

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Michael M. Gibson, Chairman
Dr. Michael F. Kennedy
Dr. William W. Sager

In the Matter of

FLORIDA POWER & LIGHT COMPANY

(Turkey Point Nuclear Generating, Units 3 and 4)

Docket Nos. 50-250-LA and 50-251-LA

ASLBP No. 15-935-02-LA-BD01

June 3, 2016

NOTICE

(Providing Parties' Proposed Cross-Examination Questions)

As noted in the Board's recent Initial Decision in this proceeding, the parties were offered an opportunity to propose cross-examination questions during the evidentiary hearing.¹ The Board hereby provides those proposed questions as Attachment A "for inclusion in the official record of the proceeding."²

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael M. Gibson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 3, 2016

¹ LBP-16-08, 83 NRC __, __ (slip op. at 8) (May 31, 2016).

² 10 C.F.R. § 2.1207(a)(3)(iii). This Notice has been served this date by the Office of the Secretary on those designated in the accompanying service list through the agency's E-filing system and by e-mail.

ATTACHMENT A

A. Proposed Cross-Examination Questions for Dr. Stoddard

1. FPL Proposed Questions

- i. Are you aware of the ammonia and phosphorus data in the CCS and adjacent areas during the time period of the data in the Bay you discussed?
- ii. You mentioned that the L-31 discharge point is far to the south of the BBSW-7B surface monitoring station. Is this point where the water that FPL withdraws would otherwise have been discharged or are there L-31E discharges further north?
- iii. As a biologist, do you have any expertise to interpret groundwater readings or the ability to opine as to causes of certain water readings?
- iv. You indicate that this degradation is related to the L-31 E withdrawal authorization. What evidence do you have to link it to the license amendment?

2. NRC Staff Proposed Questions

- i. What would the natural variation of phosphorous and ammonium be throughout the year? How does the chart account for this variation?
- ii. Please provide original data for graphs. How were the DERM data obtained? How would the phosphorous and ammonia tracers be related to increased salinity?
- iii. Can you account for how the four degree temperature change allowed in the cooling canals resulted in changes to the saltwater migration?
- iv. With respect to canal level and the graphs, how does this show cause-effect? What other sources of water are there? What other factors impact canal temperature levels?

3. CASE Proposed Questions

- i. What is the biological impact of the migration of hypersaline water from the CCS on the area to the west (and southwest and northwest) of the Tukey Point plant, not just on Biscayne Bay?
- ii. What is the exact biological impact of hypersalinity on animal life?

B. Proposed Cross-Examination Questions for Remaining Witnesses

1. FPL Questions

- i. Ms. Grange, was your discussion of the short duration that temperatures would exceed 100 °F your reasonable forecast?
- ii. Mr. Bolleter, yesterday Dr. Stoddard discussed ammonia and phosphorus readings in Biscayne Bay. Can you provide any information regarding values of those nutrients in the cooling canals at the same time?

- iii. Mr. Scroggs, can you provide a discussion of the factors that led to the recent increase in salinity in the cooling canal system?
- iv. All witness, in your opinion, will the ultimate heat sink license amendment lead to significant impacts on groundwater?
- v. Mr. Andersen, in 2012, could you have predicted the high salinity levels of 2013?

2. NRC Staff Questions

- i. Ms. Grange, in your discussion of the GEIS, you concluded that a reasonable reader might conclude there are no groundwater impacts from the operation of the Turkey Point plant. Please explain how groundwater impacts were discussed in the Commissions' rules in Part 51, Appendix B, describing the GEIS, and Supplement 5 for Turkey Point.
- ii. Ms. Grange, please elaborate on why state licensing and permitting processes may be used when preparing the EA and the impacts to groundwater from the requested licensing action.

3. CASE Questions

- i. NRC Staff witnesses, should the NRC be more hands-on in monitoring the cooling canal system or should they continue to defer to the states?
- ii. All witnesses, given the expected life of Turkey Point Units 3 & 4, what are the anticipated freshwater demands of the plant (both routine and extraordinary) into the future to maintain stability in the cooling canal system?
- iii. FPL witnesses, what actual steps have/will be taken to permanently correct the problems that the cooling canal system is causing beyond the Turkey Point plant?

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE (Providing Parties' Proposed Cross-Examination Questions)** have been served upon the following persons by Electronic Information Exchange and by electronic mail.

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Turkey Point, Units 3 & 4, Docket Nos. 50-250 and 50-251-LA
NOTICE (Providing Parties' Proposed Cross-Examination Questions)

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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 3rd day of June, 2016