Center, on Contentions 3, 4, 5, 6, 7, 8, and 10.

-2-

Finally, on March 25, 1987, the Licensing Board granted Licensee's motion for summary disposition of Intervenors' Contentions 3, 4, 7, 8, and 10, and denied Licensee's motion for summary disposition of Intervenors' Contentions 5 and 6. <u>Florida Power and Light Co.</u> (Turkey Point Nuclear Generating Plant, Units 3 and 4), pg. 62 (March 25, 1987).

Because genuine issue of material fact on Contentions 5 and 6 remained to be resolved at hearing, an Atomic Safety and Licensing Board hearing was held on September 15 and 16, 1987, in Miami, Florida. At hearing, the Licensee offered testimony from six technical experts on Contentions 5 and 6. The NRC Staff provided testimony from five technical experts. Intervenors testified that they still did not have a lawyer or an expert witness because lack of funds caused them to rely on people who volunteered their services and those persons they had asked for assistance were of the opinion that ASLB proceedings were a sham or kangaroo court, and a waste of time. (Tr. at 91). Consequently, Intervenors relied on the cross examination of FPL and NRC witnesses by the Center's Director and Intervenor, Joette Lorion, to establish their case.

The following Findings of Fact and Conclusions of Law are based on the entire record of this proceeding, all documents produced both during the process and at hearing, expert testimony at hearing, and cross examination of those experts.

II. FINDINGS OF FACT

A. CONTENTION 5

Intervenors' Contention 5 states:

- 3 -

That the main safety function of the spent fuel pool, which is to maintain the spent fuel assemblies in a safe configuration through all environmental and abnormal loadings, may not be met as a result of a recently brought to light unreviewed safety question involved in the current rerack design that allows racks whose outer rows overhang the support pads in the spent fuel pool. Thus, the amendments should be revoked.

The bases advanced by the Intervenors for the contention were as follows:

In a February 1, 1985 letter from Williams, FPL, to Varga, NRC, which describes the potential for rack lift off under seismic event conditions [sic]. This is clearly an unreviewed safety question that demands a safety analysis of all seismic and hurricane conditions and their potential impact on the racks issued, because of the potential to increase the possibility of an accident previously evaluated [sic], or to create the possibility of a new or different kind of accident caused by loss of structural integrity. If integrity is lost, the damaged fuel rods could cause a criticality accident.

1. When the Board admitted Intervenors Contention 5 to the proceeding it stated that the issue raised by the Contention was whether there is a deficiency in the current rack design and a necessity for a restriction on loading to prevent potential lift-off. <u>Florida Power and Light Co.</u> (Turkey Point Nuclear Generating Plant, Units 3 and 4), LBP-85-36, 22 NRC (1985).

2. When the Board denied Licensee's motion for summary disposition of Contention 5, we found that there is no question that properly executed administrative controls would prevent rack lift-off during a seismic event, Order at 21, but observed

- 4 -

that "there are sufficient doubts as to the basis for issuance of the amendments particularly the structural analysis involving the safe shutdown earthquake and various loading conditions other than fully loaded and involving the overhanging rows, conditions which the Staff apparently has not evaluated," Order at 24.

3. The Board was especially concerned that the NRC Staff had not reviewed the Licensee's Case 2 analysis in which it was assumed that administrative controls did not exist and that the overhanging rows were loaded while the remainder of the rack is empty, Order at 22.

4. The Board was concerned because, as is discussed on page 23 of the Order, it appeared that without administrative controls, the licensing basis for the issuance of the amendments would not be supported (2/26/85 Letter McDonald to Williams).

5. At hearing, the Licensee offered the testimony of three witnesses on Contention 5, Edmond Demario, Harry Flanders, and Russell Gouldy. (Tr. 97). Intervenors chose not to cross-examine these witnesses. (Tr. 104).

 At hearing, the NRC Staff offered the testimony of two witnesses, Sang Bo Kim and Daniel McDonald. (Tr. 126).

7. In their written testimony, Sang Bo Kim and Daniel G. McDonald concluded in Section 2.3.6 of the November 21, 1984 SE that the racks satisfied the structural aspects of the Appendix A requirements of 10 C.F.R. part 50 (GDC 2, 4, 61 and 62). (Bo Kim and McDonald testimony at 5, Tr. p. 126).

- 5 -

8. In a letter to D. McDonald, NRC, from Williams, FPL, dated February 1, 1985, FPL informed Mr. McDonald that they had performed an additional rack earthquake response analysis concerning the loading of the overhanging outer rows upon being informed by Westinghouse that "lift-off" could occur and asked McDonald to review their reanalysis. (Transcript pp. 131 and 132).

9. In a letter from McDonald, NRC, to Williams, FPL, Daniel McDonald informed FPL that NRC Staff's review of the reanalysis would represent a change in the basis supporting the license amendments. It further stated that since the Licensee had invoked administrative contro's there was no need to do anything further unless the Licensee, under the provisions of 50.59 determined an unreviewed safety question existed. (Tr. at 132).

10. McDonald admitted that the Staff did not do their own formal review of the Westinghouse documentation, and that it would be desirable not to rely on administrative controls. (Tr. at 138 and 139).

11. Sang Bo Kim informed the Board that the NRC Staff had finally reviewed the Westinghouse submittal and February 1st submittal, including the Case 2 analysis prior to hearing and determined that administrative controls were no longer necessary. (Tr. at 144).

12. McDonald stated that when they received the Board's Order, in which concern was expressed that the NRC Staff had

-6-

not completed their review of Licensee's reanalysis, the NRC Staff did so. (Tr. at 153).

13. Sang Bo Kim testified that he did a review of FPL's data and did not perform his own independent calculations. (Tr. at 155).

14. Based on the evidence presented and review of the November 21, 1984, SE, and the February 1, 1985 and February 26, letters, the Board cocludes that the NRC Staff acted improperly by not performing their review of FPL's reanalysis in February of 1985 and instead waiting until they were forced to do so to prepare for hearing nearly two years later. The Board also concludes that Daniel McDonald's response to Licensee dated February 26, 1985, in which in the words of the Intervenors he left it up to FPL to decide if there was an unreviewed safety question (Tr. at 133) was both improper and dangerous in light of FPL's pattern and practice of abusing the 50.59 provision. Indeed, from Licensee's February 1st letter it appeared that they thought there was an unreviewed safety question involved, as there well could have been and the NRC Staff, rather than apparently suggesting to the utility that they could evade the NRC Staff review by using the 50.59 revision, should have on that date in 1985 suggested that the amendments be suspended temporarily while they completed their review of Licensee's reanalysis, since it is apparent that it was no longer certain that the fuel rack met the General Design Criteria outlined in the November 21, 1984, Safety Evaluation. Finally, the Board concludes that the safety issue involved is

- 7 -

serious enough that the license amendments be suspended until such time that the NRC Staff performs their own independent review of the design of the racks and makes a final and formal determination that administrative controls are no longer necessary. It should not be left up to a utility that has a history of abuse of regulations and procedure to make these important safety decisions. It is chilling to think that the NRC Staff would not have performed these reviews important to safety if the Intervenors had not requested a hearing.

B. CONTENTION 6

Contention 6 states:

The Licensee and Staff have not adequately considered or analyzed materials deterioration or failure in materials integrity resulting from the increased generation and heat and radioactivity, as a result of increased capacity and long term storage, in the spent fuel pool.

The bases for the contention are as follows:

The spent fuel facility at Turkey Point was originally designed to store a lesser amount of fuel for a short period of time. Some of the problems that have not been analyzed properly are:

- (a) deterioration of fuel cladding as a result of increased exposure and decay heat and radiation levels during extended periods of pool storage.
- (b) loss of materials integrity of storage rack and pool liner as a result of exposure to higher levels of radiation over longer periods.
- (c) deterioration of concrete pool structure as a result of exposure to increased heat over extended periods of time.

15. In the Board Order on Summary Disposition dated March 25, 1987, the Board dismissed Licensee's motion for summary disposition of Contention 6 and asked that "the parties address the matter of the modes and effectiveness of surveillance of materials and the monitoring of the fuel storage pool and contents to provide a measured basis for safety during the extended period of use," Board Order at 33.

16. One of the spent fuel pool materials, Boraflex, a neutron absorbing material, became a primary issue at hearing after the parties received a Board Notification Regarding Anomalies in Boraflex Neutron Absorbing Material (BN87-11) dated June 15, 1987, in which it was reported that the results of two inspections performed by two utilities, Quad Cities and Point Beach, identified anomalies in their boraflex.

EFFECTS OF HEAT AND RADIATION ON THE SPENT FUEL POOL STRUCTURE LINER AND FUEL ASSEMBLIES

17. William Hopkins, witness for the Licensee, testified that no deterioration to the liners or concrete structure are expected to occur as a result of the spent fuel expansion. He stated that his conclusion was based on engineering judgment, and review of reference documents based on laboratory tests and analysis (not on actual experience) and that in one case, at least he did not know if the spent fuel pool in the reference studied had the same density, and fuel the same burn-up as that at Turkey Point. He also stated that it is not typical for

-9-

utilities to establish surveillance programs to check for radiation damage to liners and concrete. (Tr. 164-173).

18. Eugene Thomas testified for Licensee on damage to the liners and concrete due to heat. Mr. Thomas' testimony, again not based on actual experience in the field since no spent fuel has been stored in a pool for forty years, was based on analytical analysis. (Tr. at 177). Mr. Thomas admitted that he did not look at experience at other plants, that the pool was not designed to store the amount of fuel allowed by the amendment for the life of the planet; but rather the amount considered in the initial design. (Tr. at 178 and 179). Finally, Thomas testified that his telephone survey of 32 PWRS and 16PWRS showed none had a surveillance program for the liner plate or concrete. (Tr. at 183).

19. David Sellers, testifying for the NRC Staff was asked about the A.B. Johnson article in which Johnson recommended the implementation of a program to see if a slow degradation process was at work in long term storage of spent fuel, testified that he did not know of any NRC funded program to look for slow degradation. (Tr. at 192 and 193). Sellers agreed that the Staff had no 40-year data or specific fuel storage in storage pools, but stated that the Staff concluded that the extended storage authorized by the amendments raises no question of materials integrity. (Tr. at 210).

20. Gerald Kilp, witness for the Licensee, testified about materials integrity of the fuel assemblies and the spent fuel storage racks in the spent fuel pool environment. Again, Dr.

-10-

Kilp's conclusion that the cumulative gamma and neutron exposure would not cause significant degradation was based on mathematical analysis and not experience in the field. (Tr. 223-224). Intervenors were also concerned that his use of 36,000 megawaht days per metric ton of uranium rather than 55,000 was not connervative. (Tr. 225-229). On pages 19 and 20 of his testimony, Kilp discusses non-destructive exams for spent fuel but states that "it currently does not seem justified to require detailed fuel examinations of every pool operator."

21. Based on our review of the record, the testimony, and the paper by A.B. Johnson, Jr., quoted in our Order of March 25,1987, this Board concludes that the NRC Staff and the Licensee institute a surveillance program at Turkey POint to check for slow degradation of the spent fuel pool liner, concrete, and assemblies. Surveillance would include the means and methods outlined by Mr. Sellers on page 206 of the transcript. Since the record clearly indicates that all of the conclusions reached by the technical experts are really based on assumptions and engineering judgment rather than experience in the field, and since if their assumptions are wrong the consequences to the public health and safety could be disastrous, we feel that it is important, not only to FPL but to all utilities faced with expansion of their spent fuel pools, that an NRC surveillance program be developed and implemented at Turkey Point as soon as possible. Since, with extended spent fuel storage, we are attempting to predict long-term consequences based on short term experience, and -11because we cannot really assess the long-term societal risks with such a limited base of operational experience, implementation of a surveillance program at Turkey Point (and other plants) would seem not only prudent but necessary for the protection of the public.

EFFECTS OF HEAT, RADIATION, AND CORROSION ON THE BORAFLEX MATERIAL

22. Boraflex, a neutron absorber approved for use as a neutron poison for criticality control in the Turkey Point spent fuel pools, became and issue in this proceeding with the issuance of a June 15, 1987 board notification entitled, "Board Notification Regarding Anomalies in Boraflex Neutron Absorbing Material" (BN-87-11). The Board Notification informed the parties that the results of inspection performed by two utilities of the Boraflex neutron absorber material used in their spent fuel pools (SFP) (Quad Cities and Point Beach) have identified anomalies in the Boraflex. Two reports, one on the Quad Cities plant and one on the Point Beach plant were included as enclosures.

23. The Quad Cities report indicated that numerous gaps were found in the Boraflex in the racks due to shrinkage of the Boraflex material. The report conlouded that although the design still maintains the SFP's criticality below .95 K-effective, yet pages 8-11 of the report states that "projections of the overall service life of Boraflex in a spent fuel pool environment are not possible at this time." (Preliminary Assessment of Boraflex Performance In the Quad

-12-

<u>Cities Spent Fuel Storage Racks</u> dated April 10, 1987. The Quad Cities and Point Beach Reports were mentioned extensively at hearing and references to the reports were included on the expert testimony on the Boraflex issue. (Tr. 249-376).

24. At hearing the Licensee provided testimony from three witnesses, Dr. Kilp, Russell Gouldy, and William Boyd.

25. Dr. Kilp explained that Boraflex shrinks at cumulative gamma dose of 1 x 10^{10} , and that after the shrinkage stops scissioning, a situation where the Boraflex takes on water and begins to swell, can occur. (Tr. 230-32). He also stated that use fuel with increased burn-up could make a difference in the case of Boraflex. (Tr. 224).

26. Russell Gouldy, also a witness for the Licensee, explained that Boraflex has been in use in spent fuel pool racks for at least five years. Gouldy also discussed the blackness testing that FPL conducted prior to the hearing to determine if gaps existed in their Boraflex. At the time of testing the fuel had been stored reracked for about 2.5 years and the gamma dose was approximately 7.8 x 10^9 rads. (Tr. at 246-310). Dr. Turner, who performed the test, could not identify gaps less than 1 1/2 inches. (Tr. at 254). Gouldy also stated that FPL did not remove coupons and test them, like Point Beach, but that the test performed at Turkey Point was rather coarse - a go-no-go type test. (Tr. at 258). Gouldy also stated that the racks at Turkey Point in Region 2 had used adhesive but that these racks had not been tested for gaps and would not be tested in 1989. (Tr. at 284, 285, and 314).

-13-

27. William Boyd, the final witness for the Licensee, testified about the sensitivity analysis that Westinghouse performed to determine the impact of postulated gaps on the K-effective of the Turkey Point spent fuel pools. He admitted and his diagrams attached to the testimony (figures 2 and 3) show that for certain enrichments and certain gaps sizes the Turkey Point spent fuel pools would not remian in their .95 K-effective limit. (Tr. 270-282).

28. Dr. Kopp, witness for the NRC Staff, agreed that in certain instances the .95 criterion could be exceeded. (Tr. at 341 and 342). Dr. Kopp also testified that if the gap formation became severe enough it could affect the subcriticality. (Tr. at 351).

29. The testimony of James Wing, Conrad McCrachen, and Laurence Kopp regarding Contention 10 also indicated that the Staff has some concerns as to whether fuel enrichment up to 4.5 weight percent U₂₃₅ can be stored at Turkey Point and maintain the .95 K-effective acceptance criterion. (Testimony p. 17) (Tr. at 359 and 360). The same testimony on page 11 states that "physical degradation can decrease the margin of subcriticality of the fuel pool."'

30. Finally, McCrachen discussed a letter from FPL stating that they would not store fuel higher than 4.1% enrichment and he stated that the NRC views this as a commitment.

31. The Board bases its following conclusions on the Boraflex issue on the entire record of this proceeding and the cross-examination of the expert witnesses. The Board concludes

-14-

that the anomalies being found in Boraflex material in some spent fuel pools could pose a potential threat to the public health and safety. Furthermore, we believe that Figures 2 and 3 of William Boyd's testimony prove that there are certain instances in which the Licensee will not meet the .95 K-effective criterion should gaps form in the Boraflex. We are not convinced that the Licensee in all cases will meet the design basis for preventing criticality accidents as is outlined in ANS1 N210-1976 and G.D.C. 62, especially in the case of storage of 4.5 W O U-235 which Licensee has been approved to store in the pools. Furthermore, we do not believe that the blackness tests performed by the Licensee prove that no gaps exist in the Boraflex, since by their own admission, they were very coarse and could not predict gaps smaller than 1.5 inches. For all the above reasons, this Board will suspend the license amendments for expansion of the Turkey Point spent fuel pool until it has been proven through in depth testing that no gaps exist in the neutron absorbing material, Boraflex, and until such time that the Licensee has submitted a detailed and in-depth program for surveillance of the Boraflex that will assure with greater certainty that the public health and safety is not in jeopardy due to the use of this material. Finally, this Board directs the NRC Staff to determine if Boraflex could be considered an unproven material for use in spent fuel pools and if use of this material would place license amendment requests for use of this material in spent fuel pool expansion in the "significant hazards" category.

-15-

III. CONCLUSIONS OF LAW

It is the responsibility of the Atomic Safety and Licensing Board, as it reviews nuclear plant operating licenses to compel compliance with the Commission's rules and regulations. This is mandated by Congress in the Atomic Energy Act of 1954, and this Board takes that responsibility very seriously.

The NRC, ty regulation (10 C.F.R. 54.57 (a) (3) (i)), requires reasonable assurance that all license activities be conducted without endangering the health and safety of the public. The Staff's role in this license amendment proceeding is to perform a thorough review of Licensee's application in order to assure the safety and health of the public. If either the Board, the Staff, or both do not live up to their responsibility to protect the public health and safety, the harm to the public could be great. Indeed, the report mentioned at hearing, NUREG/CR 4982, Severe Accidents in Spent Fuel Pools In Support of Generic Issue 82, reminds us that a worst case accident in a spent fuel pool could permanently contaminate a 224 square mile radius of land with long-lived radioactivity. Thus, the decisions we make about our review of the issuance of license amendments that have the potential to cause such public harm must be thorough and if we err, we must err on the side of safety.

Allowing scientific assumptions to pass as fact, and ignoring incomplete reviews by our Staff, is not proper as either a scientific or regulatory position. It is not proper

-16-

in a regulatory decision, because the protection and safety of the public should never be based on assumptions and incomplete reviews.

Thus, this Board bases its conclusions of law on whether or not issuance of the license amendments in question adheres with the Commission's rules and regulations. We find that in both the case of Contention 5 and Contention 6, the rules and regulations are not met.

In the case of Contention 5, it has been shown that the General Design Criterion (GDC) 62 (10 C.F.R. Part 50, Appendix A), which states, "Criticality in the fuel pool storage and handing system shall be prevented by physical systems or processes, preferably by the use of geometrically safe configurations," has not been met. It has also been shown that the NRC Staff in not performing a thorough review of Licensee's reanalysis did not meet their responsibility to assure the protection of the public health and safety.

In the case of Contention 6, it is the Board's opinion that General Design Criterion 62 (10 C.F.R. Part 50, Appendix A) has also not been met nor has it been demonstrated that the .95 K-effective guidelines established by the standard Review Plan, NUREG-0880, dated July 1981, 9.1.2; NRC Branch Technical Position entitled "OT Position for Review and Acceptance of Spent Fuel Storage and Handing Applications," and NRC Regulatory Guide 1.13, Rev. 1 dated December 1975, will be met under all conditions.

-17-

In short, upon review of the evidence, the Board does not believe that the Licensee has met the burden of proof on either Contention 5 and 6 in that they have not demonstrated beyond a doubt that deficiencies in the fuel rack design and/or degradation of the spent fuel pool materials including Boraflex, could not lead to a criticality accident. Furthermore, they have not proven that they will meet the .95 K-effective criterion under all conditions.

In the words of the Atomic Safety and Licensing Board in the matter of Consumer's Power:

The pool is a waste dump containing an extensive inventory of fission products that do not exist in dry, unirradiated fuel. Considering the large amount of fission products that might be dispersed should a criticality accident occur in the pool, we see no reason for any leniency about K-effective. The risk associated with an accident is too grave to take. Further, we note that this is simply a waste dump and there is no technical reason why waste dumps cannot be made safe from criticality accidents. (emphasis supplied).

Consumer Power Co. (Big rock Point Plant), pg. 24 (October 29, 1982).

In short, we do not believe that the Licensee has provided sufficient evidence to warrant this Board's imprimatur of the subject license amendments.

ORDER

For all the foregoing reasons and based on consideration of the entire record of this matter, it is this 11th day of December

ORDERED

Amendment Nos. 111 and 105 to operating DPR-31 and DPR-41 issued by the Office of Nuclear Reactor Regulation on November 21, 1984 to allow the expansion of the Turkey Point Units 3 and 4 spent fuel pools be suspended until:

(1) The NRC Staff has performed an independent review of the potential for "lift-off" of the Westinghouse spent fuel rack design, and the necessity for administrative controls on fuel loading;

(2) The NRC Staff in conjunction with FPL, the Licensee, shall design and implement a surveillance program that would look for slow degradation of materials in the spent fuel pool environment;

(3) The Licensee conducts a more sophisticated test of the Boraflex material in their spent fuel pools including the testing of racks in which adhesive was used and the testing of coupons and proves conclusively that they will meet the .95 K-effective criterion in all circumstances and under all conditions;

(4) The NRC Staff determines whether or not Boraflex can be considered an "unproven" material, and whether or not use of this material would place this amendment request in the "significant hazards" category.

-19-

It is further ordered in accordance with 10 C.F.R. 2.760, that this initial decard in shall constitute a final decision of the Commission thirty dear from the date of issuance, unless an appeal is taken in accordance with 10 C.F.R. 2.722 or the Commission directs otherwise. See also 10 C.F.R. 2.785 and 2.786. Any party may take an appeal from this decision by filing a Notice of Appeal within ten (10) days after service of this decision. A brief in support of such appeal shall be filed within thirty (30) days after the filing of the Notice of Appeal (forty days in the case of the NRC Staff). Any other party may file a brief in support of or in opposition to the appeal of the party. A responding party shall file a single responsive brief, regardless of the number of Appellant briefs filed.

THE ATOMIC SAFETY AND LICENSING BOARD

Robert M. Lazo, Chairman Administrative Judge

Emmeth A. Leubke Administrative Judge

Richard F. Cole Administrative Judge

Dated _____, 1987 Bethesda, Maryland

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UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD '87 DEC 15 P2:35

| In the Matter of | DOCKETING & SERVICE |
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| FLORIDA POWER & LIGHT COMPANY |) Docket Nos. 50-250-0LA 2) 50-251-0LA 2 |
| Turkey Point Units 3 & 4 | |

CERTIFICATE OF SERVICE

I hereby certify that copies of "Intervenors' Proposed Findings of Fact and Conclusions of Law" have been served on the following by deposit in the United States mail, first class, properly stamped and addressed on the date shown below:

Judge Robert M. Lazo Atomic Safety & Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555

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Dated: December 11, 1987

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