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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

OFFICE OF THE
SECRETARY

AUG 15 1989

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OFFICE OF THE
DOCKET
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SERVED AUG 15 1989

Mr. Thomas J. Saporito, Jr.
1202 Sioux Street
Jupiter, Florida 33458

Dear Mr. Saporito:

Subject: Partial Director's Decision Regarding Turkey Point
Nuclear Station Docket Nos. 50-250 and 50-251 (2.206)

On December 21, 1988 and by supplemental letters dated January 13 and 30, February 7 and April 25 and 26, 1989, you requested NRC to take specific actions regarding the Turkey Point facility. On July 12, 1989, the Director of the Office of Nuclear Reactor Regulation issued a "Partial Director's Decision (DD-89-05) denying your request. On July 16, 1989, you filed a document with the Executive Director for Operations entitled "Answer to Partial Director's Decision Under 10 CFR 2.206", in which you requested that the document be referred to me for the Commission's review.

NRC regulations provide that, within 25 days after the date of the Director's Decision, the Commission may on its own motion review that decision, in whole or in part, to determine if the Director has abused his discretion. Review is at the discretion of the Commission; no individual has the right to such a review. No petition or other request for Commission review of a Director's Decision under this section will be entertained by the Commission (See 10 CFR 2.206(c)). Therefore, to the extent that you request that the Commission undertake a formal review of DD-89-05, I deny this request in accordance with my authority under 10 CFR 2.772.

The Commission has considered your concerns and the Partial Director's Decision, and has determined not to undertake a formal review of the Partial Director's Decision in this matter. Accordingly, the decision became final agency action on August 7, 1989.

In your answer to the Partial Initial Director's Decision, and other letters to the NRC, you request a meeting with the NRC Commissioners. The Commission does not see a need for such a meeting.

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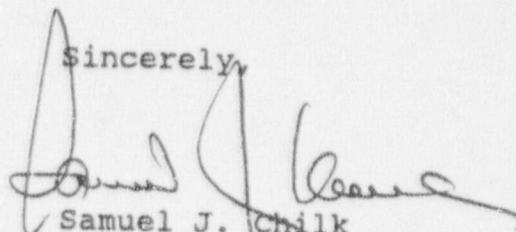
Mr. Thomas J. Saporito

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Your answer to the Partial Director's Decision has been referred to the Director of Nuclear Reactor Regulation to consider whether your submittal presents any new information as a basis for your request that the NRC take specific actions regarding the Turkey Point facility. Additionally, your allegation of collusion between the NRC and the licensee has been forwarded to the NRC Inspector General.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Samuel J. Chalk', is written over the typed name.

Samuel J. Chalk
Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
)

FLORIDA POWER & LIGHT COMPANY)

(Turkey Point Nuclear Station,)
Units 3 and 4))

Docket Nos. 50-250
and 50-151

(2.206 Request)
(DD-89-05)

CERTIFICATE OF SERVICE

I hereby certify that copies of the notification of expiration of Commission review of DD-89-05 dated August 15, 1989, have been served upon the following persons in accordance with the requirements of 10 CFR Section 2.712.

Mr. Thomas J. Saporito, Jr.
1202 Sioux Street
Jupiter, Florida 33458

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Washington, DC 20555

Patty Henderson

Office of the Secretary
of the Commission

Dated at Rockville, Maryland
this 15th day of August, 1989