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RS-03-108

May 28, 2003

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Quad Cities Nuclear Power Station, Units 1 and 2  
Facility Operating License Nos. DPR-29 and DPR-30  
NRC Docket Nos. 50-254 and 50-265

Dresden Nuclear Power Station, Units 2 and 3  
Facility Operating License Nos. DPR-19 and DPR-25  
NRC Docket No. 50-237 and 50-249

Subject: Additional Information Regarding Environmental Review of License Renewal Applications

- References:
- (1) Letter from J. A. Benjamin (Exelon Generation Company, LLC) to U. S. NRC, "Application for Renewed Operating Licenses," dated January 3, 2003
  - (2) Letter from Louis L. Wheeler (U. S. NRC) to John Skolds (Exelon Generation Company, LLC), "Revised Request for Additional Information – Environmental Review of License Renewal Applications for Quad Cities Nuclear Power Station, Unit 1 and 2 and Dresden Nuclear Power Station, Units 2 and 3 (TAC NOS. MB6843, MB6844, MB6845 and MB6846)," dated May 2, 2003

Exelon Generation Company, LLC (EGC) is providing the additional information that was requested in Reference 2. This additional information provides further discussion of the program for identifying new and significant information concerning Category 1 issues associated with the license renewal Environmental Reports submitted in Reference 1.

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Should you have any questions, please contact Al Fulvio at 610-765-5936.

Respectfully,



Patrick R. Simpson  
Manager – Licensing  
Mid-West Regional Operating Group

Attachments: Affidavit  
New and Significant Process Description

cc: Regional Administrator – NRC Region III  
NRC Senior Resident Inspector – Quad Cities Nuclear Power Station  
NRC Senior Resident Inspector – Dresden Nuclear Power Station  
Office of Nuclear Facility Safety – Illinois Department of Nuclear Safety

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
IN THE MATTER OF )  
EXELON GENERATION COMPANY, LLC ) Docket Numbers  
Quad Cities Nuclear Power Station - Units 1 and 2 ) 50-254 and 50-265  
Dresden Nuclear Power Station - Unit 2 and Unit 3 ) 50-237 and 50-249

SUBJECT: Additional Information Regarding Environmental Review of License  
Renewal Applications

AFFIDAVIT

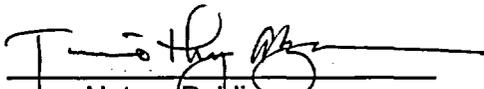
I affirm that the content of this transmittal is true and correct to the best of my  
knowledge, information, and belief.

  
Patrick R. Simpson  
Manager - Licensing  
Mid-West Regional Operating Group

Subscribed and sworn to before me, a Notary Public in and

for the State above named, this 28<sup>th</sup> day of

May, 2003

  
Notary Public



Attachment

New and Significant Process Description

## 1.0 INTRODUCTION

This report summarizes the process that Exelon Generation Company (EGC), LLC used to evaluate whether there is any new and significant information that it should identify in its environmental reports for Dresden Nuclear Power Station (DNPS) and Quad Cities Nuclear Power Station (QCNPS) license renewal. 'New and significant information' is information that might result in DNPS or QCNPS license renewal related impacts beyond the bounds of the U.S. Nuclear Regulatory Commission's (NRC's) generic findings in its generic environmental impact statement for license renewal (GEIS; Ref. 1), codified by 10 CFR 51. Although not required by NRC rules, EGC prepared this information in order to provide an explanation of EGC's basis for concluding that it is unaware of any new and significant issues that NRC did not evaluate in the GEIS.

## 2.0 BACKGROUND

In accordance with 10 CFR 51.53(c)(3)(iv), 'The environmental report must contain any new and significant information requiring the environmental impacts of license renewal of which the applicant is aware.'

NRC licenses the operation of domestic nuclear power plants and provides for license renewal, requiring a license renewal application that includes an environmental report (10 CFR 54.23). NRC regulation 10 CFR 51.53(c) prescribes the environmental report content and identifies the specific analysis the applicant must perform. In an effort to streamline the environmental review, the NRC has resolved most of the environmental issues generically but requires an applicant's analysis of all the remaining issues.

While NRC regulations do not require an applicant's environmental report to contain analyses of the impacts of those environmental issues that have been generically resolved [10 CFR 51.53(c)(3)(i)], the regulations do require that an applicant identify any new and significant information of which the applicant is aware [10 CFR 51.53(c)(3)(iv)]. The purpose of this requirement is to alert the NRC staff to such information so that the staff can determine whether to seek the Commission's approval to waive or suspend application of the rule with respect to the affected generic analysis. The NRC has explicitly indicated, however, that an applicant is not required to perform a site-specific validation of GEIS conclusions (Ref. 2, page C9-13, Concern Number NEP.015).

EGC assumes that new and significant information would be the following:

- Information that identifies a significant environmental issue not covered in the GEIS and codified in the regulation, or
- Information that was not covered in the GEIS analyses and which leads to an impact finding different from that codified in the regulation.

NRC requires license renewal applicants to provide NRC with input, in the form of an environmental report, that NRC will use to meet National Environmental Policy Act (NEPA) requirements as they apply to license renewal (10 CFR 51.10). NEPA authorizes the Council on Environmental Quality (CEQ) to establish implementing regulations for federal agency use. CEQ guidance provides that federal agencies should prepare environmental impact statements for actions that would significantly affect the environment (40 CFR 1502.3), focus on significant environmental issues (40 CFR 1502.1), and eliminate from detailed study issues that are not significant [40 CFR 1501.7(a)(3)]. The CEQ guidance includes a lengthy definition of 'significantly' that requires consideration of the context of the action and the intensity or severity of the impact(s) (40 CFR 1508.27). Although NRC does not specifically define the term 'significant,' EGC used the guidance available in CEQ regulations to establish significance. Based on this guidance and the definitions of small, moderate, and large impacts provided by NRC, EGC expects that moderate or large impacts would be significant.

### **3.0 PROCESS DESCRIPTION**

EGC implemented its process to become aware of new and significant information in conjunction with its preparation of the environmental reports for DNPS and QCNPS license renewals. The process included several integrated elements that are described in the following paragraphs. Some paragraphs describe elements that are part of normal plant operations; others, elements that EGC introduced specifically for the license renewal application.

#### **3.1 External Reviews**

EGC prepares, as part of normal licensing or permitting environmental protection requirements, reports for agency use. Each agency receiving a report monitors DNPS and QCNPS performance, and agency responses would be one mechanism that would bring to EGC's attention new and significant information.

#### **3.2 Industry Interfaces**

EGC staff maintains interfaces with their counterparts within the nuclear industry through activities such as the following:

- Participation in professional organizations and their committees and working groups
- Attendance at conferences, seminars, and meetings sponsored by professional and Federal, State, and local regulatory agencies
- Attendance at professional training
- Subscription to trade journals and electronic-mail services
- Monitoring activities at other nuclear plants as reported on the NRC website (Ref. 3)

These interfaces serve to alert EGC to emerging regulatory and plant issues that may need to be evaluated for applicability to DNPS and QCNPS. Staying abreast of such issues is another way that EGC routinely monitors for new and significant information.

### **3.3 Qualified Investigative Team**

EGC assembled individuals from DNPS, QCNPS, and EGC headquarters to support preparation of the license renewal environmental reports. These individuals, as a group, are knowledgeable about plant systems, the site environment, and station environmental issues. Several of the individuals are also responsible for interactions with regulatory agencies. In this capacity, they are sensitive to emerging regulatory and technical issues. In addition, EGC contracted with an environmental consulting firm, Tetra Tech NUS Inc. (TtNUS), which has expertise in the NRC license renewal environmental review process, NEPA, and the scientific disciplines necessary in preparing a license renewal environmental report. TtNUS provided an independent review of plant-related information. This combination of EGC and non-EGC, onsite and offsite, and multi-disciplinary personnel resulted in a team well qualified to implement the new and information identification process.

### **3.4 Documentation Review**

EGC and TtNUS performed an extensive review of plant environmental documentation related to all 92 issues, including the following types of documents:

- Environmental protection permits and applications
- Environmental documents and reports (including routine monitoring) prepared by EGC
- Environmental documents and reports prepared by regulatory agencies and academic institutions

DNPS and QCNPS have not received any warning letters or notices of violation in the last five years, so none were available for review. The documentation that was reviewed came from sources at DNPS, QCNPS, EGC corporate offices, and contractors.

### **3.5 Staff Interviews**

The EGC investigative team identified knowledgeable EGC staff to be interviewed regarding plant environmental issues, generally, as well as applicable NRC Category 1 and Category 2 issues, specifically. Interviewees included persons responsible for maintaining contacts with regulatory agencies, staying abreast of rising regulatory and technical issues, and implementing the

DNPS and QCNPS environmental protection programs. For each issue, team members familiar with the issue(s) interviewed one or more EGC or contractor employees.

During the interview, interviewers explained the purpose of the interview, the issue(s) of interest, the NRC definitions for significance (small, moderate, and large), and NRC findings described in the GEIS. Interviewers included issues associated with refurbishment, but explained that EGC has no plans for refurbishment and that questions about refurbishment were intended as background, in case EGC later determined that some refurbishment was necessary. For Category 1 issues, interviewers then solicited information about whether the issue was currently, or had been, an issue of concern at DNPS or QCNPS and whether or not the interviewee was aware of any similar offsite activities that could contribute to cumulative impacts. For Category 2 issues, EGC used the interviews as the beginning of TtNUS data gathering and relied upon the more detailed TtNUS analyses to identify any new and significant information.

All interviewees agreed with NRC findings that environmental impacts from Category 1 issues applicable to DNPS and QCNPS are small and have not been of particular concern. Interviewees identified no activities that would be cumulative to the Category 2 impacts of DNPS and QCNPS.

### **3.6 Application Reviews**

After reviewing a license renewal applicant's environmental report, NRC can submit to the applicant a request for additional information (RAI) and use the applicant's responses as input in preparation of a supplemental environmental impact statement (SEIS). TtNUS maintains copies of all license renewal environmental reports submitted to NRC and all related RAIs, responses, and SEISs. As part of its support to the EGC new and significant information identification process, TtNUS verified that information presented for previous applications did not raise a new and significant issue for DNPS and QCNPS.

### **3.7 Regulatory Agency Communications**

EGC met and corresponded with federal and state regulatory agencies to inform them of plans for DNPS and QCNPS license renewal. EGC described for the agencies its license renewal efforts and asked agency representatives questions regarding issues of concern. These contacts identified no new and significant environmental information.

### **3.8 Peer Review**

As part of its environmental report preparation process, EGC submitted a draft for review by representatives of other companies that have or are submitting

license renewal applications and a legal firm having experience reviewing license renewal documentation. Review comments resulted in changes to the DNPS and QCNPS environmental report but did not identify any new and significant information.

#### **4.0 RESULTS**

Based on the process described above, EGC is aware of no new and significant information regarding the environmental impacts of DNPS and QCNPS. EGC implemented a process designed to identify significant environmental issues that NRC did not cover in the GEIS and codify in 10 CFR 51, or to identify information that NRC did not cover in the GEIS and which would lead to a different impact finding than that which NRC codified. EGC has identified no such information.

#### **5.0 REFERENCES**

- Ref. 1 U.S. Nuclear Regulatory Commission. 1996. Generic Environmental Impact Statement for License Renewal of Nuclear Plats. NUREG-1437. Washington, D.C., May 1996.
- Ref. 2 U.S. Nuclear Regulatory Commission. 1996. Public Comments on the Proposed 10 CFR 51 Rule for Renewal of Nuclear Power Plant Operating Licenses and Supporting Documents: Review of Concerns and NRC Staff Response. NUREG-1529. Washington, D.C., May 1996.
- Ref. 3 <http://www.nrc.gov>