

ATTACHMENT A

CONTENTION 4: Progress Energy Florida's (PEF's) Environmental Report fails to comply with 10 C.F.R. Part 51 because it fails to adequately address, and inappropriately characterizes as SMALL, certain direct, indirect, and cumulative impacts, onsite and offsite, of constructing and operating the proposed LNP facility:

A. Impacts to wetlands, floodplains, special aquatic sites, and other waters, associated with dewatering, specifically:

1. Impacts resulting from active and passive dewatering;
2. Impacts resulting from the connection of the site to the underlying Floridan aquifer system;
3. Impacts on Outstanding Florida Waters such as the Withlacoochee and Waccasassa Rivers;
4. Impacts on water quality and the aquatic environment due to alterations and increases in nutrient concentrations caused by the removal of water; and
5. Impacts on water quality and the aquatic environment due to increased nutrients resulting from destructive wildfires resulting from dewatering.

B. Impacts to wetlands, floodplains, special aquatic sites, and other waters, associated with salt drift and salt deposition resulting from cooling towers (that use salt water) being situated in an inland, freshwater wetland area of the LNP site.

C. As a result of the omissions and inadequacies described above, the Environmental Report also failed to adequately identify, and inappropriately characterizes as SMALL, the proposed project's zone of:

1. Environmental impacts,
2. Impact on Federally listed species,
3. Irreversible and irretrievable environmental impacts, and
4. Appropriate mitigation measures.⁹¹

CONTENTION 7: Progress Energy Florida's (PEF's) application is inadequate because the Environmental Report assumes that the class B, C, and greater than C low-level radioactive waste (LLW) generated by proposed Levy Units 1 and 2 will be promptly (e.g., within two years) shipped offsite and fails to address the environmental impacts in the event that PEF will need to manage such LLW on the Levy site for a more extended period of time.

CONTENTION 8: Progress Energy Florida's (PEF's) application is inadequate because the Safety Analysis Report assumes that the class B, C, and greater than C low-level radioactive waste (LLW) generated by proposed Levy Units 1 and 2 will be promptly (e.g., within two years) shipped offsite and fails to address compliance with Part 20 and Part 50 Appendix I (ALARA) in the event that PEF will need to manage such LLW on the Levy site for a more extended period of time.

⁹¹ The admission of these portions of Petitioners' original Contention 4 does not render admissible those portions where the Board specifically ruled that the admissibility criteria had not been satisfied.