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May 2, 2002

Docket Nos. 50-321  
50-366

HL-6240

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

Edwin I. Hatch Nuclear Plant  
Request for Correction of Administrative Errors in Environmental Protection Plan  
Re-Issued by NRC as Part of License Renewal Process

Ladies and Gentlemen:


By letter dated January 15, 2002, the NRC issued the Renewed Facility Operating Licenses (RFOLs) for Edwin I. Hatch Nuclear Plant Unit 1 and Unit 2. On page 4 of the Unit 1 and Unit 2 RFOLs, the Technical Specifications are identified as Appendix A (to the RFOL), and the Environmental Protection Plan (EPP) is identified as Appendix B (to the RFOL). However, the cover page of the as-issued EPP, Attachment 4 to the January 15, 2002, transmittal letter, identifies the EPP as "Appendix A To Facility Operating License Nos. DPR-57 and NPF-5." In addition, several other typographical errors were introduced into the EPP, and in one instance, text was omitted.

This letter requests that the NRC re-issue the corrected Plant Hatch EPP as provided in the Enclosure. Substantive revisions made to the document are highlighted in green. Minor formatting revisions are not highlighted.

The correction of the as-issued EPP is not subject to a 10 CFR 50.92 evaluation, since SNC is requesting that the NRC re-issue the document as an administrative change.

If you have any questions in this regard, please contact this office.

Respectfully submitted,

  
H. L. Sumner, Jr.

RDB/sp

Enclosure: Revised Environmental Protection Plan

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cc: Southern Nuclear Operating Company  
Mr. P. H. Wells, Nuclear Plant General Manager  
SNC Document Management (R-Type A02.001)

U.S. Nuclear Regulatory Commission, Washington, D.C.  
Mr. L. N. Olshan, Project Manager - Hatch

U.S. Nuclear Regulatory Commission, Region II  
Mr. L. A. Reyes, Regional Administrator  
Mr. J. T. Munday, Senior Resident Inspector - Hatch

Enclosure

Edwin I. Hatch Nuclear Plant  
Revised Environmental Protection Plan

APPENDIX B  
TO  
FACILITY OPERATING LICENSE NOS.  
DPR-57 AND NPF-5

HATCH NUCLEAR PLANT  
UNITS 1 AND 2

SOUTHERN NUCLEAR OPERATING COMPANY, INC.  
DOCKET NOS. 50-321 AND 50-366

**ENVIRONMENTAL PROTECTION PLAN  
(NONRADIOLOGICAL)**

**Hatch Nuclear Plant  
Units 1 and 2**

**Environmental Protection Plan  
(Nonradiological)**

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## 1.0 Objectives of the Environmental Protection Plan

The Environmental Protection Plan (EPP) is to provide for protection of nonradiological environmental values during operation of the nuclear facility. The principal objectives of the EPP are as follows:

- (1) Verify that the facility is operated in an environmentally acceptable manner, as established by the Final Environmental Statements (FES) and other NRC environmental impact assessments.
- (2) Coordinate NRC requirements and maintain consistency with other Federal, State and local requirements for environmental protection.
- (3) Keep NRC informed of the environmental effects of facility construction and operation and of actions taken to control those effects.

Environmental concerns identified in the FES which related to water quality matters are regulated by way of the licensee's<sup>(a)</sup> National Pollutant Discharge Elimination System (NPDES) permit.

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<sup>(a)</sup> The term "licensee," when used in the Edwin I. Hatch Environmental Protection Plan, shall refer to Southern Nuclear Operating Company, Inc.

## **2.0 Environmental Protection Issues**

In the Final Environmental Statements dated October, 1972 and March, 1978, the staff considered the environmental impacts associated with the operation of Edwin I. Hatch Nuclear Plant (HNP) Units 1 and 2. Certain environmental issues were identified which required study, or license conditions to resolve concerns and assure adequate protection of the environment.

In the Final Environmental Impact Statement dated May 2001, the staff considered the environmental impacts associated with the extended operation of HNP Units 1 and 2. No environmental issues were identified which required study; also, no license conditions were identified as needed to resolve concerns and assure adequate protection of the environment.

### **2.1 Aquatic Issues**

Initial post-operational studies to evaluate impacts of station intake and discharge effects are complete. No additional aquatic monitoring requirements are necessary.

### **2.2 Terrestrial Issues**

Initial post-operational studies to evaluate terrestrial impacts are complete. No additional terrestrial studies or monitoring requirements are necessary.

### **3.0 Consistency Requirements**

#### **3.1 Plant Design and Operation**

The licensee may make changes in plant design or operation or perform tests or experiments affecting the environment provided that such activities do not involve an unreviewed environmental question and do not involve a change in the EPP.\* Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to the requirements of this EPP. Activities governed by Section 3.3 are not subject to the requirements of this Section.

Before engaging in additional construction or operational activities which may significantly affect the environment, the licensee shall prepare and record an environmental evaluation of such activity. Activities are excluded from this requirement if all measurable nonradiological environmental effects are confined to the on-site areas previously disturbed during site preparation and plant construction. When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide written evaluation of such activity and obtain prior NRC approval. When such activity involves a change in the EPP, such activity and change to the EPP may be implemented only in accordance with an appropriate license amendment as set forth in Section 5.3 of the EPP.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns: (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents or power level; or (3) a matter, not previously reviewed and evaluated in the documents specified in (1) of this Subsection, which may have a significant adverse environmental impact.

The licensee shall maintain records of changes in plant design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include written evaluations which provide bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question or constitute a decrease in the effectiveness of the EPP to meet the objectives specified in Section 1.0. The licensee shall include as part of the Annual Environmental Operating Report (per Subsection 5.4.1) brief descriptions, analyses, interpretations, and evaluations of such changes, tests and experiments.

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\* This provision does not relieve the licensee of the requirements of 10 CFR 50.59.



### 3.2 Reporting Related to the NPDES Permit and State Certification

Changes to, or renewals of, the NPDES Permit or the State certification shall be reported to the NRC within 30 days following the date the change or renewal is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.

The licensee shall notify the NRC of changes to the effective NPDES Permit proposed by the licensee by providing the NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The licensee shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

### 3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in plant design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, and local environmental regulations are not subject to the requirements of Section 3.1.

## 4.0 Environmental Conditions

### 4.1 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to plant operation shall be recorded and reported to the NRC within 24 hours followed by a written report per Subsection 5.4.2. The following are examples: excessive bird impaction events; onsite plant or animal disease outbreaks; mortality or unusual occurrences of any species protected by the Endangered Species Act of 1973; fish kills or impingement events on the intake screens; increase in nuisance organisms or conditions; unanticipated or emergency discharge of waste water or chemical substances; and damage to vegetation resulting from cooling tower operations.

No routine monitoring programs are required to implement this condition.

### 4.2 Environmental Monitoring

#### 4.2.1 Aquatic Monitoring

The certifications and permits required under the Clean Water Act provide mechanisms for protecting water quality and, indirectly, aquatic biota. The NRC will rely on the decision made by the State of Georgia under the authority of the Clean Water Act for any requirements for aquatic monitoring.

#### 4.2.2 Terrestrial Monitoring

Terrestrial monitoring is not required.

#### 4.2.3 Maintenance of Transmission Line Corridors

The use of herbicides within the Edwin I. Hatch Nuclear Plant transmission line corridors shall conform to the approved use of selected herbicides as registered by the Environmental Protection Agency and approved by the State of Georgia authorities and applied as directed on the herbicide label.

Records shall be maintained in accordance with EPA or State of Georgia requirements by the Georgia Power Company's Transmission Operating and Maintenance Department concerning herbicide use. Such records shall be made readily available to the NRC upon request. There shall be no routine reporting requirement associated with this condition.

## **5.0 Administrative Procedures**

### **5.1 Review and Audit**

The licensee shall provide for review and audit of compliance with the EPP. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

### **5.2 Records Retention**

Records and logs relative to the environmental aspects of station operation shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to NRC on request.

Records of modifications to station structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the station. All other records, data and log relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

### **5.3 Changes in Environmental Protection Plan**

Requests for changes in the EPP shall include an assessment of the environmental impact of the proposed change and a supporting justification. Implementation of such changes in the EPP shall not commence prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the EPP.

### **5.4 Plant Reporting Requirements**

#### **5.4.1 Routine Reports**

An Annual Environmental Operating Report describing implementation of this EPP for the previous year shall be submitted to the NRC prior to May 1 of each year. The period of the first report shall begin with the date of issuance of this EPP.

The report shall include summaries and analyses of the results of the environmental protection activities required by Subsection 4.2 (if any) of this EPP for the report period, including a comparison with related preoperational studies, operational controls (as appropriate), and previous nonradiological environmental monitoring reports, and an assessment of the observed impacts of the plant operation on the environment. If harmful effects or evidence of trends toward irreversible damage to the environment are observed, the licensee shall provide a detailed analysis of the data and a proposed course of mitigating action.

The Annual Environmental Operating Report shall also include:

- (1) A list of EPP noncompliances and the corrective actions taken to remedy them.

- (2) A list of all changes in station design or operation, tests, and experiments made in accordance with Subsection 3.1 which involved a potentially significant unreviewed environmental question.
- (3) A list of nonroutine reports submitted in accordance with Subsection 5.4.2.

In the event that some results are not available by the report due date, the report shall be submitted noting and explaining the missing results. The missing results shall be submitted as soon as possible in a supplementary report.

#### 5.4.2 Nonroutine Reports

A written report shall be submitted to the NRC within 30 days of occurrence of a nonroutine event. The report shall: (a) describe, analyze and evaluate the event including extent and magnitude of the impact, and plant operating characteristics; (b) describe the probable cause of the event; (c) indicate the action taken to correct the reported event; (d) indicate the corrective action taken to preclude repetition of the event and to prevent similar occurrences involving similar components or systems; and (e) indicate the agencies notified and their preliminary responses.

Events reportable under this Subsection which also require reports to other Federal, State or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this Subsection. The NRC shall be provided with a copy of such report at the same time it is submitted to the other agency.