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Maryland Department of Natural Resources

POWER PLANT ASSESSMENT DIVISION

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September 13, 2002

J. Charles Fox
Secretary

Karen M. White
Deputy Secretary

Chief
Rules Review and Directives Branch
Division of Administrative Services
Mailstop T 6 D 59
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Washington, DC 2055-0001

Dear Sir:

We have reviewed the draft document entitled *Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Peach Bottom Atomic Power Station (APS), Units 2 and 3* (NUREG-1437, Supplement 10). On behalf of the State of Maryland, the Department of Natural Resources (DNR) Power Plant Research Program (PPRP) has been involved with this license renewal, specifically reviewing issues that are of concern and interest to the State of Maryland.

Our review of this document reflects our knowledge of power station operations, both fossil-fired as well as nuclear, and input received from other Maryland agencies. Based on review of this draft document, the State of Maryland concurs with Staff conclusions that adverse environmental impacts of Peach Bottom APS license renewal are not so great that preserving the option of license renewal would be unreasonable. However, your Staff in updating and finalizing the document may consider the following comments.

Fish and Shellfish Impingement

In Section 4.1.3, the text indicates that Exelon has conducted studies at the Peach Bottom site during the fall season to assess the impingement of outmigrating juvenile American shad and river herring. This was accomplished by examining intake screens at Units 2 and 3 three times weekly from October 18 through December 20 (23 sample dates) (page 4-15).

This text is somewhat confusing in that it can be interpreted as meaning that only 23 samples were taken at the plant and that the numbers impinged should be extrapolated to determine the total annual impingement. However, we are aware that each of the samples represents a

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cumulative sample -since the prior sample- such that the numbers of fish reported from the 23 samples represents the total number impinged over the study period. We suggest that clarification is necessary to substantiate the conclusion that impingement is not regarded as significant.

In the same section, on page 4-16, the statement is made that the losses of shad and river herring due to impingement are a very small percentage of the total number of outmigrating fish and that fish losses are not sufficiently high to pose a threat to the fish restoration effort. While the numbers are small at the present time, the Anadromous Fish Restoration Cooperative 2002 for the Susquehanna River anticipates much larger run sizes in the future. With significant population increases, the numbers impinged may increase and could begin to assume significance. Because current EPA regulations require that PBAPS renew its NPDES permit every five years, we recognize and accept that this issue can be addressed and, if necessary, mitigated through the NPDES process at the time of each renewal. We suggest here, however, that this document in its final version should note that an expected increase in abundance of migratory fishes as a result of restoration efforts could result in an increase in impingement, but that such impingement impacts will be captured and addressed by the NPDES permitting process.

We appreciate having the opportunity to comment on the draft *Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants: Supplement 10 Regarding Peach Bottom APS*.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard McLean', with a long horizontal flourish extending to the right.

Richard McLean
Manager, Nuclear Programs

RM:rd