

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
February 24, 2022

The Commission met in open session, pursuant to notice at 9:55 AM., Christopher T. Hanson, Chairman, presiding.

COMMISSIONERS PRESENT:

CHRISTOPHER T. HANSON, Chairman (via webcast)

JEFF M. BARAN, Member of the Commission (via webcast)

DAVID A. WRIGHT, Member of the Commission (via webcast)

ALSO PRESENT:

MARIAN ZOBLER, General Counsel (via webcast)

ANNETTE VIETTI-COOK, Secretary of the Commission (via webcast)

DISCLAIMER

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[9:55 a.m.]

P R O C E E D I N G S

CHAIRMAN HANSON: Good morning, I am Christopher Hanson, Chairman of the U.S. Nuclear Regulatory Commission, and I am presiding over this public affirmation session, which is being conducted by webcast.

Joining me are the other currently serving members of the Commission; Commissioner Baran and Commissioner Wright. Also participating are Annette Vietti-Cook, Secretary of the Commission, and Marian Zobler, General Counsel. This meeting is open to the public.

Madam Secretary, I believe we have 3 orders for affirmation this morning. Would you please lead the Commission through?

ANNETTE VIETTI-COOK: Yes. Today's first two orders are SECY-20-0113 – Florida Power & Light Company (Turkey Point Nuclear Generating Units 3 and 4), Intervenors' Petitions for Review of Licensing Board Panel-19-3, LBP-19-6, and LBP-19-8 and Order that Provides Generic Direction for All Subsequent License Renewal Proceedings Pending Before the Agency.

The Commission is being asked to act on a Memorandum and Order addressing two petitions for review jointly filed by Friends of the Earth, National Resources Defense Council, and Miami Waterkeeper relating to the application of Florida Power & Light Company for subsequent license renewal of two nuclear power reactors, Turkey Point Nuclear Generating Units 3 and 4. The two petitions relate to three Board decisions— Licensing Board Panel-19-3, 19-6, and 19-8.

The Commission, with Commissioner Wright dissenting in part, has voted to approve a Memorandum and Order which reverses the Commission's previous decision in this proceeding,

Commission Legal Issuance 20-3, that held that 10 C.F.R. § 51.53(c)(3) applies to a subsequent license renewal applicant's preparation of an environmental report. The Commission holds that the Generic Environmental Impact Statement for License Renewal of Nuclear Plants did not address subsequent license renewal. It leaves the Turkey Point licenses in place and directs the staff to modify the expiration dates for Units 3 and 4 to 2032 and 2033, respectively; and directs the parties to submit their views on the practical effects of (1) the subsequent renewed licenses continuing in place and (2) the previous licenses being reinstated. The Commission also dismisses the pending appeals and states that the NRC will issue a hearing opportunity after the staff completes a new site-specific environmental impact statement.

Additionally, the Commission approved a separate, but related, Order that provides generic direction for all subsequent license renewal proceedings pending before the agency.

Would you please affirm your votes after I call your name? Chairman Hanson.

CHAIRMAN HANSON: Aye.

ANNETTE VIETTI-COOK: Commissioner Baran.

COMMISSIONER BARAN: Aye.

ANNETTE VIETTI-COOK: Commissioner Wright.

COMMISSIONER WRIGHT: Aye.

ANNETTE VIETTI-COOK: Thank you. Today's third order is SECY-21-0020 – Exelon Generating Company, Limited Liability Company (Peach Bottom Atomic Power Station, Units 2 and 3), Beyond Nuclear's Motions to Submit a New Contention and Reopen the Record.

The Commission is being asked to act on a Memorandum and Order addressing Beyond Nuclear, Incorporated's motions for leave to file a new contention and to reopen the record relating to the application of Exelon Generating Company for subsequent license renewal of two nuclear power reactors, Peach Bottom Atomic Power Station, Units 2 and 3.

The Commission, with Commissioner Wright dissenting in part, has voted to approve a Memorandum and Order which reverses the portion of the Commission's previous decision in this proceeding, Commission Legal Issuance 20-11, which applied the reasoning in CLI-20-3 in the Turkey Point proceeding regarding the interpretation of 10 C.F.R. § 51.53(c)(3) as applying to a subsequent license renewal applicant's preparation of an environmental report to this case. It also leaves the Peach Bottom licenses in place and directs the staff to modify the expiration dates for Units 2 and 3 to 2033 and 2034, respectively; and directs the parties to submit their views on the practical effects of (1) the subsequent renewed licenses continuing in place and (2) the previous licenses being reinstated.

Would you please affirm your votes after I call your name? Chairman Hanson.

CHAIRMAN HANSON: Aye.

ANNETTE VIETTI-COOK: Commissioner Baran.

COMMISSIONER BARAN: Aye.

ANNETTE VIETTI-COOK: Commissioner Wright.

COMMISSIONER WRIGHT: Aye.

ANNETTE VIETTI-COOK: That's all I have. Thank you

CHAIRMAN HANSON: Thank you Madam Secretary. Would any of the members of the Commission like to make comments regarding the decisions just reached? Hearing none, thank you for your participation, I will call the affirmation session to a close and we may begin our Briefing on Regulatory Research Program Activities.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: February 24, 2022

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: Betty Ann Thweatt

Reporter: (WEBCAST)