



NRC NEWS

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LICENSING BOARD UPHOLDS NRC'S ENVIRONMENTAL IMPACT STATEMENT FOR PROPOSED NUCLEAR POWER PLANT IN LEVY COUNTY, FLA.

An Atomic Safety and Licensing Board (ASLB) has rejected a challenge by two environmental groups to an application to license two new nuclear power reactors in Levy County, Fla. The ASLB is a three-member board of administrative judges independent of the NRC staff that conducts adjudicatory hearings on major agency licensing actions.

The groups, the Nuclear Information and Resource Service and the Ecology Party of Florida, claimed the NRC's April 27, 2012, Final Environmental Impact Statement (FEIS) failed to adequately identify and assess the proposed Levy Nuclear Plant's direct, indirect and cumulative environmental impacts on wetlands and groundwater resources. The applicant, Progress Energy of Florida, and the NRC staff argued the FEIS satisfied all of the requirements of the National Environmental Policy Act.

The ASLB held an evidentiary hearing in Bronson, Fla., on Oct. 31 and Nov. 1, 2012, to decide these issues. The hearing involved more than 300 exhibits and 24 witnesses. The Board's more than 140-page decision, that the FEIS complies with legal and regulatory requirements, made findings that include:

- The statement fairly and reasonably describes the Levy area's geology and hydrology;
- Evidence from the hearing did not support the groups' claim that the site is underlain by active sinkholes, groundwater conduits, or significant "preferential pathways" for groundwater flow;
- The Levy Nuclear Plant application's groundwater modeling was reasonable and professional;
- The FEIS reasonably relies on the concrete and highly prescriptive monitoring and mitigation requirements imposed on the proposed Levy Nuclear Plant by the U.S. Army Corps of Engineers, the state of Florida and the Southwest Florida Water Management District via permits such as the state-issued water use permit; and
- It is reasonable to rely on the Corps and state agencies, such as the Florida Department of Environmental Protection, to assure that Progress Energy of Florida will actually implement, and successfully perform, the prescribed monitoring and mitigation measures.

The ASLB's decision can be appealed to the five-member Commission in charge of the agency. Unless appealed, the ASLB decision becomes the NRC's final determination on the environmental issues raised by the environmental groups.

Documents related to the [Levy County application](#) are available on the NRC website. Documents regarding this ASLB proceeding are available on the NRC's [Electronic Hearing Docket](#) by clicking on the folder entitled "Levy_County_52-029&52-030-COL" on the left side of the page. More information about the [role of the ASLB](#) in the licensing process is available on the NRC website.

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