

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

E. Roy Hawkens, Chair
Dr. Michael F. Kennedy
Dr. William C. Burnett

In the Matter of)	
)	
Florida Power & Light Company)	Docket Nos. 52-040 and 52-041
)	ASLBP No. 10-903-02-COL-BD01
Turkey Point, Units 6 and 7)	
)	
)	June 26, 2014
_____)	

**JOINT INTERVENORS’ UNOPPOSED MOTION TO WITHDRAW THE
CONTENTION CONCERNING THE SITING AND ENVIRONMENTAL IMPACTS OF
TRANSMISSION LINES AT THE TURKEY POINT NUCLEAR POWER PLANT**

I. MOTION TO WITHDRAW CONTENTION

Pursuant to 10 C.F.R. § 2.323, Southern Alliance for Clean Energy, National Parks Conservation Association, Dan Kipnis, and Mark Oncavage (collectively, “Joint Intervenors”) hereby file this Unopposed Motion to Withdraw the Contention Concerning the Siting and Environmental Impacts of Transmission Lines at the Turkey Point Nuclear Power Plant.

On June 12, 2014, pursuant to 10 C.F.R. §§ 2.309(f)(1) and 2.309(f)(2), Joint Intervenors filed a Motion for Leave to File a New Contention Concerning the Siting and Environmental Impacts of Transmission Lines at the Turkey Point Nuclear Power Plant (the “Contention”). The Contention asserts that the “[Environmental Report] for Turkey Point Units 6 & 7 does not satisfy NEPA because it fails to consider the environmental impacts of constructing, operating,

and maintaining transmission lines through the Consensus Corridor.” Contention at 4. One week after filing the Contention, on June 20, 2014, Joint Intervenors were contacted by counsel for Florida Power & Light Company (“FPL”), who brought to our attention, “Supplemental Transmission Corridor Information for the Combined License Application Part 3 – Environmental Report” (ML13311A105) (the “ER Supplement”).¹ The ER Supplement purports to address the environmental impacts of the Consensus Corridor. While these impacts are not addressed in the environmental report (“ER”) – and FPL notes in the ER Supplement that it “does not plan to revise the ER to reflect” the supplemental information² – it appears the analysis in the ER Supplement resolves many of the concerns raised by the Contention.

Having now been made aware of the ER Supplement, Joint Intervenors hereby withdraw the Contention. Joint Intervenors reserve the right to file a new contention if the forthcoming draft environmental impact statement does not adequately address the impacts of constructing, operating, and maintaining transmission lines. *See* 10 C.F.R. § 2.309.

II. CONSULTATION CERTIFICATION PURSUANT TO 10 C.F.R. § 2.323(b)

Joint Intervenors certify that on June 25, 2014, we contacted counsel for FPL and the NRC Staff in an attempt to obtain their consent to this motion. All parties consented.

III. CONCLUSION

For the reasons stated above, Joint Intervenors respectfully request that the Atomic Safety and Licensing Board grant this Unopposed Motion to Withdraw Joint Intervenors’ Contention Concerning the Siting and Environmental Impacts of Transmission Lines at the Turkey Point Nuclear Power Plant.

¹ On June 5, 2014, Joint Intervenors’ consulted with FPL and the NRC Staff regarding the filing of the Contention. Neither party brought the ER Supplement to our attention at that time.

² ER Supplement at 1.

Respectfully submitted this 26th day of June, 2014.

/signed electronically by/

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Units 6 and 7)

Docket Nos. 52-040-COL and 52-041-COL

CERTIFICATE OF SERVICE

I hereby certify that JOINT INTERVENORS' UNOPPOSED MOTION TO WITHDRAW THE CONTENTION CONCERNING THE SITING AND ENVIRONMENTAL IMPACTS OF TRANSMISSION LINES AT THE TURKEY POINT NUCLEAR POWER PLANT has been filed through the Electronic Information Exchange system this 26th day of June, 2014.

/signed (electronically) by/

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