

October 31, 2018 (ADAMS Package Accession No. ML18267A257), the staff consulted with the New Mexico Department of Game and Fish (NMDGF) and asked them to concur with the determination that the proposed action was not the type to affect threatened or endangered species or their critical habitats, assuming they were present. The NMDGF replied by letter dated December 3, 2018 and indicated that, in 2016, a dozen migratory bird fatalities occurred at one of the evaporation ponds on the Grants site. As a follow-up to their response the NRC staff called the NMDGF to clarify that the pond in question is not part of the current licensing action and that the NRC would on their recommendation contact the USFWS. In March 2019, the NRC spoke with the USFWS to better understand whether their concerns extended to threatened and endangered species. During that call, the USFWS indicated that in 2016 they contacted HMC and provided suggestions for preventing migratory bird deaths. The contact at USFWS Region 2 is unaware of additional migratory bird deaths or whether threatened or endangered species were included among the dead birds at the Grants site.

Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consider the effects of their undertakings on historic properties. The NRC's approval of this license amendment request constitutes a federal undertaking. However, the NRC staff has determined that the scope of activities described in this license amendment request do not have the potential to cause effects on historic properties, assuming those were present, because the NRC's approval of this license request will not result in construction or land disturbance activities.

The NRC staff also consulted with the NMSHPO by letter dated September 21, 2018 (ADAMS Accession No. ML18232A151). The NMSHPO responded by email dated October 16, 2018, stating that they agreed with a finding of no adverse effect for the proposed action and also recommended by letter dated November 13, 2018, that the NRC consult six Tribes: Hopi of Arizona, Navajo Nation, Pueblo of Acoma, Pueblo of Isleta, Pueblo of Laguna, and Pueblo of Zuni (ADAMS Package Accession No. ML18233A143). By letter dated November 13, 2018, the NRC sent a consultation letter to the six Tribes explaining the activities involved in the proposed action and the preliminary determination of no potential to effect historic properties, assuming they were present.

In July 2019, the NRC provided the NMED with the opportunity to review the draft EA (ADAMS Accession No. ML19196A071) and requested NMED input. On August 12, 2019 the NMED responded by email (ADAMS Accession No. ML19225B308) that they had reviewed the draft EA with one comment and no other concerns with the NRC's EA findings. The NRC addressed NMED's comment in the final EA (ADAMS Accession Number ML19263C623).

### III. Finding of No Significant Impact

In accordance with the requirements in 10 CFR part 51, the NRC staff has concluded that the proposed action will not significantly affect the quality of the human environment. Therefore, the staff finds, pursuant to 10 CFR 51.31, that preparation of an environmental impact statement is not required for the proposed action, and that a FONSI is appropriate.

Dated at Rockville, Maryland, this 4th day of December 2019.

For the Nuclear Regulatory Commission.

**Cynthia I. Roman-Cuevas,**

*Chief, Environmental Review Materials Branch Division of Fuel Cycle Safety, Safeguards, and Environmental Review Office of Nuclear Material Safety, and Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251; NRC-2018-0101]

### Florida Power & Light Company; Turkey Point Nuclear Generating Unit Nos. 3 and 4

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Subsequent License Renewal and record of decision.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has issued Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41 to Florida Power & Light Company (FPL or licensee), operator of the Turkey Point Nuclear Generating Unit Nos. 3 and 4 (Turkey Point). The NRC has prepared a record of decision (ROD) that supports the NRC's decision to issue Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41.

**DATES:** The Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41 were issued on December 4, 2019.

**ADDRESSES:** Please refer to Docket ID NRC-2018-0101 when contacting the

NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Website:** Go to <https://www.regulations.gov/> and search for Docket ID NRC-2018-0101. Address questions about NRC dockets to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may access publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

### FOR FURTHER INFORMATION CONTACT:

William Burton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6332, email: [William.Burton@nrc.gov](mailto:William.Burton@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the NRC has issued Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41 to Florida Power & Light Company (FPL or licensee), the operator of Turkey Point Nuclear Generating Unit Nos. 3 and 4 (Turkey Point). Subsequent Renewed Facility Operating License No. DPR-31 authorizes operation of Turkey Point Unit 3 through July 19, 2052, by the licensee at reactor core power levels not in excess of 2,644 megawatts thermal, in accordance with the provisions of the Turkey Point 3 operating license and technical specifications. Subsequent Renewed Facility Operating License No. DPR-41 authorizes operation of Turkey Point Unit 4 through April 10, 2053, by the licensee at reactor core power levels not in excess of 2,644 megawatts thermal, in accordance with the provisions of the Turkey Point 4 operating license and technical specifications. The NRC's ROD that

supports the NRC's decision to issue Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41 is available in ADAMS under Accession No. ML19309F859.

As discussed in the ROD and the final supplemental environmental impact statement (FSEIS) for Turkey Point, entitled Supplement 5, Second Renewal, to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Subsequent License Renewal for Turkey Point Nuclear Generating Unit Nos. 3 and 4, Final Report," dated October 2019 (ADAMS Accession No. ML19290H346), the NRC has considered the reasonably foreseeable impacts of subsequent license renewal for Turkey Point Units 3 and 4, as well as a range of reasonable alternatives that included natural gas combined-cycle (NGCC); NGCC and solar photovoltaic combination; new nuclear; and the no-action alternative. In addition, the staff evaluated the use of mechanical draft cooling towers as a cooling water system alternative to the existing Cooling Canal System (CCS). This analysis compared the environmental impacts of the closed-cycle cooling system approach with the existing CCS. The FSEIS documents the environmental review, including the determination that the adverse environmental impacts of subsequent license renewal for Turkey Point are not so great that preserving the option of subsequent license renewal for energy-planning decisionmakers would be unreasonable.

The Turkey Point nuclear units are located in Miami-Dade County, east of Florida City, Florida. Each unit consists of a Westinghouse pressurized-water reactor nuclear steam supply system. The application for the subsequent renewed licenses dated January 30, 2018 (ADAMS Package Accession No. ML18037A812), as supplemented by letters dated February 9, 2018 (ADAMS Accession No. ML18044A653); February 16, 2018 (ADAMS Package Accession No. ML18053A123); March 1, 2018 (ADAMS Package Accession No. ML18072A224); and April 10, 2018 (ADAMS Accession No. ML18102A521 and ADAMS Package Accession No. ML18113A132). The NRC staff has determined that the application, as supplemented, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations. As required by the Act and the NRC's regulations in chapter 1 of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC has made appropriate findings, which are set forth in the license.

A public notice of the NRC's consideration of the subsequent renewed license application and an opportunity for a hearing was published in the **Federal Register** on May 2, 2018 (83 FR 19304). Requests for hearing were filed, and an adjudicatory proceeding was then initiated. All contested issues were subsequently decided by an NRC Atomic Safety and Licensing Board (Board) and proceedings before the Board have terminated; appeals from the Board's decisions are pending before the Commission. The ASLB's decisions have not been stayed pending Commission review, and issuance of the subsequent renewed licenses is therefore permissible. The NRC staff has determined that issuance of the subsequent renewed licenses prior to Commission action on the pending appeals would not foreclose or prejudice any action by the Commission.

For further details with respect to this action, see: (1) FPL's subsequent license renewal application for Turkey Point Units 3 and 4, dated January 30, 2018 (ADAMS Package Accession No. ML18037A812), and the above cited supplements; (2) the NRC's safety evaluation report published on July 22, 2019 (ADAMS Accession No. ML19191A057); (3) the NRC's final environmental impact statement (NUREG-1437, Supplement 5, Second Renewal) for Turkey Point Units 3 and 4, dated on October 2019 (ADAMS Accession No. ML19290H346); and (4) the NRC's ROD, issued on December 4, 2019 (ADAMS Accession No. ML19309F859).

Dated at Rockville, Maryland, this 4th day of December 2019.

For the Nuclear Regulatory Commission  
**Anna H. Bradford,**

*Director, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2019-0001]**

### **Sunshine Act Meetings**

**TIME AND DATE:** Weeks of December 9, 16, 23, 30, 2019, January 6, 13, 2020.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public.

### **Week of December 9, 2019**

There are no meetings scheduled for the week of December 9, 2019.

### **Week of December 16, 2019—Tentative**

*Tuesday, December 17, 2019*

10:00 a.m. Briefing on Equal Employment Opportunity, Affirmative Employment, and Small Business (Public Meeting); (Contact: Larniece McKoy Moore: 301-415-1942).

This meeting will be webcast live at the Web address—<https://www.nrc.gov/>.

### **Week of December 23, 2019—Tentative**

There are no meetings scheduled for the week of December 23, 2019.

### **Week of December 30, 2019—Tentative**

There are no meetings scheduled for the week of December 30, 2019.

### **Week of January 6, 2020—Tentative**

There are no meetings scheduled for the week of January 6, 2020.

### **Week of January 13, 2020—Tentative**

There are no meetings scheduled for the week of January 13, 2020.

### **CONTACT PERSON FOR MORE INFORMATION:**

For more information or to verify the status of meetings, contact Denise McGovern at 301-415-0681 or via email at [Denise.McGovern@nrc.gov](mailto:Denise.McGovern@nrc.gov). The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at [Anne.Silk@nrc.gov](mailto:Anne.Silk@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301-415-1969), or by email at [Wendy.Moore@nrc.gov](mailto:Wendy.Moore@nrc.gov) or [Tyesha.Bush@nrc.gov](mailto:Tyesha.Bush@nrc.gov).