



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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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
Final Generic Supplemental Environmental Impact Statement (FGSEIS)
License Renewal of Nuclear Plants, Supplement 21
Regarding Browns Ferry Nuclear Plant, Units 1, 2, and 3
CEQ No. 20050270**

Dear Sir:

EPA Region 4 reviewed the Final Generic Supplemental EIS (FGSEIS), 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 FGSEIS, 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, concerns exist regarding the facility's CWA/NPDES compliance status.

We appreciate your response to our comments regarding compliance issues related to effluent monitoring of total suspended solids (TSS) and coliform at the facility. The receiving river for this facility is the Tennessee River. According to EPA's records, Browns Ferry Nuclear Plant has reported non-compliance with its Clean Water Act Permit 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.

The Alabama Department of Environmental Management (ADEM modified TVA's permit with respect to TSS and fecal coliform in October 2003. Based on the EPA's website

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Call = M. HASNIK (MTN 2)

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Enforcement & Compliance History On-line (ECHO), the facility has not experienced TSS and fecal coliform violation, (effluent limit violation), since the January - March 2004 quarter. Therefore, we believe that appropriate actions have been taken.

However, the facility has also experienced minor reporting violations according to ECHO information which was last updated on 6/11/05. The Permit Compliance System (PCS) indicates that there has been a Discharge Monitoring Report (DMR) non-submittal, (September 2002 DMR), and there are minor reporting issues with temperature measurements, and an oil & grease effluent limit violation in Dec 2004, with the flow measurement not reported.

Consistent with most of the Environmental Impact Statements that the NRC is approving from utilities requesting license renewals, the NRC is not requiring that utilities plan for the possibility of having to store spent nuclear fuel onsite. This should have been addressed in the appropriate section of the Supplemental EIS, with a scenario that addresses the impact of an attack on a spent fuel storage cask using artillery shells at Grand Gulf, and the resulting implications of a dose to plant personnel and the public. The resulting effective dose equivalent at the exclusion area boundary and in the low population zone should be calculated. The NRC's response to comment BF-D-0-8, in Appendix A of the document, does address the Independent Spent Fuel Storage Installation that TVA is constructing at Browns Ferry, but does not address the consequences of a breach on this facility and the resulting consequences to the public.

The FGSEIS 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 FGSEIS 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,



Heinz J. Mueller, Chief
Office of Environmental Assessment