

# 1.0 Introduction

Under the Nuclear Regulatory Commission's (NRC's) environmental protection regulations in Title 10 of the Code of Federal Regulations (CFR) Part 51, which implement the National Environmental Policy Act (NEPA), renewal of a nuclear power plant operating license (OL) requires the preparation of an environmental impact statement (EIS). In preparing the EIS, the NRC staff is required first to issue the statement in draft form for public comment, and then issue a final statement after considering public comments on the draft. To support the preparation of the EIS, the staff has prepared a *Generic Environmental Impact Statement for License Renewal of Nuclear Plants* (GEIS), NUREG-1437, Volumes 1 and 2 (NRC 1996; 1999)<sup>(a)</sup>. The GEIS is intended to (1) provide an understanding of the types and severity of environmental impacts that may occur as a result of license renewal of nuclear power plants under 10 CFR Part 54, (2) identify and assess the impacts that are expected to be generic to license renewal, and (3) support 10 CFR Part 51 to define the number and scope of issues that need to be addressed by the applicants in plant-by-plant renewal proceedings. Use of the GEIS guides the preparation of complete plant-specific information in support of the OL renewal process.

The Exelon Generation Company, LLC (Exelon, formerly Philadelphia Electric Company or PECO) operates Peach Bottom nuclear reactor Units 2 and 3 in Pennsylvania under OLs DPR-44 and DPR-56, which were issued by the NRC. These OLs will expire in August 2013 for Unit 2 and July 2014 for Unit 3. On July 2, 2001, Exelon submitted an application to the NRC to renew the Peach Bottom Units 2 and 3 OLs for an additional 20 years under 10 CFR Part 54. Exelon is a *licensee* for the purposes of its current OLs and an *applicant* for the renewal of the OLs. Pursuant to 10 CFR 54.23 and 51.53(c), Exelon submitted an Environmental Report (ER; Exelon 2001a) in which Exelon analyzed the environmental impacts associated with the proposed license renewal action, considered alternatives to the proposed action, and evaluated mitigation measures for reducing adverse environmental effects.

This report is the draft plant-specific supplement to the GEIS (the supplemental EIS [SEIS]) for the Exelon license renewal application. This SEIS is a supplement to the GEIS because it relies, in part, on the findings of the GEIS. The staff will also prepare a separate safety evaluation report in accordance with 10 CFR Part 54.

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(a) The GEIS was originally issued in 1996. Addendum 1 to the GEIS was issued in 1999. Hereafter, all references to the "GEIS" include the GEIS and its Addendum 1.

## 1.1 Report Contents

The following sections of this introduction (1) describe the background for the preparation of this SEIS, including the development of the GEIS and the process used by the staff to assess the environmental impacts associated with license renewal, (2) describe the proposed Federal action to renew the Peach Bottom Units 2 and 3 OLS, (3) discuss the purpose and need for the proposed action, and (4) present the status of Exelon's compliance with environmental quality standards and requirements that have been imposed by Federal, State, regional, and local agencies that are responsible for environmental protection.

The ensuing chapters of this SEIS closely parallel the contents and organization of the GEIS. Chapter 2 describes the site, power plant, and interactions of the plant with the environment. Chapters 3 and 4, respectively, discuss the potential environmental impacts of plant refurbishment and plant operation during the renewal term. Chapter 5 contains an evaluation of potential environmental impacts of plant accidents and includes consideration of severe accident mitigation alternatives. Chapter 6 discusses the uranium fuel cycle and solid waste management. Chapter 7 discusses decommissioning, and Chapter 8 discusses alternatives to license renewal. Finally, Chapter 9 summarizes the findings of the preceding chapters and draws conclusions about the adverse impacts that cannot be avoided (the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and the irreversible or irretrievable commitment of resources). The final chapter also presents the staff's preliminary recommendation with respect to the proposed license renewal action.

Additional information is included in appendixes. Appendix A contains public comments received on the environmental review for license renewal and staff responses. Appendixes B through F, respectively, list the following:

- the contributors to the supplement
- the chronology of NRC staff environmental review correspondence related to this SEIS
- the organizations contacted during the development of this SEIS
- Exelon's compliance status in Table E-1
- GEIS environmental issues that are not applicable to Peach Bottom Units 2 and 3.

## 1.2 Background

Use of the GEIS, which examines the possible environmental impacts that could occur as a result of renewing individual nuclear power plant OLs under 10 CFR Part 54, and the established license renewal evaluation process supports the thorough evaluation of the impacts of renewal of OLs.

### 1.2.1 Generic Environmental Impact Statement

The NRC initiated a generic assessment of the environmental impacts associated with the license renewal term to improve the efficiency of the license renewal process by documenting the assessment results and codifying the results in the Commission's regulations. This assessment is provided in the GEIS, which serves as the principal reference for all nuclear power plant license renewal EISs.

The GEIS documents the results of the systematic approach that was taken to evaluate the environmental consequences of renewing the licenses of individual nuclear power plants and operating them for an additional 20 years. For each potential environmental issue, the GEIS (1) describes the activity that affects the environment, (2) identifies the population or resource that is affected, (3) assesses the nature and magnitude of the impact on the affected population or resource, (4) characterizes the significance of the effect for both beneficial and adverse effects, (5) determines whether the results of the analysis apply to all plants, and (6) considers whether additional mitigation measures would be warranted for impacts that would have the same significance level for all plants.

The NRC's standard of significance was established using the Council on Environmental Quality (CEQ) terminology for "significantly" (40 CFR 1508.27, which requires consideration of both "context" and "intensity"). Using the CEQ terminology, the NRC established three significance levels—SMALL, MODERATE, or LARGE. The definitions of the three significance levels are set forth in the footnotes to Table B-1 of 10 CFR Part 51, Subpart A, Appendix B, as follows:

SMALL - Environmental effects are not detectable or are so minor that they will neither destabilize nor noticeably alter any important attribute of the resource.

MODERATE - Environmental effects are sufficient to alter noticeably, but not to destabilize, important attributes of the resource.

LARGE - Environmental effects are clearly noticeable and are sufficient to destabilize important attributes of the resource.

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The GEIS assigns a significance level to each environmental issue, assuming that ongoing mitigation measures would continue.

The GEIS includes a determination of whether the analysis of the environmental issue could be applied to all plants and whether additional mitigation measures would be warranted. Issues are assigned a Category 1 or a Category 2 designation. As set forth in the GEIS, Category 1 issues are those that meet all of the following criteria:

- (1) The environmental impacts associated with the issue have been determined to apply either to all plants or, for some issues, to plants having a specific type of cooling system or other specified plant or site characteristic.
- (2) A single significance level (i.e., SMALL, MODERATE, or LARGE) has been assigned to the impacts (except for collective offsite radiological impacts from the fuel cycle and from high-level waste and spent fuel disposal).
- (3) Mitigation of adverse impacts associated with the issue has been considered in the analysis, and it has been determined that additional plant-specific mitigation measures are likely not to be sufficiently beneficial to warrant implementation.

For issues that meet the three Category 1 criteria, no additional plant-specific analysis is required in this SEIS unless new and significant information is identified.

Category 2 issues are those that do not meet one or more of the criteria of Category 1, and therefore, additional plant-specific review for these issues is required.

In the GEIS, the staff assessed 92 environmental issues and determined that 69 qualified as Category 1 issues, 21 qualified as Category 2 issues, and 2 issues were not categorized. The latter 2 issues, environmental justice and chronic effects of electromagnetic fields, are to be addressed in a plant-specific analysis. Of the 92 issues, 11 are related only to refurbishment, 6 are related only to decommissioning, 67 apply only to operation during the renewal term, and 8 apply to both refurbishment and operation during the renewal term. A summary of the findings for all 92 issues in the GEIS is codified in Table B-1 of 10 CFR Part 51, Subpart A, Appendix B.

### **1.2.2 License Renewal Evaluation Process**

An applicant seeking to renew its OLS is required to submit an ER as part of its application. The license renewal evaluation process involves careful review of the applicant's ER and assurance that all new and potentially significant information not already addressed in or

available during the GEIS evaluation is identified, reviewed, and assessed to verify the environmental impacts of the proposed license renewal.

In accordance with 10 CFR 51.53(c)(2) and (3), the ER submitted by the applicant must

- provide an analysis of the Category 2 issues in Table B-1 of 10 CFR Part 51, Subpart A, Appendix B in accordance with 10 CFR 51.53(c)(3)(ii)
- discuss actions to mitigate any adverse impacts associated with the proposed action and environmental impacts of alternatives to the proposed action.

In accordance with 10 CFR 51.53(c)(2), the ER does not need to

- consider the economic benefits and costs of the proposed action and alternatives to the proposed action except insofar as such benefits and costs are either (1) essential for making a determination regarding the inclusion of an alternative in the range of alternatives considered, or (2) relevant to mitigation
- consider the need for power and other issues not related to the environmental effects of the proposed action and the alternatives
- discuss any aspect of the storage of spent fuel within the scope of the generic determination in 10 CFR 51.23(a) in accordance with 10 CFR 51.23(b)
- contain an analysis of any Category 1 issue unless there is significant new information on a specific issue—this is pursuant to 10 CFR 51.23(c)(3)(iii) and (iv).

New and significant information is (1) information that identifies a significant environmental issue not covered in the GEIS and codified in Table B-1 of 10 CFR Part 51, Subpart A, Appendix B, or (2) information that was not considered in the analyses summarized in the GEIS and that leads to an impact finding that is different from the finding presented in the GEIS and codified in 10 CFR Part 51.

In preparing to submit its application to renew the Peach Bottom Units 2 and 3 OLS, Exelon developed a process to ensure that information not addressed in or available during the GEIS evaluation regarding the environmental impacts of license renewal for Peach Bottom Units 2 and 3 would be properly reviewed before submitting the ER, and to ensure that such new and potentially significant information related to renewal of the licenses for Units 2 and 3 would be identified, reviewed, and assessed during the period of NRC review. Exelon reviewed the Category 1 issues that appear in Table B-1 of 10 CFR Part 51, Subpart A, Appendix B, to verify that the conclusions of the GEIS remained valid with respect to Peach Bottom Units 2 and 3.

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This review was performed by personnel from Exelon and its support organization who were familiar with NEPA issues and the scientific disciplines involved in the preparation of a license renewal ER.

The NRC staff also has a process for identifying new and significant information. That process is described in detail in *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal* (ESRP), NUREG-1555, Supplement 1 (NRC 2000). The search for new information includes (1) review of an applicant's ER and the process for discovering and evaluating the significance of new information; (2) review of records of public comments; (3) review of environmental quality standards and regulations; (4) coordination with Federal, State, and local environmental protection and resource agencies; and (5) review of the technical literature. New information discovered by the staff is evaluated for significance using the criteria set forth in the GEIS. For Category 1 issues where new and significant information is identified, reconsideration of the conclusions for those issues is limited in scope to the assessment of the relevant new and significant information; the scope of the assessment does not include other facets of the issue that are not affected by the new information.

Chapters 3 through 7 discuss the environmental issues considered in the GEIS that are applicable to Peach Bottom Units 2 and 3. At the beginning of the discussion of each set of issues, there is a table that identifies the issues to be addressed and lists the sections in the GEIS where the issue is discussed. Category 1 and Category 2 issues are listed in separate tables. For Category 1 issues for which there is no new and significant information, the table is followed by a set of short paragraphs that state the GEIS conclusion codified in Table B-1 of 10 CFR Part 51, Subpart A, Appendix B, followed by the staff's analysis and conclusion. For Category 2 issues, in addition to the list of GEIS sections where the issue is discussed, the tables list the subparagraph of 10 CFR 51.53(c)(3)(ii) that describes the analysis required and the SEIS sections where the analysis is presented. The SEIS sections that discuss the Category 2 issues are presented immediately following the table.

The NRC prepares an independent analysis of the environmental impacts of license renewal and compares these impacts with the environmental impacts of alternatives. The evaluation of the Exelon license renewal application began with publication of a notice of acceptance for docketing and opportunity for a hearing in the Federal Register (FR; 66 FR 46036 [NRC 2001a]) on August 31, 2001. The staff published a notice of intent to prepare an EIS and conduct scoping (66 FR 48892 [NRC 2001b]) on September 24, 2001. Two public scoping meetings were held on November 7, 2001, in Delta, Pennsylvania. Comments received during the scoping period were summarized in the Peach Bottom License Renewal Environmental Scoping Summary Report, dated April 19, 2002. Comments that are applicable to this environmental review are presented in Part I of Appendix A.

The staff followed the review guidance contained in NUREG-1555, Supplement 1, in the *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal* (NRC 2000). The staff and its contractors visited the Peach Bottom site on November 7 and 8, 2001, to gather information and to become familiar with the site and its environs. The staff also reviewed the comments received during scoping, and consulted with Federal, State, regional, and local agencies. A list of the organizations consulted is provided in Appendix D. Other documents related to Peach Bottom Units 2 and 3 were reviewed and are referenced.

On July 5, 2002, the U.S. Environmental Protection Agency published the Notice of Availability of the draft SEIS (67 FR 44832, EPA 2002). A 75-day comment period began on that date during which members of the public could comment on the preliminary results of the NRC staff's review. During this comment period, two public meetings were held in Delta, Pennsylvania on July 30, 2002. During these meetings, the staff described the preliminary results of the NRC environmental review and answered questions related to it to provide members of the public with information to assist them in formulating their comments. The comment period for the Peach Bottom Units 2 and 3 draft SEIS ended September 17, 2002. Comments made during the 75 day comment period, including those made at the two public meetings, are presented in Part 2 of Appendix A. The NRC responses to these comments are also provided.

This SEIS presents the staff's analysis in which the staff considers and weighs the environmental effects of the proposed renewal of the OL for Peach Bottom Units 2 and 3, the environmental impacts of alternatives to license renewal, and mitigation measures available for avoiding adverse environmental effects. Chapter 9, "Summary and Conclusions," provides the NRC staff's recommendation to the Commission on whether or not the adverse environmental impacts of license renewal are so great that preserving the option of license renewal for energy-planning decision-makers would be unreasonable.

### 1.3 The Proposed Federal Action

The proposed Federal action is renewal of the OLs for Peach Bottom Units 2 and 3 (Peach Bottom Unit 1 has been shut down since 1974. The decommissioning of Unit 1 is outside the scope of this SEIS). The Peach Bottom site is located in southern Pennsylvania, on the banks of the Susquehanna River, approximately 31 km (19 mi) south of Lancaster, Pennsylvania, 48 km (30 mi) southeast of York, Pennsylvania, and 61 km (38 mi) north of Baltimore, Maryland. The plant has two General Electric-designed light-water reactors, each with a design rating for a net power output of 1093 megawatts electric (MW[e]). Plant cooling is provided by a once-through heat dissipation system that dissipates heat to the environment. Units 2 and 3 produce electricity to supply the needs of approximately 35% of Exelon's 1.5 million business

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and residential customers in its mid-atlantic service area. The current OL for Unit 2 expires on August 8, 2013, and for Unit 3 on July 2, 2014. By letter dated July 2, 2001, Exelon submitted an application to the NRC (Exelon 2001b) to renew these OLs for an additional 20 years of operation (i.e., until August 8, 2033, for Unit 2 and July 2, 2034, for Unit 3).

### **1.4 The Purpose and Need for the Proposed Action**

Although a licensee must have a renewed license to operate a reactor beyond the term of the existing OL, the possession of that license is just one of a number of conditions that must be met for the licensee to continue plant operation during the term of the renewed license. Once an OL is renewed, State regulatory agencies and the owners of the plant will ultimately decide whether the plant will continue to operate based on factors such as the need for power or other matters within the State's jurisdiction or the purview of the owners.

Thus, for license renewal reviews, the NRC has adopted the following definition of purpose and need (GEIS Section 1.3):

The purpose and need for the proposed action (renewal of an operating license) is to provide an option that allows for power generation capability beyond the term of a current nuclear power plant operating license to meet future system generating needs, as such needs may be determined by State, utility, and where authorized, Federal (other than NRC) decisionmakers.

This definition of purpose and need reflects the Commission's recognition that, unless there are findings in the safety review required by the Atomic Energy Act or findings in the NEPA environmental analysis that would lead the NRC to reject a license renewal application, the NRC does not have a role in the energy-planning decisions of State regulators and power plant licensees as to whether a particular nuclear power plant should continue to operate. From the perspective of the licensee and the State regulatory authority, the purpose of renewing an OL is to maintain the availability of the nuclear plant to meet system energy requirements beyond the current term of the plant's license.

### **1.5 Compliance and Consultations**

Exelon is required to hold certain Federal, State, and local environmental permits, as well as meet relevant Federal and State statutory requirements. In its ER, Exelon provided a list of the authorizations from Federal, State, and local authorities for current operations as well as environmental approvals and consultations associated with Peach Bottom Units 2 and 3 license renewal. Authorizations and consultations most relevant to the proposed OL renewal action are summarized in Table 1-1. The full list of authorizations and consultations provided by Exelon is

included in Appendix E. The staff has reviewed the list and consulted with the appropriate Federal, State, and local agencies to identify any compliance or permit issues or significant environmental issues of concern to the reviewing agencies. These agencies did not identify any new and significant environmental issues. The ER states that Exelon is in compliance with applicable environmental standards and requirements for Peach Bottom Units 2 and 3. The staff has also not identified any environmental issues that are both new and significant.

**Table 1-1.** Federal, State, and Local Authorizations and Consultations

Agency	Authority	Requirement	Number	Permit Expiration or Consultation Date	Activity Covered
NRC	Atomic Energy Act, 10 CFR Part 50	Operating license	DPR-44 (Unit 2) DRP-56 (Unit 3)	August 8, 2013 (Unit 2) July 2, 2014 (Unit 3)	Operation of Peach Bottom Units 2 and 3
FWS and NMFS	Endangered Species Act, Section 7	Consultation	NA	Initiated October 11, 2000	Operation during the renewal term
SRBC	Susquehanna Basin Compact (18 CFR 803)	Approval	Docket 19830506	Issued on May 12, 1985, no expiration date	Consumptive use of Conowingo Pond water
PDEP	Storage Tank and Spill Prevention Act 32	Registration	187882	Issued annually	Storage tanks (gasoline, used oil, hazardous substances, unlisted materials)
PDEP	Pennsylvania Statutes. Section 691.1 et seq.	NPDES permit and FWPCA Section 401 certification	PA0009733	December 1, 2005	Permit for discharge of waste waters from cooling water, waste water settling basin, auxiliary boiler blowdown, sewage treatment plant, dredging rehandling basin, raw intake screen backwash water, and storm water outfall.

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**Table 1-1. (contd)**

Agency	Authority	Requirement	Number	Permit Expiration or Consultation Date	Activity Covered
PDEP	Pennsylvania Dam Safety and Encroachment Act (32 P.S. Section 693.1 et seq.), Clean Stream Law (35 P.S. Section 691.1 et seq.), Flood Plan Management Act (32 P.S. Section 679.101 et seq.)	Permit	E36-693	December 31, 2010	Maintenance dredging of intake area
PDEP	Pennsylvania Safe Drinking Water Act	Permit	6791502	Issued March 21, 1994, no expiration date	Public Water Supply permit
PDEP	Air Pollution Control Act (25 Pa. Code Chapter 127)	Air emissions permit	67-05020	February 29, 2003	Emissions from diesel emergency generators, miscellaneous diesel engines, and other miscellaneous units
MDE	Coastal Zone Management Act, Section 307	Consistency determination	Draft	Letter from MDE dated January 29, 2001	Consistency of license renewal with the Maryland Coastal Management Program is under review
DSHPO	National Historic Preservation Act, Section 106	Consultation	NA	Letter from DSHPO to NRC dated October 29, 2001	Impact on sites listed or eligible for listing in the National Register of Historic Places
MHT	National Historic Preservation Act, Section 106	Consultation	NA	Letter from MHT to PECO dated September 22, 2000	Impact on sites listed or eligible for listing in the National Register of Historic Places
PSHPO	National Historic Preservation Act, Section 106	Consultation	NA	Letter from PHMC to PECO dated December 14, 2001	Impact on sites listed or eligible for listing in the National Register of Historic Places

DSHPO - Delaware State Historic Preservation Officer.

FWPCA - Federal Water Pollution Control Act (also known as the Clean Water Act).

FWS - U.S. Fish and Wildlife Service.

MDE - Maryland Department of the Environment.

MHT - Maryland Historical Trust.

NA - Not applicable

NMFS - National Marine Fisheries Service.

NPDES - National Pollutant Discharge Elimination System.

PDEP - Pennsylvania Department of Environmental Protection.

PECO - PECO Energy (predecessor to Exelon).

PHMC - Pennsylvania Historic and Museum Commission.

PSHPO - Pennsylvania State Historic Preservation Officer.

SRBC - Susquehanna River Basin Commission.

## 1.6 References

10 CFR Part 51. Code of Federal Regulations, Title 10, *Energy*, Part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions.”

10 CFR Part 54. Code of Federal Regulations, Title 10, *Energy*, Part 54, “Requirements for Renewal of Operating Licenses for Nuclear Power Plants.”

40 CFR 1508. Code of Federal Regulations, Title 40, *Protection of Environment*, Part 1508, “Terminology and Index.”

Atomic Energy Act of 1954 (AEA). 42 USC 2011, et seq.

Endangered Species Act (ESA). 16 USC 1531, et seq.

Federal Water Pollution Control Act. 33 USC 1251, et seq. (Also known as the Clean Water Act [CWA]).

Exelon Generation Company, LLC (Exelon). 2001a. *Applicant’s Environmental Report – Operating License Renewal Stage Peach Bottom Units 2 and 3*. Kennett Square, Pennsylvania.

Exelon Generation Company, LLC (Exelon). 2001b. *Application for Renewed Operating Licenses, Peach Bottom Units 2 and 3*. Kennett Square, Pennsylvania.

National Environmental Policy Act of 1969 (NEPA). 42 USC 4321, et seq.

National Historic Preservation Act of 1966 (NHPA). 16 USC 470, et seq.

U.S. Environmental Protection Agency (EPA). 2002. “Environmental Impact Statements; Notice of Availability.” *Federal Register*, Vol. 67, No. 129, p. 44832. July 5, 2002.

U.S. Nuclear Regulatory Commission (NRC). 1996. *Generic Environmental Impact Statement for License Renewal of Nuclear Plants*. NUREG-1437, Volumes 1 and 2, Washington, D.C.

U.S. Nuclear Regulatory Commission (NRC). 1999. *Generic Environmental Impact Statement for License Renewal of Nuclear Plants Main Report*, “Section 6.3 – Transportation, Table 9.1, Summary of findings on NEPA issues for license renewal of nuclear power plants, Final Report.” NUREG-1437, Volume 1, Addendum 1, Washington, D.C.

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U.S. Nuclear Regulatory Commission (NRC). 2000. *Standard Review Plans for Environmental Reviews for Nuclear Power Plants, Supplement 1: Operating License Renewal*. NUREG-1555, Supplement 1, Washington, D.C.

U.S. Nuclear Regulatory Commission (NRC). 2001a. "Notice of Acceptance for Docketing of the Application and Notice of Opportunity for a Hearing Regarding Renewal of License Nos. DPR-44 and DPR-56 for an Additional Twenty-Year Period." *Federal Register*. Vol. 66, No. 170, pp. 46036-46038. August 31, 2001.

U.S. Nuclear Regulatory Commission (NRC). 2001b. "Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping Process." *Federal Register*. Vol. 66, No. 185, pp. 48892-48893. September 24, 2001.

U.S. Nuclear Regulatory Commission (NRC). 2002. Peach Bottom License Renewal Environmental Scoping Summary Report, April 19, 2002.