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## **Appendix E**

### **Duke Energy Corporation's Compliance Status and Consultation Correspondence**

## Appendix E

### **Duke Energy Corporation's Compliance Status and Consultation Correspondence**

The list of licenses, permits, consultations, and other approvals obtained from Federal, State, regional, and local authorities for Catawba Nuclear Station, Units 1 and 2 (Catawba) are shown in Table E-1. Following Table E-1 are reproductions of correspondence prepared and sent during the evaluation process of the application for renewal of the operating licenses for Catawba.

**Table E-1.** Federal, State, Local, and Regional Licenses, Permits, Consultations, and Other Approvals for Catawba Units 1 and 2

Agency	Authority	Description	Number	Issue Date	Expiration Date	Remarks
NRC	10 CFR Part 50	Operating license, Catawba Unit 1	NPF-35	01/17/85	01/17/25	Authorizes operation of Unit 1
NRC	10 CFR Part 50	Operating license, Catawba Unit 2	NPF-52	05/15/86	05/15/26	Authorizes operation of Unit 2
FWS	Endangered Species Act	Consultation				FWS letter included in Appendix (pp E-4 to E-7).
FWS	Migratory Bird Treaty Act (16 U.S.C. 703-712)	Permit	DPRD 757484	Annual	Annual	Depredation permit. Renewed annually.
SHPO	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	Consultation	Letter from Nancy Brock, Coordinator, Review and Compliance Programs, South Carolina Department of Archives and History 05/30/00	05/30/00	None	The National Historic Preservation Act requires Federal agencies to take into account the effect of any undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register of Historic Places. The South Carolina State Department of Archives & History determined that the renewal of the Catawba OLs should not have an effect on National Register eligible or listed properties.
SCDHEC	Clean Water Act, Section 402	NPDES stormwater permit	SCR003773	06/01/01	01/31/03	In compliance.
SCDHEC	Clean Water Act, Section 402	NPDES wastewater permit	SC0004278	04/30/01	04/30/06	In compliance.
SCDHEC	RCRA, Section 3010	EPA identification number for generation and storage of hazardous waste	SCD070619796	01/17/85	Annual	EPA ID issues at the opening of the facility and remains with site for life of station. Annual operating fee submitted to SCDHEC. In compliance.
SCDHEC	RCRA Subtitle IX	Underground storage tank permit	R-46-NN-09244	Annual	Annual	Renewed annually. In compliance.

Table E.1. (contd)

Agency	Authority	Description	Number	Issue Date	Expiration Date	Remarks
SCDHEC	RCRA Subtitle D	Landfill permit	463303-1601	Prior to 1989	Under Revision	Issued prior to 1989. The permit is currently under revision with SCDHEC. In compliance.
SCDHEC	40 CFR 61, Subpart M	Asbestos non-scheduled removal permit	8044	Annual	Annual	The non-scheduled asbestos permits are annual permits - 1/1 through 12/31. In compliance.
SCDHEC	Clean Air Act	Air emissions and operating permits	2440-0070	01/3/01	12/31/05	In compliance.

CFR = Code of Federal Regulations  
EPA = U.S. Environmental Protection Agency  
FWS = U.S. Fish and Wildlife Service  
SCDHEC = South Carolina Department of Health and Environmental Control  
NPDES = National Pollution Discharge Elimination System  
NRC = U.S. Nuclear Regulatory Commission.  
RCRA = Resource Conservation and Recovery Act  
SHPO = South Carolina State Historic Preservation Office  
U.S.C. = United States Code

May 2002

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## United States Department of the Interior

**FISH AND WILDLIFE SERVICE**  
176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407

February 12, 2002

Ms. Cynthia A. Carpenter, Chief  
Risk Informed Initiatives, Environmental  
Decommissioning, and Rulemaking Branch  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

Re: Request for List of Protected Species within the Area Under Evaluation for the Catawba  
Nuclear Station License Renewal  
FWS Log No. 4-6-02-122

Dear Ms. Carpenter:

We have reviewed the information received December 26, 2001 concerning the above-referenced project. The following comments are provided in accordance with section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531-1543).

Per your request, we are providing a list of the federally endangered (E) and threatened (T) and candidate (C) species which potentially occur in Cherokee, Chester, Lancaster, and York counties, South Carolina and Gaston and Mecklenburg counties, North Carolina to aid you in determining the impacts your project may have on protected species. The list also includes species of concern under review by the Service. Species of concern (SC) are not legally protected under the Endangered Species Act, and are not subject to any of its provisions, including Section 7, until they are formally proposed or listed as endangered/threatened. We are including these species in our response for the purpose of giving you advance notification. These species may be listed in the future, at which time they will be protected under the Endangered Species Act. Therefore, it would be prudent for you to consider these species early in project planning to avoid any adverse effects.

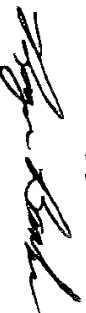
In-house surveys should be conducted by comparing the habitat requirements for the attached listed species with available habitat types at the project site. Field surveys for the species should be performed if habitat requirements overlap with that available at the project site. Surveys for protected plant species must be conducted by a qualified biologist during the flowering or

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fruiting period(s) of the species. Surveys for the red-cockaded woodpecker should be conducted in accordance with the "Guidelines for preparation of biological assessments and evaluations for the red-cockaded woodpecker" by Gary Henry. A copy of these guidelines is available from this office. Please notify this office with the results of any surveys for the attached list of species and an analysis of the "effects of the action," as defined by 50 CFR 402.02 on any listed species including consideration of direct, indirect, and cumulative effects.

Please keep this office appraised of the progress on this project. If you have any questions please contact Ms. Lori Duncan of my staff at (843) 727-4707 ext. 21. In future correspondence concerning the project, please reference FWS Log No. 4-6-02-122.

Sincerely yours,



Roger L. Banks  
Field Supervisor

RLB/LWD

May 2002

**South Carolina Distribution Records of  
Endangered, Threatened, Candidate and Species of Concern  
February 7, 2002**

E Federally endangered  
T Federally threatened  
P Proposed in the Federal Register  
CH Critical Habitat  
C The U.S. Fish and Wildlife Service or the National Marine Fisheries Service has on file sufficient information on biological vulnerability and threat(s) to support proposals to list these species  
S/A Federally protected due to similarity of appearance to a listed species  
SC Federal Species of concern. These species are rare or limited in distribution but are not currently legally protected under the Endangered Species Act.

These lists should be used only as a guideline, not as the final authority. The lists include known occurrences and areas where the species has a high possibility of occurring. Records are updated continually and may be different from the following.

<u>County</u>	<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>
<b>Cherokee</b>	Dwarf-flowered heartleaf	<i>Hexastylis naniflora</i>	T
	Georgia aster	<i>Aster georgianus</i>	C
	Southeastern myotis	<i>Myotis austroriparius</i>	SC
<b>Chester</b>	Bald eagle	<i>Haliaeetus leucocephalus</i>	T
	Red-cockaded woodpecker	<i>Picoides borealis</i>	E
	Georgia aster	<i>Aster georgianus</i>	C
	Shoals spider-lily	<i>Hymenocallis coronaria</i>	SC
<b>Lancaster</b>	Carolina heelsplitter	<i>Lasimigona decorata</i>	E
	Little amphianthus	<i>Amphianthus pusillus</i>	T
	Smooth coneflower	<i>Echinacea laevigata</i>	E
	Schweinitz's sunflower	<i>Helianthus schweinitzii</i>	B
	Black-spored quillwort	<i>Isoetes melanospora</i>	E
	Brook floater	<i>Alasmidonta varicosa</i>	SC
	Shoals spider-lily	<i>Hymenocallis coronaria</i>	SC
<b>York</b>	Bald eagle	<i>Haliaeetus leucocephalus</i>	T
	Little amphianthus	<i>Amphianthus pusillus</i>	T
	Schweinitz' sunflower	<i>Helianthus schweinitzii</i>	E
	Dwarf-flowered heartleaf	<i>Hexastylis naniflora</i>	T
	Georgia aster	<i>Aster georgianus</i>	C
	Carolina darter	<i>Etheostoma collis</i>	SC
	Shoals spider-lily	<i>Hymenocallis coronaria</i>	SC
	Sun-facing coneflower	<i>Rudbeckia heliopsisidis</i>	SC

**Gaston**

Bog turtle	<i>Clemmys muhlenbergii</i>	T(S/A)
Bald eagle	<i>Haliaeetus leucocephalus</i>	T
Georgia aster	<i>Aster georgianus</i>	C
Schweinitz's sunflower	<i>Helianthus schweinitzii</i>	E

**Mecklenburg**

Bald eagle	<i>Haliaeetus leucocephalus</i>	T
Carolina heelsplitter	<i>Lasmiogona decorata</i>	E
Smooth coneflower	<i>Echinacea laevigata</i>	E
Schweinitz's sunflower	<i>Helianthus schweinitzii</i>	E
Michaux's sumac	<i>Rhus michauxii</i>	E
Georgia aster	<i>Aster georgianus</i>	C
Carolina darter	<i>Etheostoma collis collis</i>	SC
Tall larkspur	<i>Delphinium exaltatum</i>	SC
Virginia quillwort	<i>Isoetes virginica</i>	SC
Heller's trefoil	<i>Lotus helleri</i>	SC