

From: [Brown, Alison](#)
To: [RulemakingComments_Resource](#)
Cc: [Hamrick, Steven](#); [Davis, J.Michael](#); [Mack, Kenneth](#)
Subject: [External_Sender] Comments on Docket ID NRC-2018-0296 - Florida Power & Light/NextEra Energy
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[L-2023-065 - NextEra Comments on SLR GEIS_05-02-23.pdf](#)
Importance: High

Good Afternoon,

Attached is letter number L-2023-065, providing our comments on the NRC's draft revised license renewal Generic Environmental Impact Statement (LR GEIS). We appreciate the opportunity to comment.

Thank you,
Alison

Alison Brown

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L-2023-065
May 02, 2023

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff
Via email to: Rulemaking.comments@nrc.gov

Re: Docket ID NRC-2018-0296

Florida Power & Light Company, on behalf of itself and of its affiliates, NextEra Energy Seabrook, LLC and NextEra Energy Point Beach, LLC (collectively, "NextEra") provides the following comments on the NRC's draft revised license renewal Generic Environmental Impact Statement (LR GEIS). The NRC published the proposed rule and draft LR GEIS for comment in the *Federal Register* on March 3, 2023 (88 Fed. Reg. 13329).

At the outset, NextEra appreciates the NRC Staff's efforts to update the GEIS in an expeditious manner. Following the unfortunate delay in the NRC's processing of SLR applications, NextEra is eager for the NRC's license renewal process to return to its standard of excellence and timeliness.

As a matter of policy, the NRC has utilized a generic approach to environmental reviews for reactor license renewals for nearly 30 years. This has proven successful in ensuring accurate environmental reviews, fully in compliance with the law, while focusing NRC Staff efforts and hearing opportunities on site-specific environmental issues. Completing the revision to the LR GEIS will enable the NRC to return to this tried-and-true path and help to preserve our nation's carbon-free nuclear generation assets for generations to come. We commend the NRC Staff for its timely and positive steps in this direction.

NextEra is concerned, however, with the NRC's creation of a new Category 2 issue, "Climate change impacts on environmental resources." Historically, the NRC's LR GEIS has evaluated "Category 1" issues, which can be addressed generically across the industry, need not be addressed by an applicants' Environmental Reports, and are not subject to challenge in hearings because they have been adopted by rule. By contrast, the NRC has also evaluated "Category 2" issues, which cannot be addressed generically, and so must be addressed in site specific Environmental Reports. The proposed climate change issue is a new concept, a cross-cutting Category 2 issue that potentially reaches every other issue, whether Category 1 or Category 2. Moreover, this issue is not itself an impact of the proposed action of license renewal but is more appropriately considered a cumulative impact. NextEra is concerned that this proposal is inconsistent with the NRC's successful existing license renewal process and may have unintended consequences.

Specifically, NextEra is concerned about the interaction between this new Category 2 issue and existing Category 1 issues. The proposed rule states that this issue encompasses the "impacts of climate change on environmental resources that are affected by continued nuclear power plant operations." In other words, this new Category 2 issue could be read to require a site-specific review of climate change coupled with the environmental impacts of license renewal is required for every environmental issue, regardless of whether that issue is currently a Category 1 or Category 2 issue.

NextEra believes, however, that this interpretation was not the NRC's intent because such an interpretation would upend the NRC's long-established environmental framework and the proposed rule continues to utilize the distinction between Category 1 and Category 2 issues.

As a result, NextEra requests that the NRC clarify this proposal and affirm that the existence of this new Category 2 issue in the proposed rule does not change the standards for analyzing or challenging generic Category 1 issues.

Alternatively, NextEra urges the NRC to choose not to create a new Category 2 issue for climate change impacts on environmental resources and instead ensure that evaluation of the issue of climate change and climate analysis is continued in the same manner as NRC has addressed it in its recent NEPA documents. The NRC's current framework already ensures that material climate change impacts are addressed. The NRC's 2013 GEIS included a section on "GHG Emissions and Climate Change," which summarized potential cumulative impacts of GHG emissions and global climate change, while also committing to evaluate with each SEIS a plant-specific analysis of any cumulative impacts of climate change over the course of the license renewal term (NUREG 1437, Rev. 1 at 1-30). By separating climate change as a distinct Category 2 issue, the proposed rule and draft GEIS would create confusion between the impacts of license renewal and cumulative impacts. For this reason, NextEra believes the current manner in which NRC NEPA documents have reviewed both the climate impacts of the continued operation of an existing nuclear plant, as well as the cumulative impacts of climate change does not need to be changed.

We look forward to continued engagement on this matter.

Sincerely yours,

Dianne Strand

Dianne Strand
General Manager, Regulatory Affairs
Florida Power & Light Company