

Docket No.: 50-461

APR 15 1985

Mr. Frank Spangenberg
Director of Nuclear Licensing &
Configuration Management
Clinton Power Station
P. O. Box 306
Mail Code V920
Clinton, Illinois 61727

Dear Mr. Spangenberg:

SUBJECT: REQUESTED MODIFICATIONS TO SECTION 3E CONSTRUCTION PERMIT CPPR-137
FOR CLINTON POWER STATION, UNIT 1, (NOTICE OF PREPARATION OF
ENVIRONMENTAL ASSESSMENT)

Enclosed for your information is a copy of a Notice of Preparation of
Environmental Assessment and Finding of No Significant Impact, which is
being forwarded to the Office of the Federal Register for publication. This
Notice relates to your request, dated August 22, 1984, for modifications and
deletions to Section 3E of Construction Permit CPPR-137 for Clinton Power
Station, Unit 1.

Sincerely,

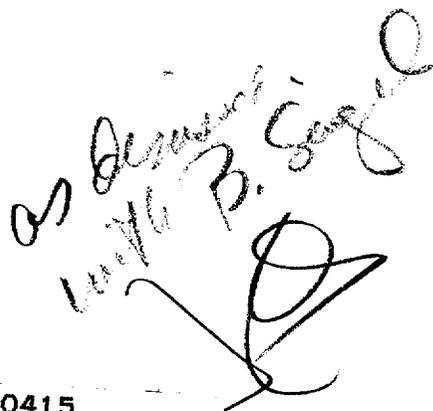
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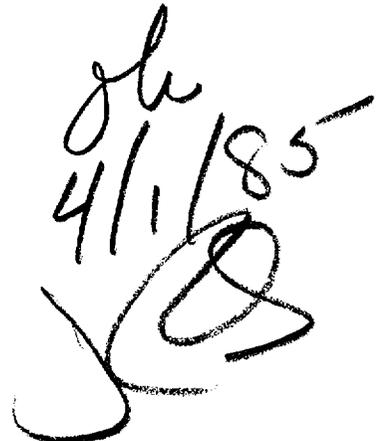
A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

Enclosure:
As stated

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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Clinton

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UNITED STATES NUCLEAR REGULATORY COMMISSION
ILLINOIS POWER COMPANY
SOYLAND POWER COOPERATIVE, INC
WESTERN ILLINOIS POWER COOPERATIVE, INC.
DOCKET NO. 50-461
NOTICE PREPARATION OF ENVIRONMENTAL ASSESSMENT AND
FINDINGS OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (The Commission) is considering issuance of an amendment to Construction Permit CPPR-137 to Illinois Power Company, (the permittee) on behalf of itself and as agent for Soyland Power Cooperative, Inc. and Western Illinois Power Cooperative, Inc. for the Clinton Power Station Unit 1, located in DeWitt County, Illinois.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action: The NRC staff has prepared an Environmental Assessment dated April 15, 1985, supporting the proposed amendment of Construction Permit No. CPPR-137 for Clinton Power Station, Unit 1, The amendment would modify two conditions in Section 3E [conditions 3E(1) and 3E(3)] of the Construction Permit (CP) and delete six conditions in Section 3E [conditions 3E(2), (4), (5), (6), (7) and (8)] of the CP. The modifications and deletions update the CP to reflect changes related to environmental programs that have been approved by various agencies since the CP was originally granted, and to reflect the current policies of agencies responsible for the various aspects of environmental protection addressed by the CP.

Summary of Environmental Assessment: As described in the Environmental Assessment the proposed wording change in paragraph 3E(1) would delete (1) the requirement for the permittee to conduct preoperational environmental monitoring programs; (2) the restrictions on the use of herbicides during the

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establishment and maintenance of transmission line rights-of-way; and (3) the requirement for additional monthly water chemistry sampling in the preoperational phase.

Based on the assessments of the staff contained in an expedited review sent to the permittee on April 30, 1980 and in the FES-OL dated May 1982, the change in the requirements for preoperational monitoring that would result from the proposed rewording of paragraph 3E(1) of Construction Permit CPPR-137 will not result in any significant additional environmental impact. The staff concludes that the environmental impacts associated with construction of the station described in the FES-CP and FES-OL are not affected by the proposed rewording of paragraph 3E(1).

The wording change proposed for paragraph 3E(3) would make this requirement coincide with that of the Illinois Pollution Control Board (IPCB) as approved for Clinton Power Station Unit 1 on May 28, 1981. Based on the assessments by the staff in the FES-OL it is concluded that the proposed rewording of paragraph 3E(3) of Construction Permit CPPR-137 will not result in any additional environmental impact or result in environmental impacts not already considered. Additionally, the staff concludes that the environmental impacts associated with construction of the station as described in the FES-CP and FES-OL are not affected by the proposed rewording of paragraph 3E(3).

The proposed deletion of paragraph 3E(2) will not cause additional environmental impact, either as related to cooling lake or downstream Salt Creek water quality or as related to aquatic biota. The staff has assessed the likely environmental impact associated with the alternate thermal standards approved by the Illinois Pollution Control Board (IPCB).

The approval of the alternate thermal standards by the IPCB supercedes the specification of thermal limits and supplemental cooling by the NRC in paragraph 3E(2). Therefore the staff concludes that the environmental impacts associated with the construction and operation of the station as described in the FES-CP and the FES-OL are not affected by the proposed deletion of paragraph 3E(2).

The proposed deletion of paragraphs 3E(4), 3E(5), 3E(6), 3E(7), and 3E(8) are not likely to result in additional environmental impacts as a result of Clinton Power Station Unit 1 construction or operation because the provisions of these paragraphs remain as conditions to the Water Quality Certification pursuant to Section 401 of the Clean Water Act issued to Illinois Power Company on August 25, 1975 (FES-OL Section 1.2); these same requirements are included in Part IV.B of the National Pollutant Discharge Elimination System Permit No. IL-0036919, issued to Illinois Power Company for Clinton Power Station on October 21, 1977. Water quality limitations and monitoring programs are under the jurisdiction of the U.S. Environmental Protection Agency.

Based on the above considerations regarding the permittee's NPDES permit, and the staff's assessments in the FES-OL, the Environmental Assessment concluded that the proposed deletion of paragraphs 3E(4) through 3E(8) of Construction Permit CPPR-137 will not result in any additional environmental impact nor will the environmental impacts associated with construction and operation for the station as described in the FES-CP and FES-OL be affected by the proposed deletions of these paragraphs.

Findings of No Significant Impact: The staff has reviewed the proposed amendment to Construction Permit CPPR-137. Based upon the environmental assessment, the staff has concluded that there are no significant radiological or non-radiological impacts associated with the proposed action and that the proposed CP amendment will not have a significant effect on the quality of the human environment. Therefore, the Commission has determined, pursuant to 10 CFR 51.31, not to prepare an environmental impact statement for the proposed amendment.

For further details with respect to this action, see: (1) the application for amendment by Illinois Power Company by letters dated August 31, 1981, March 29, 1982, and August 22, 1984 and subsequently modified by letters dated October 29, 1984 and December 4, 1984. (2) the Final Environmental Statement for the Construction Permit (FES-CP) dated October 1974, (3) the Final Environmental Statement for the Operating License (FES-OL) dated May 1982, (4) the expedited staff review of monitoring inspectional programs dated April 30, 1980, and (5) the Environmental Assessment dated April 15, 1985.

These documents are available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C. 20555 and at the Warner Vespasian Library, 120 West Johnson Street, Clinton, Illinois 61727.

Dated at Bethesda, Maryland, this 15th day of April 1985.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas M. Novak, Assistant Director
for Licensing
Division of Licensing
Office of Nuclear Reactor Regulation



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ENVIRONMENTAL ASSESSMENT

CONSTRUCTION PERMIT CPPR-137 AMENDMENT NO. 2

CLINTON POWER STATION, UNIT 1

DOCKET NO. 50-461

INTRODUCTION

By letters dated August 31, 1981, March 29, 1982 and August 22, 1984, the Illinois Power Company on behalf of itself and as agent for Soyland Power Cooperative, Inc., and Western Illinois Power Cooperative, Inc., filed requests with the Nuclear Regulatory Commission to modify conditions 3E(1) and 3E(3) and delete conditions 3E(2), (4), (5), (6), (7), and (8) of Construction Permit No. CPPR-137 for the Clinton Power Station Unit 1. These requests were subsequently modified by Illinois Power Company letters dated October 29, 1984 and December 4, 1984 which proposed wording changes to those proposed in the earlier letters for conditions 3E(1) and 3E(3). The requested modifications to the conditions are as follows:

1. Reword Condition 3E(1) to read:

"During the construction provided by this construction permit, the applicant shall take the necessary mitigating actions, including those summarized on page iii, paragraph 7 [except for 7(d)] and in Section 4.5 (except that the restrictions on the use of herbicides shall be limited to using USEPA-approved materials in accordance with label directions) of the Final Environmental Statement (FES) dated October 1974, to avoid an unnecessary adverse environmental impacts from construction activities. Further, the applicant shall follow

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the environmental monitoring programs described in Section 6 of the Environmental Report, with Amendments, except as revised by the applicant in subsequent issuance of the Environmental Report and its Amendments, and as approved by the staff."

2. Reword Condition 3E(3) to read:

"Discharges to Lake Clinton from Illinois Power Company, from Soyland Power Cooperative, Inc., and from Western Illinois Power Cooperative, Inc. shall meet the currently applicable temperature standards established pursuant to the Federal Clean Water Act and the laws of the State of Illinois, as set forth by the Illinois Pollution Control Board.

The conditions requested to be deleted are as follows:

- 3E(2) The applicant shall operate, as a minimum, a supplemental cooling system in the following manner:
- (a) in the late spring when the condenser discharge temperature reaches 92° F or on June 1, whichever comes first, the supplemental cooling system will begin operation with approximately one-fifteenth (1/15) of the capacity being switched on;
 - (b) each day thereafter another one-fifteenth (1/15) of the system will begin operation, until by June 15, at the latest, all modules will be operating;
 - (c) in the late summer, when the condenser discharge temperature reaches 92° F on the declining side of the time/temperature

curve, or on September 19, whichever occurs last, the supplemental cooling system will begin to be sequenced off with approximately one-fifteen (1/15) of the modules being shut down for the first six (6) days;

(d) each day thereafter another two-fifteenths (2/15) or less of the modules will be shut off until by September 30, at the earliest, the complete system will be off.

3E(4) The applicant shall prior to the filling of the impoundment, submit an acceptable lake management plan for approval by the Illinois Environmental Protection Agency and the Illinois Department of Conservation, which plan will preserve the lake's recreational and fisheries value.

3E(5) The applicant shall keep the lake open to readily available public access throughout the life of the lake.

3E(6) The applicant shall develop and submit an acceptable program prior to operation showing startup and shutdown procedures which will minimize the adverse affect of such activities on aquatic life.

3E(7) If it is determined after operation of the facility or by ongoing research, that conditions in Lake Clinton will be significantly different than has been described in the 316(a) demonstration, or if it is determined that the cooling water use, recreational aspects of the lake, or that protection and propagation of indigenous aquatic life cannot be assured, the applicant shall take whatever measures are needed to correct the problem, including backfitting of the proposed or existing plant with additional cooling facilities.

3E(8) The applicant shall submit quarterly progress reports to:
Illinois Environmental Protection Agency,
Manager, Variance Section Division of
Water Pollution Control
Springfield, Illinois 62706

ENVIRONMENTAL IMPACT OF THE PROPOSED ACTIONS

The FES CP of Clinton Power Station Units 1 and 2, published in October 1974 includes an assessment of the potential environmental, economic and community impacts due, to site preparation and plant construction. These assessments were based on the applicant's commitments and plans for the construction of Clinton Power Station and the development of the site, including the multipurpose cooling lake and the surrounding lands.

The proposed rewording of paragraph 3E(1) would delete (1) the requirement for the applicant to conduct the preoperational environmental monitoring programs as presented in the ER-CP and as modified by the staff in Section 6.1 of the FES-CP; (2) the restriction placed by the staff in Section 4.5.2.5 of the FES-CP on the use of herbicides during establishment and maintenance of transmission line rights-of-way; and (3) the requirement for additional monthly water chemistry sampling in the preoperational phase. The proposed rewording would add a requirement for the applicant to conduct environmental monitoring programs as modified by the applicant in its Environmental Report issuances subsequent to that of October 26, 1973, as approved by the NRC staff.

The proposed rewording of paragraph 3E(3) would replace the staff imposed at-all-times effluent temperature limit of 96° F at the point where the station discharge canal empties into the cooling lake with a requirement to comply with thermal discharge limitations imposed by the state under authority from the U.S. Environmental Protection Agency and the Clean Water Act. This restriction, as currently imposed by the Illinois Pollution Control Board is similar to the staff imposed restriction, except that, for one unit operation, the effluent temperature may not exceed 99° F for more than 12% of the hours in a month, and at no time may this temperature exceed 108.3° F.

The proposed deletion of paragraph 3E(2) would remove a series of requirements for lake-water-temperature of time-of-year-mandated phase in, and phase out, of operation of a supplemental cooling system for Clinton Power Station.

The proposed deletion of paragraph 3E(4) would remove the requirement for the applicant to submit a lake management plan for the preservation of the lake's recreational and fisheries values to the Illinois Environmental Agency and the Illinois Department of Conservation for approval.

The proposed deletion of paragraph 3E(5) would remove a staff requirement that the applicant keep the cooling lake open to readily available public access throughout the life of the lake.

The proposed deletion of paragraph 3E(6) would remove a staff requirement that the applicant establish startup and shutdown procedures that would minimize the adverse effects of such plant modes on the aquatic life of the cooling lake.

The proposed deletion of paragraph 3E(7) would remove a staff requirement for mitigation of cooling lake conditions that may develop and be determined to be either (1) significantly different than those in the demonstration to the State of Illinois under Section 316(a) of the Clean Water Act, or (2) that the cooling water use, the recreational aspects of the lake or the protection and propagation of the aquatic life indigenous to the lake cannot be assured. Such mitigation would consider the backfitting of additional cooling facilities.

The proposed deletion of paragraph 3E(8) would remove the staff requirement for submittal of quarterly progress reports to the Illinois Environmental Protection Agency.

ASSESSMENT OF IMPACTS

The preconstruction, and preoperation phase environmental monitoring programs and construction phase environmental impact control program proposed by the applicant in the ER-CP were reviewed by the staff in the FES-CP, Sections 6.1 and 4.5, respectively. These monitoring and impact control programs were revised by the applicant with the submittal of the Environmental Report for Clinton Power Station, Units 1 and 2. By letter dated March 13, 1980, the applicant requested an expedited review of the above referenced revised programs. The expedited review was performed by the staff and the applicant was formally notified on April 30, 1980 that the requested changes to the terrestrial and aquatic pre-operational monitoring programs were acceptable. Deletion of the terrestrial monitoring program to be conducted during the development phases of the site was also assessed. The staff determined

that the terrestrial monitoring program was no longer necessary in Section 5.5.1.1 of the FES-OL (NUREG-0854 dated May 1982).

The use of herbicides was originally proposed by the applicant and assessed by the staff in the FES-CP. The applicant's revised proposed use of herbicides for controlling woody vegetation within transmission line corridors was reviewed by the staff in Section 5.5.1.2 of the FES-OL. This proposed use includes limitation to those herbicides approved for such as by the U.S. Environmental Protection Agency. This limitation, plus others proposed by the applicant were found acceptable, being "fundamental guidelines for prudent herbicide usage,...".

Based on assessments of the staff of April 30, 1980 and in the FES-OL dated May 1982, the change in the requirements for preoperational monitoring that would result from the proposed rewording of paragraph 3W(1) of Construction Permit CPPR-137 will not result in any significant additional environmental impact. The staff concludes that the environmental impacts associated with construction of the station described in the FES-CP and FES-OL are not affected by the proposed rewording of paragraph 3E(1).

The wording change proposed for paragraph 3E(3) would make this requirement coincide with that of the Illinois Pollution Control Board (IPCB) as approved for Clinton Power Station Unit 1 on May 28, 1981. The staff compared the proposed full power operation on Unit 1 with the IPCB approved limitations in Section 4.2.6.2 and 5.3.2.2 of the FES-OL, using climatological and hydrological conditions of 1955 and 1978 (1978 was the first year for which actual lake temperature data were available; 1955 had the highest summer water temperatures and also corresponded to the 1-in-50-year drought). The staff found that under the 1955 conditions, Unit 1 would have to be operated

at reduced power (78%) "for several days" during the summer to meet the IPCB thermal discharge limitations. The staff also assessed in Section 5.3.2.2 the expected compliance of the thermal discharges from the lake with state water quality standards. These standards state that the temperature of the lake water released from Salt Creek must not exceed 32.2°C (90°F) for more than 1% of the time and by no more than 1.7°C (3°F). The predicted temperature results indicate compliance even under the worst case temperature conditions: the temperature exceeding 32.2°C (90°F) would do so for only 0.3% of the time and would exceed the limit by less than 1.7°C (3°F).

The impact of operation under the IPCB limitation on aquatic biota of the cooling lake was also assessed by the staff in Section 5.5.2.3 of the FES-OL. It was concluded that, during the warmest months of the year, most of the lake waters will be at temperatures within the thermal tolerance for survival and at or below the thermal tolerance for growth for fish species adapted to reservoir conditions. For extended adverse meteorological conditions, thermally sensitive fish species may be adversely affected, but the ecological balance of the lake will not be affected.

Based on the assessments by the staff in the FES-OL as described above it is concluded that the proposed rewording of paragraph 3E(3) of Construction Permit CPPR-137 will not result in any additional environmental impact or result in environmental impacts not already considered. Additionally, the staff concludes that the environmental impacts associated with construction of the station as described in the FES-CP and FES-OL are not affected by the proposed rewording of paragraph 3E(3).

The proposed deletion of paragraph 3E(2) will not cause additional environmental impact, either as related to cooling lake or downstream Salt

Creek water quality or as related to aquatic biota. As explained above, the staff has assessed the likely environmental impact associated with the alternate thermal standards approved by the Illinois Pollution Control Board. Compliance with the approved thermal discharge limitations and water quality standards is predicted under full power operation on Unit 1 for all but worst case meteorology. Operation of the unit at reduced power level (i.e., 78%) could take place without resulting in violation of the thermal standards. The approval of the alternate thermal standards by the IPCB supercedes the specification of thermal limits and supplemental cooling by the NRC in paragraph 3E(2). Based on the assessments in Sections 5.3.2.2 and 5.5.2.3 of the FES-OL, the staff concludes that the environmental impacts associated with the construction and operation of the station as described in the FES-CP and the FES-OL are not affected by the proposed deletion of paragraph 3E(2).

The proposed deletion of paragraphs 3E(4), 3E(5), 3E(6), 3E(7), and 3E(8) are not likely to result in additional environmental impact as a result of Clinton Power Station Unit 1 construction or operation because the provisions of these paragraphs remain as conditions to the Water Quality Certification pursuant to Section 401 of the Clean Water Act issued to Illinois Power Company on August 25, 1975 (FES-OL Section 1.2); these same requirements are included in Part IV.B of National Pollutant Discharge Elimination Systems Permit No. IL-0036919, issued on Illinois Power Company for Clinton Power Station on October 21, 1977. Water quality limitations and monitoring programs are under the jurisdiction of the U.S. Environmental Protection Agency, as established by the Atomic Safety and Licensing Appeal Board ruling on December 27, 1978 in Yellow Creek (ALAB-515). The NRC has taken the position that these limitations and programs in existing reactor

licenses and construction permits should be removed as a matter of law where the licensee or permittee holds an effective NPDES permit. Additionally, the staff notes the following with regard to paragraphs 3E(4), 3E(5) and 3E(6): Paragraphs 3E(4) and 3E(5) refer to potential socioeconomic benefits associated with the construction and availability of the station cooling lake. In Section 6.4.1 of the FES-OL, the primary and secondary benefits used by the staff in striking the Benefit-Cost Balance for the Clinton Power Station Unit 1, as required under the National Environmental Policy Act of 1969, did not include recreational and fisheries value nor public access. Paragraph 3E(6) refers to adverse impacts on aquatic biota from station startup and shutdown procedures. In Section 5.5.2.5 of the FES-CP, the staff found that the maximum lake cooling rate in the event of a two unit shutdown would be about 0.3°C/hr (0.5°F/hr) to a temperature of 3°C (37°F). This rate of change and the level of change of temperature were both found to be "within the survival capabilities of the fish that will be important in Clinton Lake". In Section 5.5.2.4 of the FES-OL, the staff found that the cooling rate estimate for plant shutdown for a one-unit, full power operation is expected to be less than for two unit operation and that the above mentioned FES-CP conclusions remain valid.

Based on the above considerations regarding the permittee's NPDES permit, ALAB-515 and the staff's assessments in the FES-OL, it is concluded that the proposed deletion of paragraphs 3E(4) through 3E(8) of Construction Permit CPPR-137 will not result in any additional environmental impact nor will the environmental impacts associated with construction and operation of the station as described in the FES-CP and FES-OL be affected by the proposed deletions of these paragraphs.

CONCLUSION

On the basis of the foregoing analysis and the NRC staff evaluation, it is concluded that the proposed deletion of paragraphs 3E(4) through 3E(8) of Construction Permit CPPR-137 (1) will not result in any additional environmental impact nor will the environmental impacts associated with construction and operation for the station as described in the FES-CP and FES-OL be affected by the proposed deletions of these paragraphs and (2) there are no significant radiological or non-radiological impacts associated with the proposed action and that the proposed CP amendment will not have significant effect on the quality of the human environment.

Dated: **APR 15 1985**