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Florida Power & Light Company; Turkey Point Nuclear Plant Units 3 and 4

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LaShawna Lewis, Benjamin Beasley

Submitter Information

COMMENT (24)

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CITATION # 83 FR 23726

Name: Albert Gomez

Address:

3566 Vista Court

Miami, FL, 33133

Email: albert@icassemblies.com

General Comment

Within the attached file, there are 10 contentions detailed with related requests that explain why the current Turkey Point Nuclear Plant, Units 3 & 4 Initial License Renewal Application should be withheld, withdrawn and rejected by the NRC.

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION OFFICE OF NUCLEAR
REACTOR REGULATION, PETITION TO INTERVENE ON RENEWED FACILITY OPERATING
LICENSE NOS. DPR-31, DPR-41

DOCKET ID NRC-2018-0074

Turkey Point Nuclear Power Plant, Unit 3 and Unit 4

PROPOSED PETITION TO INTERVENE UNDER 10 C.F.R. 103

Introduction of Petitioner

Albert Gomez

Miami, FL. 33133

Nature of the Petitioner right under U.S. Nuclear Regulatory Commission (NRC): U.S. Citizen and resident of the City of Miami, Florida

III. Nature of the Petitioner interest under U.S. Nuclear Regulatory Commission (NRC): Citizen of the U.S.,

Home owner, business owner, resident of Miami, FL USA, sitting City of Miami Sea Level Rise Committee member, manufacturing and technology expert supporting many industries including the power industry, ecological activist and conservationist, resilience leader and advisor in South Florida

IV. PETITIONERS CONCERNS:

Turkey Point Nuclear Power Plant (TPNPP) Unit 3, and Unit 4 (Docket No. DOCKET ID NRC-2018-0074 License No. NPF-XX) Turkey Point Nuclear Plant, Units 3 & 4 Initial License Renewal Application

*Concerns listed on attached PDF. I will include my ending statement here.

In closing, if the above stated comments to reach to the measure of withholding, withdrawing, rejecting or contestation of the current Turkey Point Nuclear Plant, Units 3 & 4 License Renewal Application, please consider extension of the current public comments period for further illumination by the public and municipal authorities related to FPLs continued operation and relicensing of Turkey Point Nuclear Plant, Units 3 & 4.

Thank you for your thoughtful consideration of time to ensure the safe use of radioactive materials for beneficial civilian purposes while protecting people and the environment.

*Supplemental page included below - It is an excerpt of the NRC approval notice for Turkey Point Reactor, unit 6 & unit 7 COLA, in support of clarifying FPLs current stance on sea level rise projection related to Turkey Point Nuclear Power Plant operations. These assumptions were also included in the current Turkey Point Nuclear Plant, Units 3 & 4 License Renewal Application.

Attachments

DOCKET ID NRC-2018-0074_Albert Gomez Comments

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION OFFICE OF
NUCLEAR REACTOR REGULATION, PETITION TO INTERVENE ON RENEWED FACILITY
OPERATING LICENSE NOS. DPR-31, DPR-41

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Turkey Point Nuclear Power Plant (TPNPP) Unit 3, and Unit 4 (Docket No. DOCKET
ID NRC-2018-0074 License No. NPF-XX) Turkey Point Nuclear Plant, Units 3 & 4 –
Initial License Renewal Application

1-The application in question has only been available to the public since March
21st, 2018. Closing the public comments period within 93 days of the first public
posting does not reasonably accommodate the public with adequate review of
the license renewal application and accompanying EIS & SEIS.

1a. Based on Petitioners concerns Section IV. No. 1, The Petitioner request that
an extension to public comments be allowed in order to reasonably
accommodate public comment.

2- The application in question has only been available to the public since March
21st, 2018. There are current municipal board & committee motions in process
within City of Miami in support of an extension to the public comment period and
to enable a formal response by the City of Miami. These motions are scheduled
to be docketed into City of Miami Commission agenda after the public comment
period closes. The compressed and shortened public comment period does not
reasonably accommodate the City of Miami with a formal response to the Turkey
Point Nuclear Reactor Power Plant Unit 3, and Unit 4 Initial License Renewal
Application.

2a- Based on Petitioners concerns Section IV. No. 2, The Petitioner request that
an extension to public comments be allowed in order to reasonably
accommodate the City of Miami Commission with an opportunity to review the
active motion related to Turkey Point Nuclear Plant, Units 3 & 4 – Initial License
Renewal Application, and comment if its rules in favor of entering said comment.

3- Since metallurgical failure would pose significant environmental disaster, the petitioner is including concerns related to metallurgical safety review within public comments. Within the metallurgical analysis section 10 CFR 54.21, it states *(c), such that there is reasonable assurance - fatigue flaw growth analyses that are based on cyclical loading assumptions; and (e) fracture mechanics analyses that are based on cycle-based loading assumptions.* If the current application renewal process is advance prior to qualification of said assumptions and critical metallurgical analysis, such analysis will not be complete, nor validated as certain. This will leave in question any Quality Assurance that metallurgical embrittlement will not exceed acceptable levels, it will also leave in question whether the Structural integrity of critical operating member such as the reactor vessel and base decisions on unfulfilled assumptions. By putting the license renewal process ahead of the metallurgical aging study, FPL could expose the public to undue hardship and high uncertainty. If the vessel were to fracture based on metallurgical failure, it would result in catastrophic failure of reactor 3 or 4 and expose the public, the environment, two national parks and its water supply to severe harm, extreme radiological contamination and force localized evacuation, retreat and abandonment of a 50 mile radius around the facility.

3a- Based on Petitioners concerns Section IV. No. 3, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn until said metallurgical analysis is completed by FPL and reviewed by a third party certified metallurgical analysis firm.

4- The cooling canals were mandated by the federal government and are currently required to maintain safe operating temperature within Turkey Point Reactors 3 & 4. FPL has currently entered into a environmental clean up agreement with Miami-Dade County via the Department of Environmental Resource Management for clean up of the permeating and leaking cooling canals. These cooling canals are leaking a host of caustic poisonous chemicals and highly saline waste water into our water supply, already affecting wells and permeating into our aquifer. FPL within the agreement has put forward a clean up regime which has not been qualified. Said clean up regime has already been reviewed by several outside scientific bodies and institutions and has shown to be unsatisfactory and non-efficacious for the desired results. To date, there is no qualified clean up methodology, nor has the clean commenced.

4a- Based on Petitioners concerns Section IV. No. 4, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn until the current clean up of the poisonous and high salinity plume is completed and a pre-determined non-pollution probationary time frame be set before any existing or future renewal applications be accepted similar to other federal regulatory agencies such as the FDA and EPA.

4b. Based on Petitioners concerns Section IV. No. 4 and Based on the poisonous and high salinity plume and clean-up methodologies in question, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn until any law suits related to potential clean water act violations stated within ongoing FPL law suits related to said plume and pollution violation be settled prior to acceptance of any existing or future renewal applications.

5- FPL within the Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application states that the reason for fast tracking the current License Renewal Application within the SEIS appendix states that, they are submitting said application and requesting a fast tracking based assumptions that the planning process for replacing the current power production at Turkey Point Nuclear Plant, Units 3 & 4 would require 10 years and since the current license ends in 2032 and 2033 respectively the need to start planning now for replacement power solutions for Turkey Point Nuclear Plant, Units 3 & 4. Within FPL's 8.2 Alternative Energy Sources review they do not include solar nor wind power in their analysis. Also as a function of holding a sole utility power supplier status within South Florida and following standard best business practices, continuity and risk planning is something that is a common business practice and an ongoing business continuity process and does not cease or begin at the end of life of critical reactor operations, therefore applying an inconsistent business practice and unqualified assumption.

5a- Based on Petitioners concerns Section IV. No. 5, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn, until a complete Alternative Energy Sources analysis is completed and included within any existing or future license renewal application.

6- During the public comment meeting at Homestead related to Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application revelations were identified that FPL may renew a request for uprating of Turkey Point Nuclear Plant, Units 3 & 4. During the last uprating, FPL was required to submit an emergency use authorization to operate the plant in excess of the safe maximum operating temperature. There are no assurances that this temperature exceedance past the safe operating temperature will not occur again, if any current or future Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application(s) is approved and an uprating accepted.

6a- Based on Petitioners concerns Section IV. No. 6, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn based on the risk of further expanding the poisonous and high salinity plume and potential putting the public in danger by operating Turkey Point Nuclear Plant, Units 3 & 4 beyond safe operating temperatures stated in the operating Manuals and operating guidelines for the Westinghouse reactors found at Turkey Point Nuclear Plant, Units 3 & 4.

7- Within the current EIS, GEIS and SEIS and related supplements and appendixes, the NRC states that: *I can't say we have a lot of experience that we can draw on in terms of issues that were triggered by the content of the application. - our inspection activities are derived from plant operating experience.* It also states that *the GEIS conclusion is that the impact is of SMALL^(a) significance (except for collective offsite radiological impacts from the fuel cycle and high-level waste and spent fuel, which were not assigned a single significance level).* These statements highlight and expose the a gap in certainty within the NRC related to operating a reactor beyond its original design life. It also highlights that the NRC may not be incorporating the latest government authorized sea level rise projections and how that impacts its high level waste and spent fuel onsite storage.

7a- Based on Petitioners concerns Section IV. No. 7, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn based on the egregious misrepresentation and shear

lack of local governing sea level rise projections within FPL's current Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application.

8- Within the current EIS, GEIS and SEIS and related supplements and appendixes, the NRC states that:^(a) Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource. This is stated while a federal law suit is in play related to potential EPA violations, an increasing plume migrates and expands both easterly and westerly from the current position threatening both our water supply and our federally protected bay.

8a- Based on Petitioners concerns Section IV. No. 8, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn based on the above NRC statement being in contradiction with current environmental facts and pollution performance at Turkey Point Nuclear Plant, Units 3 & 4; and said contradictions must be reconciled within a new supplemental EIS related to new resource and environmentally threats and conditions related to the operations of Turkey Point Nuclear Plant, Units 3 & 4.

9- Turkey Point is currently in negotiation with Miami-Dade related to water required to recharge the current cooling canals to a low enough temperature to maintain the cooling function. This process is still under negotiation and the waste water option has already been put in question based on the fears that the waste water discharge may negatively impact Miami-Dade's Consent Order placed on them by the EPA to reduce phosphorus and other caustic compounds into the bay and our water supply. FPL is also require to take any excess ground water to cool the canals. This conflict based on the open nature of the cooling canals systems creates a critical unknown to continued safe operations of the plant.

9a- Based on Petitioners concerns Section IV. No. 9, The Petitioner request that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld and withdrawn until the water demand issue is resolved between Miami-Dade and FPL for safe operation of the plant without further threatening our bay or drinking and agricultural water supply.

10- FPL within the Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application states utilizes a 1" sea level rise projection through 2100, similar to their stated projection within their COLA submission for Turkey Point Nuclear Plant, unit 6 & unit 7. Their stated conservatism on sea level rise projections of 1 foot through 2100 directly contradict the UN's IPCC-Intergovernmental Panel on Climate Change, the USACE- US Army Corp. of Engineers and NOAA- National Oceanic and Atmospheric Administration's sea level rise yr. 2100 projections of 31", 61" and 81" respectfully. FPL's stated projection also contradict the Southeast Florida Regional Climate Change Compact's standard projections, which Miami-Dade is a current consignee. FPL fails to meet federal standards based on their renewal application's stated projections, which use 10 year old tidal gauges and do not include the most recent tidal gauge data. Therefore, FPL does not follow the POAHNI - Process for Ongoing Assessment of Natural Hazard Information - SECY-15-0137 part of the Post - Fukushima Near- Term Task Force Recommendations 2.2(R2.2). Whereas, this mandated framework known as POAHNI- Process for Ongoing Assessment of Natural Hazard Information requires any such operator of a Westinghouse reactor, such as the ones found at both Fukushima and Turkey Point, must ensure that staff

proactively and routinely aggregates and assesses new natural hazard information.

10a- Based on Petitioner's concerns Section IV. No. 10, The Petitioner requests that any Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Applications be withheld, withdrawn and contested due to the contradictions with stated federal and local guidelines, sea level rise projections and nuclear safety recommendations within the POANH I - Process for Ongoing Assessment of Natural Hazard Information - SECY-15-0137 part of the Post - Fukushima Near-Term Task Force Recommendations 2.2(R2.2).

In closing, if the above stated comments reach to the measure of withholding, withdrawing, rejecting or contestation of the current Turkey Point Nuclear Plant, Units 3 & 4 – License Renewal Application, please consider extension of the current public comments period for further illumination by the public and municipal authorities related to FPL's continued operation and relicensing of Turkey Point Nuclear Plant, Units 3 & 4.

Thank you for your thoughtful consideration of time to ensure the safe use of radioactive **materials** for beneficial civilian purposes while protecting people and the environment.

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[End Comments]

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elevation of 26.0 feet NAVD 88 provides a margin of 1.2 feet above the design basis flood elevation of 24.8 feet NAVD 88 resulting from the storm surge calculation.¹⁰⁷ With respect to sea level rise, FPL used 1.0 foot over the design life of the plant, which is 0.22 feet higher than the rise estimated from local tide gauges.¹⁰⁸

Miami Beach is the nearest tide gauge station to the Turkey Point site that has a period of record long enough to span multiple multi-decadal tidal cycles.¹⁰⁹ The National Oceanic and Atmospheric Administration's (NOAA) data analysis shows that sea level at the Miami Beach station is rising at a rate of 0.76 feet per century.¹¹⁰ Using the observed data and NRC guidance, FPL estimated a sea level rise of 1.0 foot over the life of Turkey Point Units 6 and 7.¹¹¹ Although recent scientific reports discuss the potential for more than one foot of sea level rise by 2100, the multiple conservations in other aspects of the storm surge calculation provide a significant safety margin in the event that sea level rise at the site exceeds one foot.¹¹²

¹⁰⁷ *Id.* Ex. FPL-011, FPL Post-Hearing Responses, at 13.

¹⁰⁸ Ex. NRC-012, Staff Post-Hearing Responses, Attach., at 7.

¹⁰⁹ Tr. at 98 (Ms. Smith).

¹¹⁰ *Id.* (Ms. Smith). The Miami Beach station was removed from service in 1981, but trends at Miami Beach are well correlated with trends at the Key West station, where NOAA tide records are available from 1913 to 2016. *Id.* at 99 (Ms. Smith).

¹¹¹ *Id.* (Ms. Smith). The Staff followed applicable guidance and used data from nearby tide gauges to estimate sea level rise. Ex. NRC-005-R, Staff Pre-Hearing Responses, Attach. at 17; see "Probable Maximum Surge and Seiche Flooding," NUREG-0800, Standard Review Plan § 2.4.5, rev. 3 (Mar. 2007) (ML070730425); "Guidance for Performing a Tsunami, Surge, or Seiche Hazard Assessment" (Interim Staff Guidance), JLD-ESG-2012-06, rev. 0 (Jan. 2013) (ML123144A12).

¹¹² See, e.g., City of South Miami Statement in the Evidentiary Session of the Uncontested Portion of the Proceeding on the Application of Florida Power and Light Co. (FPL) Application for Issuance of Combined Licenses for Turkey Point Units 6 and 7 (Aug. 30, 2017) (ML17242A185). FPL also noted that, if sea level rise exceeds the one foot estimate accounted

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Moreover, "[t]he Staff will proactively, routinely, and systematically seek, evaluate, and respond to new information on natural hazards," including flooding due to sea level rise pursuant to the framework that we approved last year for ongoing assessment of natural hazard information.¹¹³

b. *Use of Deep Well Injection for Liquid Radioactive Waste Disposal*

FPL has proposed to use a nontraditional disposal method, deep well injection, for NRC-licensed radioactive material in liquid effluent.¹¹⁴ This proposed disposal approach would be unique for a nuclear power plant in the United States.¹¹⁵ Blowdown from the cooling towers and other plant discharge effluents would be collected in a sump and injected via underground injection wells into the Boulder Zone of the Lower Floridan Aquifer, which is approximately 2,800 feet below ground.¹¹⁶ The Floridan Aquifer is one of two aquifers underlying the Turkey Point