ROB BISHOP OF UTAH
CHAIRMAN

JASON KNOX
STAFF DIRECTOR

RAÚL GRIJALVA OF ARIZONA
RANKING MEMBER

DAVID WATKINS
DEMOCRATIC STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

Lieutenant General Todd T. Semonite
Commanding General and Chief of Engineers
U.S. Army Corps of Engineers
441 G St. NW
Washington, DC 20314

Chairmwoman Kristine L. Svinicki
U.S. Nuclear Regulatory Commission
Washington, DC 20555

March 7, 2017

Dear Lieutenant General Semonite and Chairwoman Svinicki,

As Ranking Member of the Committee with oversight responsibility for the National Park Service (NPS) and implementation of the National Environmental Policy Act (NEPA) I am writing to request additional information about the NEPA review process for Florida Power and Light's (FPL) proposed construction and operation of two new nuclear reactors at the Turkey Point site in south Florida. I am concerned that even though NPS is listed as a cooperating agency in preparing the Final Environmental Impact Statement (FEIS) for the project, that agency's attempts to have sensitive trust resources considered in the NEPA process have been ignored. I have similar concerns about the Environmental Protection Agency (EPA), which while not a cooperating agency on the EIS, will be responsible for issuing or denying Clean Water Act and Clean Air Act permits for this project should it move to the next stage of review. I have enclosed for your consideration comment letters from NPS and EPA that were sent to personnel in your agencies shortly after the FEIS was issued last fall.

The FEIS concludes that there are no environmental impacts that would preclude issuance of the Combined Operating Licenses (COLs) for the proposed reactors, and recommends that the COLs should be issued. As you can see from the enclosed letters, however, both NPS and EPA raise serious concerns about significant risks to the environment, as well as to public health and safety. These concerns, which include potential groundwater contamination, reductions in the quantity and quality of surface water in Biscayne Bay, impacts to wildlife – including federally protected species – that utilize Everglades National Park and adjacent areas, and destruction of hundreds of acres of wetlands that support productive fisheries and provide natural resiliency against sea level rise and tropical storms, were not adequately addressed by your agencies between issuance of the draft EIS and FEIS.

The most egregious oversights, however, are your decisions to disregard the ongoing pollution and safety problems at the existing Turkey Point nuclear facility, and the potential for catastrophic damage to the proposed facilities from hurricanes and storm surge. The well-documented refusal of the NRC to require adequate regulation of the open cooling canals that

service Turkey Point has led to the illegal discharge of pollutants – including radioactive material – into groundwater and Biscayne Bay. While remediation activities are finally underway, there is still no permanent solution for ensuring that these cooling canals do not create an environmental disaster. It is incredibly irresponsible to allow the construction of two new reactors by the same company on the same site without first ensuring the long term operational security of the existing power plant. Furthermore, failing to adequately assess and prepare for the impacts of tropical weather and climate change on a nuclear facility in coastal south Florida – including by strongly considering alternative siting options that were dismissed in the FEIS – puts more than just the environment at risk.

Pursuant to these concerns, I respectfully ask for responses to the following questions:

1. The FEIS underestimates the impacts of the proposed project on the quality and quantity of surface and groundwater, particularly with respect to the Comprehensive Everglades restoration Plan (CERP). Will the NRC and the Army Corps fully evaluate these impacts and their bearing on CERP before issuing a Record of Decision (ROD)?

2. Will the NRC and the Army Corps reconsider alternative sites for the project using the same criteria applied to screening the Turkey Point site, instead of using different and prejudicial criteria as has been done up to this point?

3. Will the NRC and the Army Corps require FPL to address the operational failures of the existing Turkey Point cooling canals before granting COLs to FPL for additional nuclear reactors at the same site?

4. Neither the FEIS nor the Final Safety Evaluation Report addresses the potential impacts to the surrounding environment, public health, and public safety from hurricane and storm surge damage to the two proposed reactors. Will the NRC and the Army Corps address these issues in the ROD?

5. Will the Army Corps provide the Clean Water Act Least Environmentally Damaging Practicable Alternative and Public Interest Review documents for public review and comment before issuing a ROD?

6. Will the NRC initiate consultation with the U.S. Fish and Wildlife Service pursuant to Section 7 of the Endangered Species Act to evaluate potential impacts to wood stork and snail kite populations that utilize areas proposed to be disturbed by this project?

I appreciate your attention to this matter. Please provide a response within 15 days of receipt of this letter. If you have any questions, please have your staff contact Matt Strickler on the House Natural Resources Committee Staff at (202) 225-6065.

Sincerely,

Raul M. Grijalva
Ranking Member
Committee on Natural Resources