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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

February 28, 2005

12/10/04
69FR 71855

(4)

Rules Review and Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, D.C. 20555-0001

**RE: EPA Review and Comments on
Draft Generic Supplemental Environmental Impact Statement (DGSEIS)
License Renewal of Nuclear Plants, Supplement 21
Regarding Browns Ferry Nuclear Plant, Units 1, 2, and 3
CEQ No. 040563**

Dear Sir:

EPA Region 4 reviewed the Draft Generic Supplemental EIS (DGSEIS) pursuant to Section 309 of the Clean Air Act and Section 102 (2)(C) of the National Environmental Policy Act (NEPA). The purpose of this letter is to provide the Nuclear Regulatory Commission (NRC) with EPA's comments regarding potential impacts of the proposed renewal of the Browns Ferry Nuclear Plant Operating Licenses (OLs).

The Tennessee Valley Authority (TVA) submitted an application to renew the Operating License (OLs) for the Browns Ferry Nuclear Plant Units 1, 2, and 3 for an additional 20 years. The proposed action, (license renewal), would provide for continued operation and maintenance of existing facilities and transmission lines.

Based on the review of the DGSEIS, the document received a rating of EC-1, meaning that environmental concerns exist regarding some aspects of the proposed project. Specifically, protecting the environment involves the continuing need for appropriate storage and ultimate disposition of radioactive wastes generated on-site. In addition, the DGSEIS does not include complete information regarding the facility's CWA/NPDES compliance status.

According to EPA's records, Browns Ferry Nuclear Plant has reported non-compliance regarding total suspended solids and coliform during the last two years. EPA's records also show that the facility was issued a letter of violation/warning by the State with regard to the Clean Water Act on February 17, 2004. However, page 2-8, line 22 mentions that "operations will continue to meet regulatory limits established in the existing NPDES Permit." Page 2-21 discusses the Plant's relationship with ADEM and the NPDES Permit, but does not mention the compliance status nor the letter of violation. The Final GSEIS needs to include information regarding how the facility has been addressing the non-compliance issues.

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ADM=74-444444

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The DGSEIS acknowledges that OL renewal of the Browns Ferry Nuclear Plant will require continuing radiological monitoring of all plant effluents. Appropriate storage of spent fuel assemblies and radioactive wastes on-site is required, in order to prevent impacts. Page A-11 discusses the Waste Confidence Rule (10 CFR 51.23), in which the Commission generically determined that the spent fuel generated by any reactor can be safely stored onsite for at least 30 years beyond the licensed operating life of the reactor. Ultimately, long-term radioactive waste disposition will require transportation of wastes to a permitted repository site. We note the information on pages 6-4 through 6-6 of the document, regarding the expected availability of Yucca Mountain as a geological repository for spent nuclear fuel and high-level waste.

In conclusion, the document states that the OL renewal would result in fewer environmental impacts than the feasible alternatives for generating power, and the NRC considers impacts of OL renewal to be small. Overall, the impacts as defined in the DGSEIS appear to be within acceptable limits.

Thank you for the opportunity to comment on this document. If we can be of further assistance, please contact Ramona McConney of my staff at (404) 562-9615.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz Mueller". The signature is written in a cursive style with a large initial "H".

Heinz J. Mueller, Chief
Office of Environmental Assessment