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 Environmental Impact Statement Related to
 the Point Beach Nuclear Plant, Unit Nos. 1
 and 2 (Point Beach), Subsequent License
 Renewal Application - Meeting 1

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING ON THE DRAFT SUPPLEMENTAL ENVIRONMENTAL
IMPACT STATEMENT RELATED TO THE POINT BEACH NUCLEAR
PLANT, UNIT NOS. 1 AND 2 (POINT BEACH), SUBSEQUENT
LICENSE RENEWAL APPLICATION

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WEDNESDAY,

DECEMBER 8, 2021

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The public meeting took place via Video
Teleconference, at 2:00 p.m. EST, Sheila Ray, NRC
Facilitator, presiding.

PRESENT:

SHEILA RAY, NRC Facilitator

BETH ALFERINK, NMSS

BRIANA ARLENE, NMSS

DANIEL BARNHURST, NMSS

SCOTT BURNELL, NRC Public Affairs Officer

PHYLLIS CLARK, Environmental Project Manager, NMSS

JERRY DOZIER, NMSS

ROBERT ELLIOTT, Chief, Environmental Review License
Renewal Branch, NMSS

KEVIN FOLK, NMSS

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LIFENG GUO, NMSS

THOMAS HARTMAN, Region III, DRP

ROBERT HOFFMAN, NMSS

CAROLINE HSU, NMSS

STACEY IMBODEN, NMSS

MARIELIZ JOHNSON, NRR

NANCY MARTINEZ, NMSS

DONALD PALMROSE, NMSS

LANCE RAKOVAN, NMSS

WILLIAM RAUTZEN, NRR

BILL ROGERS, NRR

BRIAN SMITH, NRR

P R O C E E D I N G S

2:14 p.m.

MS. RAY: Good afternoon everyone. I would like to welcome everyone to the draft supplemental environmental impact statement public meeting for the subsequent licensing rule application for the Point Beach Nuclear Plant units one, and two. My name is Sheila Ray, and I will be serving as your meeting facilitator. My role is to help the meeting go smoothly to achieve a common objective.

My approach will be to set the ground rules, encourage participation, and open dialogue, as well as maintain a respectful, and professional environment.

Furthermore, I will keep the meeting focused on the topic at hand, and keep track of the agenda, and schedule to ensure timeliness to cover all the topics. This is a comment gathering meeting. Comment gathering meetings are typically held with representatives of non-government organizations, private citizens, interested parties, businesses, and industries to fully engage in discussion.

These meetings provide an opportunity for the NRC, and the public to work together to ensure that issues, and concerns are understood, and considered.

Today's meeting is being recorded, and transcribed.

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For an accurate transcription, when speaking please identify yourself, and your affiliation. We welcome feedback on the NRC's public meetings, and we would appreciate it if you provide any feedback at <https://feedback.nrc.gov/pmfs>, and the meeting code is 20211468. Once again, the meeting code is 20211468.

For ground rules, please have one speaker at a time, state your name, and affiliation before speaking for an accurate transcription. Please hold your questions until the end of the presentation. Follow the agenda to stay on track. Please stay on topic, and lastly, please mute, or place on vibrate all your electronic devices. Regarding logistics, the slides can be viewed through Microsoft Teams, and are available in the agency wide documents access, and management system also known as ADAMS, at ML21335A023.

Once again, that's ML21335A023. Please refrain from using the video feature in Teams to avoid getting this issue. The audio is through a telephone bridge. Participants are in listen only mode until the public comment portion of the meeting. At that time you can press star one to indicate you would like to make a comment, the operator will then open your line. Please be concise in providing your comments, so everyone has an opportunity to speak.

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For your awareness, the chat in Teams will not be recorded, and finally no regulatory decisions will be made at today's meeting, and we welcome environmental concerns to aid in the staff's overview.

We have a number of NRC staff in the meeting today, and this slide includes the presenters for today's meeting. Ms. Phyllis Clark will provide an overview, and the preliminary results of the staff's review. Mr. Rob Elliott, the chief of the Environmental Review License Renewal Branch will be providing the opening, and closing remarks. And now I'll turn it over to Rob. Go ahead Rob.

MR. ELLIOTT: Thank you Sheila. Good afternoon everyone, my name is Rob Elliott, and I am the branch chief of the NRC's Environmental License Renewal Branch. I'd like to welcome you to today's meeting, and to present the preliminary results of the Point Beach Nuclear Plant subsequent license renewal environmental review. I will serve as the NRC's senior official for today's public meeting. In reviewing the Point Beach application, the NRC issued a notice of intent to prepare an environmental impact statement.

And to conduct an environmental impact statement scoping in February 2021. The staff conducted a public meeting to brief the public, and

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to collect scoping comments in February of 2021. This meeting today serves two purposes. The first is to brief the public on the staff's review, and the preliminary results in the draft environmental impact statement for public comment.

And the second is to collect public comment on the preliminary results. The comments can be verbal, from today's meeting, for which we have a court reporter to capture your comments. Or the comments can be written. The NRC staff will cover how to submit written comments in its upcoming presentation. I thank you all for taking the time to attend today's meeting, and to help the staff with your comments. With that, I'll turn it over to Phyllis Clark. Phyllis, the floor is yours.

MS. CLARK: Thanks Rob. Good afternoon everyone, my name is Phyllis Clark, thank you for taking the time to attend this public meeting today. I am the environmental project manager for the review of the Point Beach Nuclear Plant subsequent license renewal application. The purpose of today's meeting is to present the preliminary results of the staff environmental review of the application. For today's agenda, I'll provide an overview of NRC's regulatory role, and mission.

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Briefly discuss the background of the Point Beach application, present the staff environmental review, and results. And provide the remaining milestones for the environmental review. I ask that you hold your questions until the end of the presentation. After the presentation, I will take public comments. Please keep comments, and questions in the scope of the preliminary results of the Point Beach Nuclear Plant subsequent license renewal environmental review.

Slide please. There are two statutes that guide the NRC staff review of license renewal applications. They are the Atomic Energy Act, and the National Environmental Policy Act, or NEPA. These two statutes are at the core of the NRC's mission to protect public health, and safety, to promote common defense, and security, and to protect the environment. Next slide.

The Point Beach Nuclear Plant units one, and two were first licensed in 1970, and 1973, and were granted renewed licenses in 2005. The current renewed licenses expire in 2030, and 2033 respectively. NextEra Energy Point Beach, LLC, which I'll refer to in the presentation as NextEra, filled an application for subsequent license renewal of the Point Beach

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Nuclear Plant units one, and two with a letter dated November 16th, 2020.

Next slide. The NRC staff documents its environmental review in an EIS which incorporates public comments, and is publicly available for inspection. Some environmental impacts related to license renewal are similar across multiple plants. To improve its efficiency, the NRC uses a generic EIS to address these impacts that are common to all nuclear power plants, or for a distinct subset of plants.

For example plants that use cooling towers, or plants that use cooling ponds are subsets of plants in the generic EIS. As part of our environmental review, the staff reexamines the conclusions in the generic EIS to determine if there is any new, and significant information. In other words, in a supplemental EIS, the staff answers the question is there any new, and significant information that would change the conclusions in the generic EIS?

The staff also supplements the generic EIS with a discussion of the environmental impacts that are specific to Point Beach Nuclear Plant's subsequent license renewal. The results are documented in the supplemental EIS for Point Beach Nuclear Plant. Next slide. For the environmental review, the NRC looks

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at a wide range of environmental resources, and evaluates the impact to these resource areas for the continued operation of Point Beach.

This slide illustrates the resource areas that the NRC reviews for environmental impacts. As documented in the draft supplemental EIS, the staff looked at socioeconomics, air quality, water quality, human health, aquatic ecology, terrestrial ecology, and several more. In performing their environmental review, the staff is aided with information from A, the license renewal application. B, consultation with federal, state, tribal, and local government agencies.

C, the NRC's independent environmental review, which includes an audit of the Point Beach Nuclear Plant. And D, public comments such as from today's meeting. Next slide please. The NRC staff addresses each environmental resource area by analyzing the impacts that the operation of the Point Beach Nuclear Plant may have on the resource areas. The staff then characterizes the impact levels as small, moderate, or large.

The definitions are listed on this slide. These impact levels are defined as A, the impacts are not detectable, or noticeable. B, the impacts are detectable, but do not destabilize the resource area,

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or C, the impacts are sufficiently substantial, which alter, and destabilize the resource area. Next slide please. For the environmental resource areas, the characterization of impacts is dictated by statutes, or executive orders, and not by the NRC's small, moderate, or large determinations.

This slide shows the definitions of the impacts for threatened, and endangered species, and essential fish habitats. Under the Endangered Species Act, there are three levels of impact. A, no effect, B, an effect that is not likely to adversely affect, or modify. Or C, an effect, and is likely to adversely affect, or modify. Similarly, under the essential fish habitats, there are three levels of impact.

A, no adverse impacts. B, minimum adverse impacts. And C, substantial adverse impacts. Next slide please. This is how impacts are defined for cultural, and historic resources in environmental justice. For environmental justice, the staff follows the commission guidance in evaluating whether there are disproportionately high, and adverse human health, and environmental effects on minority, and low income populations.

Next slide please. For Point Beach, the preliminary results show small impacts for all 11

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resource areas listed on this slide, including land use, air quality, surface water, ground water, aquatic, and terrestrial resources, and socioeconomics, and several more. Next slide please. With respect to special status species, and habitats, the continued operation of Point Beach Nuclear Plant may affect, but is not likely to adversely affect Northern Long Eared Bats, or Piping Plover.

It has no adverse effects on essential fish habitats. In evaluating the impacts for special status species, and habitats, the staff consulted with the U.S. Fish and Wildlife Service, and National Marine Fisheries Service as appropriate. Next slide please. In looking at the historic, and cultural resources, the staff consults with the state historic preservation officer, and tribal nations that have historical ties with the Point Beach Nuclear Plant vicinity.

The preliminary results indicate that the proposed action, which is the subsequent license renewal, would not adversely affect historic properties. This is based on A, the location of historic properties within, and near the area of potential effect. B, tribal input. C, NextEra's administrative procedures. D, a site specific cultural resource management plan.

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And E, no planned physical changes, or ground disturbing activities. For environmental justice, the preliminary results have no disproportionately high, and adverse human health, and environmental effects on minority, and low income populations. For cumulative impacts, the National Environmental Policy Act requires the staff to take a hard look at the impacts of the combined operation of Point Beach Nuclear Plant in combination with other past, present, and reasonably foreseeable future actions in the area.

The staff's lengthy, and detailed review is located in section 3.16 of the draft supplemental EIS for your reference. For postulated accidents at Point Beach Nuclear Plant, the results are discussed in the draft supplemental EIS section 3.11.6.4. Specifically the results of a severe accident mitigation alternative review are listed in appendix F of the draft supplemental EIS.

Next slide please. Other actions nearby Point Beach Nuclear Plant are considered by the staff in the cumulative impact analysis. These include other projects at the Point Beach site. Electric generation facilities, manufacturing, and mining facilities, water supply, and treatment facilities, parks, and

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recreations sites, transportation facilities, and other construction projects. Next slide please.

For alternatives to Point Beach Nuclear Plant's subsequent license renewal, the staff initially considered 16 alternatives. For reasons of technical consideration, resource availability limitations, commercial limitations, or regulatory limitations, the staff eliminated 13 alternatives from in depth evaluation. The staff evaluated three power replacement alternatives in depth in the draft supplemental EIS.

These are A, new nuclear alternatives. B, natural gas combined cycle alternatives. And C, a combination of alternatives consisting of small modular reactors, solar, and on shore wind. The staff also evaluated the no action alternative, where the Point Beach licenses are not renewed. Table 2-2 in the draft supplemental EIS shows impact comparisons of Point Beach subsequent renewal with alternatives to license renewal.

Each of the three reasonable replacement power alternatives has environmental impacts in at least four resource areas that are greater than impacts of the subsequent license renewal for Point Beach. Next slide please. As discussed in the draft

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supplemental EIS, the staff preliminary conclusion shows the adverse environmental impacts of the Point Beach Nuclear Plant license renewal are not so great that preserving the option of subsequent license renewal for industry planning decision makers would be unreasonable.

In other words, the environmental impact of continued operation of Point Beach Nuclear Plant are not so great it would warrant the denial of renewed licenses. Next slide please. The staff's goal is to complete its license renewal review, and reach a decision on renewing the operating licenses within 18 months of the time the application is accepted. This slide shows important milestones in environmental review.

The opportunity to submit comments closes on January 3rd, 2022. If you have comments you would like to submit outside of today's meeting, you have until January 3rd, 2022 to do so. The license renewal application, and draft supplemental EIS are available for public inspection at the Lester Public Library. In addition these documents are on the NRC website. Next slide please.

You can read the Point Beach draft supplemental EIS at the local library, or on the Point

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Beach project website. You can also use the NRC agency wide document access, and management system called ADAMS at the link listed on this slide to access the NRC documents of interest. Next slide please. In addition to the Point Beach draft supplemental EIS, the website for Point Beach project has links to subsequent license renewal applications, the environmental report, the current schedule, and the project managers associated with the Point Beach Nuclear Plant.

If you would like to receive correspondence related to Point Beach, you can join the operating reactors correspondence list listserv at the link listed on this slide. Next slide please. In addition to providing your comments at today's meeting, there are other ways that you can submit comments for our environmental review. You can provide written comments by email to pointbeach-slrseis@nrc.gov, you can provide comments through [regulations.gov](https://www.regulations.gov) by searching for docket ID number NRC-2020-0277.

Or you can mail your comments to NRC at the address provided on this slide. Comments should be submitted by January 3rd, 2022. This completes my presentation, and I will now turn the meeting over to the meeting facilitator, thank you.

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MS. RAY: Thank you Phyllis. We will begin our public participation comment period. First I will take specific questions on the presentation, followed by comments on the draft supplemental environmental impact statement. Operator, I'd ask that you open the lines for comments, and for those on the phones, please press star one if you have specific questions on the presentation, and state your name, and affiliation.

OPERATOR: Thank you very much. We are ready for that comment session, and if you would like to make a comment over the phone, please press star one, unmute your phone, and record your name clearly. Your name is required to introduce your comment. And if you need to withdraw your comment, press star two. It will take a moment, just one moment please.

MS. RAY: Thank you. And I would ask the speakers to please be concise when providing your comments so everyone has the opportunity to speak.

OPERATOR: Thank you very much, our first comment over the telephone is from Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan. Sir, your line is open.

MR. KAMPS: Thank you, can you hear me?

MS. RAY: Yes, please go ahead.

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MR. KAMPS: Thank you, my name is Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan. And I'd like to focus my comments at this time on a particular issue that actually one of the NRC speakers just cited. So, this is relevant to the section of the draft EIS, section 3.11.6.4, the title of that section is environmental consequences of postulated accidents. And the subsection I'd like to focus on is severe accidents, and severe accident mitigation alternatives.

And particularly, this has to do with the fact that once Palisades in Michigan closes by May 31st of 2022, Point Beach unit two will then have the dubious distinction of being the most embrittled reactor pressure vessel in the United States. This according to --

MR. BURNELL: Kevin, excuse me. This is Scott Burnell from the Office of Public Affairs at the NRC.

MR. KAMPS: Hey Scott, how are you?

MR. BURNELL: I'm doing fine, thank you. We are still in the question section, for people to ask questions about the process, and the presentation. Just want to make sure that --

MR. KAMPS: I'll make my comments when

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that's appropriate.

MR. BURNELL: Thank you. Sheila, if we can kind of reset, and make sure we've got the questions taken care of.

MS. RAY: Yes, thank you Scott. So, we'd like to start with questions on the presentation itself, and then followed by comments on the draft supplemental environmental impact statement. So, I'd ask if you have questions on the presentation, please press star one, and state your name, and affiliation.

OPERATOR: Thank you, we do have one in queue. Hannah Mortensen with PSR Wisconsin, your line is open.

MS. MORTENSEN: Great, thank you. I actually have a few questions about the EIS process, which includes the presentation. First, in the mind of the authors, how, and what was used to determine the quote unquote reasonable foreseeable future determined in this document? So, for me, foreseeable future for Point Beach is perpetuity, because of waste, but I don't think that's what the authors looked at.

So, can anyone speak to how reasonable foreseeable future was determined?

MS. RAY: Thank you for your question. Are there any NRC staff members that would like to

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provide a response?

MS. CLARK: Hi, this is Phyllis Clark. We look at the project's foreseeable future as far as projects that would possibly be going up during the license renewal phase.

MS. RAY: Thank you Phyllis.

MS. MORTENSEN: Thanks.

MS. RAY: Are there other questions on the presentation?

OPERATOR: Over the phone lines I have no further questions in queue.

MS. RAY: Thank you so much, I appreciate that. We will now move into comments on the draft supplemental EIS. Please press star one if you have comments on the draft supplemental EIS, and I'd ask that you please be concise when providing your comments, and please state your name, and affiliation.

OPERATOR: Thank you, our first is from Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan. Your line is on Mr. Kamps.

MR. KAMPS: Thank you, can you hear me? Hello?

MR. ELLIOTT: Yeah, we can hear you.

MS. RAY: Yes, please go ahead.

MR. KAMPS: Thank you. Again, this is

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Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan, and my comments are focused on section 3.11.6.4, environmental consequences of postulated accidents, specifically severe accidents, and severe accident mitigation alternatives. And what I would like to focus on is a particular problem at Point Beach unit two.

That is that it will become, by June 1st of 2022, the single most embrittled reactor pressure vessel in the United States. And the problem here is that the proposal in the draft EIS is looking at another 20 year extension from 60 years, to 80 years of operations. And neutron embrittlement is an age related degradation mechanism, and it's also a pathway to severe accidents, to core meltdown, and large scale release of hazardous radioactivity into the environment.

And I think that short shift has been given to this. I know that NRC will say that its regulations have this very much taken care of, we disagree with that. We've disagreed with that at Palisades at Michigan, across Lake at Michigan for decades, and we very much disagree with that here for Point Beach. And during the introduction, it was said that the Atomic Energy Act, and the National Environmental Policy Act

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are the bedrock laws that guide NRC's safety regulations.

And I would just point out that if NRC tries to say that embrittlement need not be looked at under this draft EIS, because it's covered under the safety reviews, I would challenge that, because of course there would be environmental consequences, in addition to safety consequences from a through wall fracture due to embrittlement. And I just point out that the stakes involved, according to NRC's own studies in the past.

The calculation of reactor accident consequences, crack two, also referred to as the Sandia Siding Study, and also referred to as NUREG/CR-2239, the casualty figures include -- and this is just for Point Beach unit two -- up to 2000 peak early fatalities, which are acute radiation poisoning deaths. Up to 9000 peak early radiation injuries, up to 7000 peak cancer deaths, those are latent cancer fatalities.

And up to 41.4 billion dollars in property damage. That's just for the one unit. Of course Fukushima has shown that multi unit reactor disasters are very possible, domino effect style meltdowns at the same site, so then those figures would have to be doubled if a meltdown at Point Beach unit two led to a meltdown at Point Beach unit one. And again, NRC

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might point to its State of the Art Reactor Consequence Analysis, SOARCA, as showing that nothing would get out.

Nobody would be hurt, and there would be no property damage, and we dispute that study as fatally flawed. In fact, the Associated Press in 2011, investigative reporter Jeff Donn reported that populations have soared around Point Beach since 1982, so casualty figures would be much greater now. That crack two study from 1982 would not account for economic development since 1982.

And adjusting for inflation alone, that 41.4 billion figure in 1982 dollar figures, would now be 112.5 billion for a reactor meltdown at just unit two. And I think it's fair to say that the crack two study inadequately, if at all studied the consequences of a large scale radioactivity release at Point Beach unit two on Lake Michigan, which is headwaters for the Great Lakes drinking water supply, which supplies 40 million people in seven states, and two provinces, and a large number of Native American First Nations downstream with drinking water.

Not to mention fisheries, which a lot of tribes have treaty rights to, and the list goes on. So, I think that this is a significant omission from

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the draft environmental impact statement that the NRC should be required to rectify before publication of the final EIS. And I'll stop there, thank you.

MS. RAY: Thank you so much for your comment, we appreciate that. Operator, can we move to the next comment please?

OPERATOR: Yes, our next then is from Hannah Mortensen with PSR Wisconsin. Your line is open ma'am.

MS. MORTENSEN: Thank you. I have a few things that I would more like to see be changed in the EIS, or have more detail to. So, on page 1-5, it states that the authors consulted with federal, state, tribal, and local government agencies, and later mentions to see appendix C for details. So, it looks like the EIS was sent out. I would like further information on the details of how that happened.

Was it a single email, was it postal mail, did people have conversations with these tribal nations, and how often were these tribes contacted, and local governments? That's my first thing. My second thing, on reading 3-152, it appears to me that NextEra, and NRC were only required to do an analysis of accidents one, from the license extension application in 2004.

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With our current knowledge of climate change, and weather disasters increasing, for example, we can just look at the derecho at Duane Arnold, as well as how much a physical structure can change over time, I truly believe that this analysis in 2004, of accidents, is inadequate due to the time span issue. I again would like to see how reasonable foreseeable future is determined by the authors, a little more detail on that.

And then my other thing is I would love to see a reason why the alternative of one reactor running, and one closing was not considered. I know you guys chose three as a reasonable, but I think more explanation for the public would be great. My other comment is I'm really confused on where data comes from in the EIS. Does it come from the state of Wisconsin, does it come from only NextEra, does it come from the university monitoring?

Or does it come from the NRC itself? Some of the data throughout it, I'm confused on where the authors are pulling it from. Then my last note is if an EIS can recommend the proposed actions, this is again, a question that I would love clarification on, can an EIS recommend changes to a facility, such as cooling towers? If they can recommend a certain thing,

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can they recommend changes to a facility? So, those are my comments, and questions, thank you.

MS. RAY: Thank you, we appreciate those comments. Operator, can we move to the next commenter?

OPERATOR: At this time I have no further in queue, but there might be one on the way, just one moment.

MS. RAY: Sure.

OPERATOR: No, I have nothing further at this time. Just one moment. Paul Gunter with Beyond Nuclear, sir, your line is now open.

MR. GUNTER: Thank you, this is Paul Gunter, Beyond Nuclear, can you hear me?

MS. RAY: Yes we can.

MR. GUNTER: Thank you very much. I wanted to raise a comment at the oral presentation that we're going to submit as part of our written comments to a much greater degree. But it has to do with that old saying of however many wrongs you commit don't make a right. And it seems to be the case here with the U.S. Nuclear Regulatory commission, and a whole host of reactor operators seeking subsequent license renewals, to continuously commit an error of law.

As it is being misapplied to the generic environmental impact statements for these facilities.

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In particular, just to cut to the chase, although it seems like we're going to have plenty of time here, to perhaps go through another round of questions, but our concern repeatedly falls on what we're perceiving as a misuse by misrepresentation of Chapter ten Code of Federal Regulations 51.53C3.

I'm sure that the NRC is already familiar with this, although it continues to allow its licensees to misuse this particular regulation by misrepresentation. In particular, in this case, Point Beach Nuclear Power Station has misused by misrepresentation 10 CFR 51.53C3 in the DSEIS in that Point Beach, in their review, and analysis of severe accidents, and environmental consequence -- I don't know how they misconstrue this reading.

But if you actually take, and read the plain language of 10 CFR 51.53C3, post construction environmental reports finds that the regulation explicitly applies to C in that part, operating license renewal stage, and three, for those applicants seeking an initial license renewal. And in this case, in a read of the plain language, the initial license renewal period in question here is the 40 to 60 year operating license.

Which Point Beach has already been

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approved, and currently operating within. It's a material fact, and not in question that NextEra is going through this renewal to seek a subsequent, or second license renewal to extend Point Beach operations out to 60 to 80 years. Therefore, the NRC, and NextEra have made what has previously been identified as an error of law by incorporating 51.53C3 into the Point Beach DGEIS to expedite, it appears, the approval of the subsequent license renewal operations.

And to exempt the reactor site from updating a site specific review on category one environmental issues. And in this case, for example, I'll just do one of a number of examples where Point Beach has excerpts from part three, affected environment, and environmental consequences, section 3.1. It reads for category one issues, the NRC staff relies on the analysis of the GEIS unless otherwise noted, table 3-1 lists the category one generic issues that apply to Point Beach during the proposed subsequent license renewal period.

And another excerpt is that Point Beach DGEIS part three, affected environment, and environmental consequences, section 3.116.4, environmental consequences of postulated accidents. The GEIS, NRC 2013A, evaluates the following two classes

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of postulated accidents as they relate to license renewal. And it goes on to talk about design basis accidents, and severe accidents.

And NextEra's 2004 environmental report submitted as part of its initial license renewal application for subsequent -- for Point Beach, included an assessment of a severe accident mitigation alternatives for Point Beach. And NextEra staff at the time reviewed NextEra's 2004 analysis for SAMA, the severe accident mitigation alternatives, and documented that this review, in its SEIS for the initial license renewal, which the NRC published in 2004 supplement 23, the NUREG 1437.

Since the NRC staff has previously considered SAMAs for Point Beach NextEra was not required to perform SAMA analysis for its subsequent renewal application. So, again, here we've identified that the NRC is recognizing that 51.53C3 was applied for the initial license renewal, and now they're saying because it was looked at for the 40 to 60 year period, they're just carrying it over to the 60 to 80 period without any additional SAMA analysis.

Basically saying that they're exempt. Well, I think -- I'm going to just, if you'll extend me a few more minutes -- what I'd like to do is point

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to where in a previous subsequent license renewal proceeding where staff, and the licensees have all been made aware of a dissenting opinion of NRC commissioners Jeff Baran, and then Commissioner Chris Hanson, now chair of the NRC, have identified that contrary to -- here's what they write.

Because section 51.53C3 applies only to applicants for initial license renewal, and the 2013 GEIS did not actually analyze the subsequent license renewal time period, neither subsequent license renewal applicants, nor the NRC staff may exclusively rely on the GEIS, and 10 CFR part 51 subpart A, appendix B, table B1 to evaluate environmental impact of category one issues.

Expanding the scope of the 2013 GEIS after the fact not only violates the agency's obligations under the National Environmental Policy Act to evaluate the impact of its actions, but it effectively eliminates any opportunity for the public to be involved in the agency's decision making. We would therefore hold that Beyond Nuclear identified an error of law in the board's decision on contention 2A.

In this case being for the Peach Bottom Nuclear Power Station's subsequent license renewal, which should have been admitted as a contention of

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omission. That same omission we're citing here is being misapplied once again to the Point Beach subsequent license renewal application. And we just want to know when the agency, and the industry are going to stop misrepresenting the GEIS as somehow being able to exempt these 60 to 80 year licenses from looking at the consequences of such things as what the climate conditions are going to be for the projected subsequent license renewal period. Thank you for your attention.

MS. RAY: Appreciate those comments, thank you. Operator, are there more comments?

OPERATOR: We do have two more. Michel Lee, with PHASE, ma'am, your line is open now.

MS. LEE: Thank you very much. I'll keep mine narrowly focused on your alternative analysis, which frankly is absurd. You can always select a couple of things out of a very large list of options, and just make the conclusion that the three things you selected wouldn't work. So, you're selecting a new nuclear facility, natural gas plant, and a small modular reactor with solar, and off shore wind, with no real analysis even of that.

And then you basically dismiss 13 different things, which you could have dismissed 50 different things, because that's the reality of how the future

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electric grid, and energy system does not look at things the way the NRC wishes to. The future, which is pretty much accepted by experts in the field, is to have a widely distributed grid based primarily on renewables, which would include multiple sources renewables.

Substantially increased in demand site options, battery backup, and storage backup with potential of things like biodigestors, and so forth there also for emergency backup. The kind of analysis you're doing in the NRC is simply engineered to reach the conclusions you reached. And that being said, your third conclusion, of the combined alternative of a small modular reactor, solar, and onshore wind isn't really analyzed in any appreciably reasonable way.

And I just wonder why you constantly insist on nuclear being the alternative, and all other modern, cheaper, and safer, and lower emission alternatives are simply waved away. I would also identify that you have not indicated what the carbon 14 emissions of the plant are. And those of course have been ongoing for decades, and will continue to be ongoing.

You're not identifying that, as far as I know, you're not monitoring it from the stacks. And you're not doing anything in your cost benefit analysis looking at the additional cost of the nuclear waste,

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which will of course be imposed on the American public.

So, that concludes my statement, thank you.

MS. RAY: Thank you so much, we appreciate your comments. Operator, may we move to the next comment please?

OPERATOR: Yes, Alfred Meyer with PSR, sir your line is open.

MR. MEYER: Thank you very much for this opportunity to speak. I spoke at the scoping meeting regarding this action, and in particular I spoke about my concerns about climate change impacts at Point Beach, noting in particular that the record low level for Lake Michigan took place in 2013, and the record high level took place just seven years later in 2020. I also asked about the patterns of increasing frequency of extreme weather events, and precipitation, and how that might influence the facility.

So, when I looked at the draft SEIS, section 3.15.3.2 titled climate change, I find several things that give me great concern. One is that you're defining climate change in terms of what happens over decades of time. And I feel that that ignores the fact that what we're experiencing now is year to year variation, not over decades. So, we need to have a more granular look at what's going on.

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And then I see that you refer to an IPCC report from 2007, and I wonder why are you using 14 year old data when you're talking about a cutting edge issue that the majority of research about climate change has taken place more recently because it's been a much better issue recently. And impact, I'd suggest, it's a new issue to be considered carefully in relicensing of reactors.

You calculate precipitation change by decade since 1901, and conclude that the average rate of change is less than a tenth of an inch of precipitation per decade. Which to me, sounds like not very much. But I think that we need to look more carefully at what's happening now. Furthermore, I think that really this whole section needs to be rewritten using the NIPCC 2021 report.

I mean really, how can you present conclusions that will be projecting into 32 years from now, to 2053 using 14 year old data when those 14 intervening years are the period in which our knowledge has greatly expanded. I mean it's not -- I just don't find it acceptable. If you were to look at the IPCC 2021 report, the summary for policy makers, you would find a few sentences like this.

In section A.1.4, globally average

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precipitation over land has likely increased since 1950 with a faster rate of increase since the 1980s, medium confidence. Section A.3.2, the frequency, and intensity of heavy precipitation events have increased since the 1950s over most land areas for which observation data are sufficient for trend analysis, high confidence.

Furthermore it says in B.2.4, it is very likely that heavy precipitation events will intensify, and become more frequent in most regions with additional global warming. Back in C.2.3 it says heavy precipitation, and associated flooding events are projected to become more intense, and frequent in the Pacific islands, and across many regions of North America, and Europe, medium to high confidence.

So, really those statements sound quite different to me than talking about less than a tenth of an inch of increase over a decade. So, I think it's imperative that you use the most current available data.

If you need a little more time to write the report, so be it. But use up to date data, because we are talking about well into the future. So, I would like to see this climate change section redrafted using up to date data.

And then please make that new draft

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available for public review, and comment. This is a critical new element in license decision making, which must be professionally included in the SEIS. Thank you very much.

MS. RAY: Thank you so much for your comment, we appreciate it. Operator, are there more comments on the line?

OPERATOR: Thank you, no, I have no further requests on the line.

MS. RAY: Okay, I will do one more call. If you have any comments, please press star one. And operator, just to confirm, no comments, is that still correct?

OPERATOR: That is still correct, yes.

MS. RAY: Okay. So, we will move into some brief closing remarks. However, we will keep the line open for any commenters that may show up until 4:00 p.m., and I will repeat the closing remarks at the end as well. So, Rob, I will turn it over to you --

OPERATOR: Excuse me, I do have a comment at this time.

MS. RAY: Excellent, we will take that comment.

OPERATOR: Thank you. Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan, sir, your

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line is open.

MR. KAMPS: Hello. I just wanted to -- I guess ask the question that my coworker Paul Gunter asked earlier. If there's so much extra time, are allowed to make a second verbal comment?

MS. RAY: Yes, please.

MR. KAMPS: I would like to, yeah, I'd be happy to, thank you. Again, Kevin Kamps with Beyond Nuclear, and Don't Waste Michigan. For this comment, I would like to focus on section 2.3, alternatives, including section 2.3.1, the no action alternative, subsection .2, replacement power, .4, alternatives considered, but eliminated. Subsection 4.1, solar, subsection 4.3, wind.

What I'd like to say is that I think that the work that's been done by the NRC staff, despite open comments made by members of the public is inadequate as it is, and needs to be made much better before the final EIS is published. Just to give some ideas, in the ASLBP proceeding on this proposed 20 year license extension out to 80 years of operation, the expert witnesses for Physicians for Social Responsibility Wisconsin, including Dr. Mark Cooper, and Dr. Al Compaan, as well as Arnie Gundersen, all three of the expert witnesses touched on this subject

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matter.

And specifically Dr. Al Compaan focused on solar power, solar PV as an alternative to the proposal. Dr. Mark Cooper did the same, did an even larger scope energy alternatives analysis, and Arnie Gundersen not only focused on the solar potential, but also wind power. And I will confer with my colleagues at PSR Wisconsin, to make sure that the materials from that proceeding are submitted as official public comment in this proceeding.

Because there is tremendous scholarship, and expertise present in those materials provided by the expert witnesses. In addition to that, I'd like to point back to a document published by the Michigan State University Land Use Institute more than a decade ago, which found that the state of Michigan, which of course shares Lake Michigan with the state of Wisconsin in terms of geography looked at the potential for offshore wind power in the Great Lakes.

The finding in Michigan was that there are more than 300000 megawatts electric of potential wind power in the Great Lakes. And then Jennifer Granholm as governor, who is now the Energy Secretary of the United States, as governor of Michigan, had a study done as to where the best places available to Michigan

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would be for offshore wind power. And what's relevant to this proceeding is that one of the best places in the Great Lakes to do this was in Northern Lake Michigan, which Wisconsin of course also has access to.

So, there's tremendous offshore wind power potential that has been given short shrift in the draft EIS. There is, in addition, tremendous on shore wind power potential, and the NRC could look no further than the Wisconsin based Midwest Renewable Energy Association for data, and real world applicability of that potential alternative. So, I think that the NRC as -- Alfred Meyer just indicated, needs to really go back to the drawing board on some of these vary basic premises, and start over again.

And then reissue the draft EIS for further public comment. Because tremendous renewable energy potential has been ignored by the NRC, even though it was called to the agency's attention, it was called to the staff's attention in the licensing proceeding.

So, how the NRC staff can claim not to know about this information is beyond me, and I'll close with that, thank you.

MS. RAY: Thank you so much. Operator, are there any further comments?

OPERATOR: Yes, I have two, Anne Behrmann

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with PSR Wisconsin. Ma'am, your line is open.

DR. BEHRMANN: Thank you for taking my call. I actually was trying on another phone about four times to get through, and never could get through with star one. So, I had to close that phone, and get on another line, so there may be problems with people trying to make comments. I have a question, and a comment. My first question is about impact definition, the small, moderate, and large.

This is from the slide show, that I was in queue behind Hannah Mortensen, then somehow got lost I guess, by the facilitator. I understand the definitions of those from the slide, but I want to know the deeper scientific evaluation, or review that's done. What is that based on, where can I find that information? Because I understand that it looks at many, many different aspects to make that impact definition about small, moderate, and large effects in the EIS, and can you explain that more clearly please?

MS. RAY: So, at this time we are not providing responses, this is a comment period, but we have noted your question, so thank you for that, and we'd like to move onto your other comment.

DR. BEHRMANN: I actually did do the star one when you were asking for questions, and never got

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on, so I'm not sure what happened to that, but maybe you should look at your system. The other thing I'm concerned about is the whole issue about, as Kevin Kamps from Beyond Nuclear talked about, the casualty rates, and deaths. And today I spent some time looking at something that was published by the NRC in 2012 looking at the SOARCA states.

And I want to say a couple of things that -- it predicts that all but .5 percent of the population will evacuate if there should be a severe accident, and I think that looking at today's ability of people to evacuate in the event of a severe accident, or a radiation escape within the ten mile radius around Point Beach, my guess is there's going to be -- particularly since they're farmers -- more than just one half of one percent of people who will refuse to evacuate.

I think secondly it's predicted that there'll be no excess cancer deaths, and that's based on the fact that the people under age 40, particularly infants, and pregnant women, will be given proper doses of potassium iodide if it has been released, to prevent thyroid cancer. And my guess is that looking now at how people take up vaccines for COVID, I don't know that people are going to accept that.

So, I think that that's going to be the

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other big issue. And I finally wanted to say as a comment, in Fukushima Daiichi, there were about 2000 people that were estimated to have died not from cancer, but died because they had ongoing chronic health problems that could not be addressed when they were evacuated. They lost their contact with their medical provider that they were used to seeing, and their healthcare access.

And this is in a country, in Japan, where there is universal healthcare, unlike in the U.S. So, I think that looking just at cancer morbidity, and note that this doesn't look at people getting cancer, this only looks at people that die from cancer, so cancer morbidity, I would say is a big issue that the NRC somehow in their evaluation of health effects doesn't address.

They need to look at that, but they also need to look at if you have to evacuate a population for a period of time, who provides their healthcare, how is it provided, how is there consistency in healthcare with the medical home? I think that these are big holes in the whole issue to say that well if there's a disaster, there's really not going to be any casualties. And I'll end my comments there, thank you.

MS. RAY: Thank you for your comments, and

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I appreciate you letting us know about your issue about the questions. We will take a look at that. I will add, there is an opportunity this afternoon slash evening, starting at 6:00 p.m. Eastern, 5:00 p.m. Central, to ask questions, so thank you. Operator, were there more comments?

OPERATOR: Yes, our last is from Michael Keegan, representing the public, and sir, your line is now open.

MR. KEEGAN: Thank you, Michael Keegan with Don't Waste Michigan. Three areas come to mind immediately, one is the thermal pollution coming off of Point Beach. It's known that there are no cooling towers, there is no cooling system, and an inadequate cooling system that compares to other facilities that do have cooling towers, 85 to 95 percent fish kills resulting from not having cooling towers.

So, I'm concerned about the thermal pollution going into the lake, the raising of the temperature, micro climates developing, and I don't think that was adequately addressed. My second area of concern is the entrainment, the encatchment of fish, the frying of small fries. It was declared a minuscule, or minimal based on tonnage. I would like, and absolutely it's necessary that you sort out the tonnage.

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Because we're talking about small fries, larvae, and eggs. The number, the sheer number of fish kills are hidden when you put the language -- when you put the index to tonnage. So, you need to really break it down to numbers, quantify how many fish, eggs, larvae. So, that's my second area. My third area of concern has to do with economic justice, in that the residential rate payers are paying 63 percent above market value.

And some kind of a purchase power agreement is likely to be struck up going forward, and locking that in place. So, you have a huge residential swathe of the population who is economically impacted detrimentally because Point Beach NextEra chooses to gouge the residential. So, please modify that, and bring that into the equation, do the analysis of that.

I will have a multitude of comments written, but I am away from my desk at this point.

I am trying to carry on with my life. So, please, the thermal pollution, put in cooling towers. This would behoove NextEra, they could become good neighbors instead of polluting neighbors. Secondly, the entrainment, the tonnage of fish, I want that quantified into numbers of fish, larvae, and eggs. And third, the economic impact. Those are my comments,

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thank you.

MS. RAY: Thank you very much, we appreciate those comments. Operator, are there additional comments on the line?

OPERATOR: No, I have none further, thank you.

MS. RAY: Thank you. I will make one last call for additional comments. If anyone wants to make a comment, please press star one. Operator, to confirm, are there any comments?

OPERATOR: No, we have none, thank you.

MS. RAY: Thank you. So, at this time we will move to closing remarks, however we will keep the meeting open until 4:00 p.m. Eastern, and that's 3:00 p.m. Central, for any commenters that may join us in that time period. And we will repeat closing remarks again at the end. But at this time, I will turn it to Rob Elliott for closing remarks.

MR. ELLIOTT: Well, hello again, this is Rob Elliott, the chief of the Environmental License Renewal Branch. I have the pleasure of closing out today's meeting. I want to thank everybody for attending today's meeting, and providing your comments.

The meeting is being transcribed, therefore your comments today, and any written comments that are

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submitted will be docketed as part of the Point Beach subsequent license renewal proceedings.

I thought there were some really interesting comments today, and some good feedback, so I really appreciate you taking the time, and thoughtfulness, and thought you put into the comments, and sharing them with us today, so thank you so much for that. I want to let you know that the NRC will consider all comments received on the Point Beach draft supplemental environmental impact statement in appendix A of the Point Beach supplemental EIS.

The next step is for the staff to collate all the comments received during the comment period, and provide responses to those comments. Some comments will be incorporated in the revision of the evaluation in the supplemental EIS as appropriate, and the Point Beach final supplemental environmental impact statement is scheduled to be published in June of 2022.

And that's all I have, thank you very much.

MS. RAY: Thank you, and once again, we will keep the meeting open for any commenter that should arise until 4:00 p.m. Eastern, 3:00 p.m. Central. We thank you for your time, you are welcome to continue to stay on the line, we really appreciate the comments, and the staff will continue to remain here.

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OPERATOR: Thank you, I do have an additional comment at this time.

MS. RAY: Excellent, we will take that comment, thank you.

OPERATOR: Michael Keegan, Don't Waste Michigan, sir, your line is open again.

MR. KEEGAN: Hello. When will the safety analysis report, safety evaluation report be available for the public to review?

MS. RAY: I do not have a response for you at this time.

MR. ELLIOTT: I'm sorry, I'm not sure I heard the question correctly, are you asking for the safety evaluation report, when will that be available?

MR. KEEGAN: Yes, when will that be available?

MR. ELLIOTT: Yeah, I'm sorry, we don't have the safety staff here to answer that question, I don't know their schedule.

MR. KEEGAN: Yeah, don't take this personal, but every time I'm in a call with the NRC, they could have a room full of staff, but nobody's got the answer to the question, so.

MR. ELLIOTT: No offense taken, I assure you.

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MR. KEEGAN: Yeah, I understand the game, and you do as well.

MS. RAY: Thank you for your comments, we appreciate that. Operator, are there more comments on the line?

OPERATOR: No, not at this time.

MS. RAY: Okay. So, the NRC staff will continue to remain on the line, and we welcome any comments. We will be here until 4:00 p.m. Eastern, 3:00 p.m. Central.

OPERATOR: I do have another at this time.

MS. RAY: You have another comment, is that what you said?

OPERATOR: Yes, one.

MS. RAY: Okay, please go ahead, thank you.

OPERATOR: Thank you very much. Paul Gunter with Beyond Nuclear, sir, your line is open.

MR. GUNTER: Yes, thank you. Well, I appreciate you all leaving the line open until four. So, rather than just have dead air, I thought I would raise one more reference to this ongoing repeating error of law that we see being used in the draft environmental impact statement to defer, and expedite the -- excuse me, I've got a phone ringing in the background here.

But for the Peach Bottom proceedings, which

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is where the dissenting minority opinion of the Commissioner Jeff Baran, and Commissioner Chris Hanson basically said that they did not agree with the majority opinion in that particular license renewal proceeding with regard to 10 CFR 51.53C3, and the use, or misuse of category one exemptions.

What those commissioners identified was that when you read the letter of the law, as they quote, a basic canon of statutory construction is that the express mention of one thing excludes all others. So, when the regulatory text of section 51.53C3 specifically addresses those applicants seeking an initial renewed license, it is properly read as not addressing applicants seeking other license renewal terms, unquote.

So, it again is just baffling that the commission, and industry are continually misusing, and misrepresenting their own regulations. And this is currently on appeal before the commission in the North Anna proceeding right now. So, the commission is going to be considering 51.53C3 in its deliberations for whether, or not the North Anna license proceeding is going to go ahead.

So, we're awaiting that. That is being, I imagine, prolonged by the fact that there's only three

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seated commissioners right now, and two empty seats.

So, we don't really know how long it's going to take for the commission to make a ruling on the repeated, at this point, misuse of 51.53C3. As we see recurring now again, here at Point Beach.

But my comment is that it doesn't behoove the agency's credibility to continue to repeat errors of law in something as consequential as extending the operating license of a nuclear power station's environmental impact. Particularly regarding severe accident mitigation alternatives, and as has been mentioned to you here in this proceeding, other environmental consequences affecting marine biodiversity, and a whole host of other issues, for you to continue to repeat that error.

So, it would really reflect on gaining public confidence if the agency were to take it on its own initiative, rather than litigation to proceed to do the right thing. Thank you.

MS. RAY: Thank you for your comments, we appreciate it. We did find some information on the safety evaluation report. Scott?

MR. BURNELL: Thank you Sheila. Mr. Keegan, if you take a look at the NRC's public website on the page regarding the Point Beach subsequent license

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renewal, the current schedule has the staff issuing the safety evaluation report in January, that's their current goal. And it would then be the subject of an advisory committee on reactor safeguards meeting in the March 2022 time frame. Thank you.

MS. RAY: Thank you Scott. Operator, are there additional comments?

OPERATOR: No, none at this time.

MS. RAY: Okay, once again, please press star one to make any comments. As I mentioned before, we will keep the line open until 4:00 p.m. Eastern, 3:00 p.m. Central for any participants that join in later. And operator, just to confirm, are there any comments?

OPERATOR: No, I have nothing in queue.

MS. RAY: Okay, thank you so much. The NRC staff will remain on the line until 4:00 p.m. Eastern, 3:00 p.m. Central for any comments.

(Pause.)

MS. RAY: Operator, are there any comments?

OPERATOR: No, I still have nothing in queue.

MS. RAY: Okay, and could you -- are you able to tell how many members are still on the call,

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on the line?

OPERATOR: Yes, we have 11 guests online.

MS. RAY: Okay, thank you so much.

OPERATOR: You're welcome.

MS. RAY: And once again, if you'd like to make a comment, please press star one.

(Pause.)

MS. RAY: Good afternoon, for those of you on the line, just letting you know, we remain on the line if there are any comments on the environmental review of the Point Beach Nuclear Plant subsequent license renewal, please press star one to make any comments. Operator, are there any comments on the line?

OPERATOR: Thank you, not at this time.

MS. RAY: Thank you so much.

OPERATOR: You're welcome.

MS. RAY: As I mentioned, NRC staff will remain on the line for comments until 4:00 p.m. Eastern, 3:00 p.m. Central.

(Pause.)

MS. RAY: Good afternoon all, once again this is the public meeting for the environmental review for the Point Beach Nuclear Plant subsequent license renewal. We are looking for any comments from the

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public at this time. Please press star one to make a comment, and state your name, and affiliation. Operator, are there any comments?

OPERATOR: No, we have no comments at this time.

MS. RAY: Thank you. The NRC staff will remain on the line until 4:00 p.m. Eastern, 3:00 p.m. Central for any additional comments.

(Pause.)

MS. RAY: Thank you all for staying on the line. I just wanted to check, are there any additional comments? Please press star one to make a comment. Operator are there any comments at this time?

OPERATOR: No, there are not. Thank you.

MS. RAY: Thank you. We will remain on the line until 4:00 p.m. Eastern, and 3:00 p.m. Central. Thank you.

(Pause.)

MS. RAY: We'll check one last time. Please press star one to make any comments. Operator, are there any comments?

OPERATOR: Thank you for asking. No, we have no comments at this time.

MS. RAY: Thank you so much. Rob, would you like to make any last closing remarks?

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MR. ELLIOTT: I don't see a need to go through them again. Have any new parties joined the line?

MS. RAY: Operator, could you let us know, are there any new parties joined the line since about 3:30?

OPERATOR: We have no new connections. People who were on before have rejoined, but there are no new entities.

MS. RAY: Okay, thank you.

OPERATOR: You're welcome.

MR. ELLIOTT: I don't --

MS. RAY: So Rob, are we -- go ahead, I'm sorry.

MR. ELLIOTT: I'm sorry, what'd you say Sheila?

MS. RAY: Are we comfortable closing the meeting at this time?

MR. ELLIOTT: Yeah, I think we can go ahead, and close. I don't see the need to repeat my closing remarks. Everybody who is on the line heard it previously I think.

MS. RAY: Perfect, thank you so much. At this time we will adjourn the meeting. Thank you so much for your time, and participation, we greatly

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appreciate it. And lastly to note, there will be a meeting at 6:00 p.m. Eastern, 5:00 p.m. Central on the same topic. So, thank you all, and have a great afternoon, and evening.

(Whereupon, the above-entitled matter went off the record at 3:57 p.m.)

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