



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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CHICAGO, IL 60604-3590

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REPLY TO THE ATTENTION OF:

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71 FR 61806

B-19J

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

**Re: Generic Environmental Impact Statement for License Renewal of Nuclear Plant, Supplement 27: Palisades Nuclear Plant, Van Buren County, Michigan, Final Report, NUREG-1437, EIS No. 20060432**

Dear Sir or Madam:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA); the U.S. Environmental Protection Agency (U.S. EPA) has reviewed the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 27 (SEIS): Palisades Nuclear Plant (Palisades), which is a final report. According to the SEIS, the current operating license for Palisades will expire on March 24, 2011. The proposed Federal action would renew the current operating licenses for an additional 20 years.

The U.S. Nuclear Regulatory Commission (U.S. NRC) developed the Generic Environmental Impact Statement (GEIS) to streamline the license renewal process on the premise that environmental impacts of most nuclear power plant license renewals are similar, in most cases. U.S. NRC develops facility-specific supplements for individual plants as the facilities apply for license renewal. U.S. EPA provided comments on the GEIS during its development process--for the draft version in 1992, and for the final version in 1996.

Palisades is located in Covert Township, Van Buren County, Michigan, on the southeastern shoreline of Lake Michigan. The plant has a single pressurized light-water reactor. The maximum authorized power level of its reactor is 2,565 megawatts thermal. The plant's current net summer capacity is 786 megawatts electric. The plant is refueled on an 18-month cycle. Palisades uses a closed-cycle cooling system.

U.S. EPA submitted comments on the draft SEIS on May 26, 2006. We raised the following concerns in our comment letter:

1. Adequacy and clarity of information provided,

E-RIDS = ADM-03  
ADM = Dr Pham (BMP)

SUNSI Review Complete

Template = ADM-013

2. Methods and documentation for risk estimates,
3. Entrainment of fish and shellfish in early life stages, and
4. Threatened and endangered species.

The SEIS indicates that Palisades' closed-cycle cooling system has a reduced intake flow rate as opposed to once-through cooling systems; therefore Palisades has a lower entrainment rate for fish and shellfish in early life stages. Based on our review of the SEIS, we withdraw our concerns about the entrainment of fish and shellfish in early life stages.

On December 6, 2006, we held a teleconference with U.S. NRC to discuss our concerns about the SEIS. In regard to our concerns about (1) the adequacy and clarity of information provided, and (2) determination of risk estimates, we suggested the SEIS include the following enhancements:

1. Use plain language,
2. Include cited data, in addition to referencing other documents,
3. Address terrorism-related issues, and
4. Replace the generic evaluation approach with a site-specific approach.

Representatives from U.S. NRC acknowledged these concerns and stated that there may be instances in which the SEIS should be more transparent and self-contained, in order to address public concerns. However, U.S. NRC representatives also stated that the content of their public documentation is subject to upcoming court decisions, internal guidance, etc. Therefore, although we retain our concerns about (1) the adequacy and clarity of information provided, and (2) risk estimates, we acknowledge that U.S. NRC may be required to limit its public disclosure for environmental documentation in accordance with certain restrictions. We look forward to discussing this issue further with U.S. NRC. Specifically, U.S. NRC plans to contact us with regard to:

1. The impact of a Ninth Circuit Court decision and U.S. NRC's determination on U.S. NRC's ability to publicly disclose sensitive information, and
2. Whether summary information from a nuclear plant's latest annual radiological effluent release and waste disposal report should be included in a supplemental environmental impact statement.

With regard to our concerns about state threatened and endangered (T&E) species; during our December 6, 2006 teleconference, U.S. NRC representatives stated that the level of information available on state T&E species affected by proposed projects vary, depending on the individual state. U.S. NRC stated, for future environmental documentation, it will look for ways to work with the applicable state to garner the appropriate information for state T&E species. Therefore, although we retain our concern about state T&E species, we appreciate the efforts U.S. NRC will

make for future projects.

As agreed in the December 6, 2006 teleconference, we will continue to coordinate with U.S. NRC on future environmental documentation, in order to maintain an open line of communication for these issues.

Thank you for the opportunity to review the SEIS. If you have any questions or wish to discuss any aspect of the comments, please contact Michael Murphy (for radiation issues) at (312) 353-6686 or Newton Ellens (for NEPA-related issues) at (312) 353-5562.

Sincerely,



Kenneth A. Westlake, Chief  
NEPA Implementation Section  
Office of Science, Ecosystems, and Communities

cc: Sara Schaefer, Management Unit Supervisor  
Plainwell Operations Service Center  
Michigan Department of Natural Resources