

**From:** "Dorman, Eugene" <EDorman@entergy.com>  
**To:** <FitzPatrickEIS@nrc.gov>  
**Date:** 8/30/2007 1:47:12 PM  
**Subject:** Comments on the Draft JAF SEIS Report

The attached comments were submitted by letter to the Chief, Rulemaking, Directives and Editing Branch. Should you have any questions on the attached comments please contact Jim Costedio, Licensing Manager JAF.

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**CC:** "Rodgers, Michael" <MRodge2@entergy.com>, "John Boska" <JPB1@nrc.gov>, <jmm7@nrc.gov>

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OWGWPO01.HQGWDO01  
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nrc.gov  
TWGWPO01.HQGWDO01  
JMM7 CC (Jessie Muir)

entergy.com  
MRodge2 CC (Michael Rodgers)

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Entergy Nuclear Northeast  
Entergy Nuclear Operations, Inc.  
James A. Fitzpatrick NPP  
P.O. Box 110  
Lycoming, NY 13093  
Tel 315 342 3840

August 29, 2007  
JAFP-07-0108

Chief, Rulemaking, Directives and Editing Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D59  
Washington, DC 20555-0001

- REFERENCES:
1. Letter, Entergy to USNRC, "James A. FitzPatrick Nuclear Power Plant, Docket No. 50-333, License No. DPR-59, License Renewal Application," JAFP-06-0109, dated July 31, 2006
  2. NUREG-1437 Supplement 31, Draft Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants: Regarding James A. FitzPatrick Nuclear Power Plant

SUBJECT:       **Entergy Nuclear Operations, Inc.  
James A. FitzPatrick Nuclear Power Plant  
Docket No. 50-333  
License No. DPR-59  
Comments on NUREG-1437 Supplement 31, Draft Generic  
Environmental Impact Statement for License Renewal of Nuclear Power  
Plants: Regarding James A. FitzPatrick Nuclear Power Plant**

Dear Sir or Madam:

On July 31, 2006, Entergy Nuclear Operations, Inc. (Entergy) submitted the License Renewal Application (LRA) for the James A. FitzPatrick Nuclear Power Plant (JAFNPP) as indicated by Reference 1. In June 2007 NRC issued Reference 2, NUREG-1437, Supplement 31 Draft Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants: Regarding James A. FitzPatrick Nuclear Power Plant (SEIS) for comment.

Attachment 1 contains specific comments regarding the Water Quality Certification section of the SEIS and Attachment 2 contains general comments on the SEIS.

Should you have any questions concerning this submittal, please contact Mr. Jim Costedio at (315) 349-6358.

Sincerely,



Jim Costedio  
Licensing Manager

JC/ed

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Attachment 1 Water Quality Certification Comments  
Attachment 2 General Comments

cc:

Mr. N.B. (Tommy) Le, Senior Project Manager  
License Renewal Branch B  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Mail Stop O-11-F1  
Washington, DC 20555

Mr. Paul Eddy  
New York State Department of Public Service  
3 Empire State Plaza, 10<sup>th</sup> Floor  
Albany, NY 12223

Mr. Samuel J. Collins, Administrator  
Region I  
U. S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Mr. Paul Tonko, President  
NYSERDA  
17 Columbia Circle  
Albany, NY 12203-6399

NRC Resident Inspector  
U. S. Nuclear Regulatory Commission  
James A. FitzPatrick Nuclear Power Plant  
P.O. Box 136  
Lycoming, NY 13093

Mr. John P. Boska, Project Manager  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Mail Stop O-8-C2  
Washington, DC 20555

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Attachment 1

Water Quality Certification Comments

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Attachment 1  
Water Quality Certification Comments for the JAFNPP SEIS

**A. Section 401 of the Clean Water Act in the Context of License Renewal**

In Section 2.2.10.2 of the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG-1437, Supplement 31 Draft Report for Comment (SEIS) for Entergy Nuclear FitzPatrick's, LLC (Entergy), James A. FitzPatrick Nuclear Power Plant (JAFNPP), the U.S. Nuclear Regulatory Commission (NRC) states that "[u]ntil NYSDEC has issued a Section 401 Water Quality Certification for JAFNPP, the NRC will not be able to grant the license renewal." Entergy respectfully submits that §401 of the Clean Water Act, 33 U.S.C. § 1341 does not apply in the license renewal context and, even if it does apply, Entergy has satisfied its §401 obligations by submitting to the Commission copies of its currently effective State Pollutant Discharge Elimination Permit ("SPDES") permit issued by the New York Department of Environmental Conservation ("DEC").<sup>1</sup> Accordingly, the Commission need not await any further DEC action in order to grant the license renewal.<sup>2</sup>

**1. The renewal of JAFNPP's license will not result in any new, currently unauthorized discharge to waters of the United States.**

Section 401 of the CWA provides, in relevant part, that:

[a]ny applicant for a Federal license or permit to conduct any activities including, but not limited to, the construction or operation of facilities, which may result in any *discharge* into navigable waters, shall provide the licensing or permitting agency a certificate from the State in which the discharge originates or will originate, ..., that *any such discharge will comply with the applicable provisions of sections 1311, 1312, 1313, 1316, and 1317 of this title.* ...

33 U.S.C. §1341(a) (emphasis supplied). The renewal of the NRC license for JAFNPP will not, in and of itself, result in a discharge to navigable waters. While license renewal is a necessary condition to the continued operation of JAFNPP beyond the current license period, the Commission's inquiry is focused on the effect on nuclear safety of the aging of certain components over the extended license period, 10 CFR §54.29. The Commission's determination to renew the license, therefore, does not address nor contemplate any new and currently unregulated discharge into waters of the United States. Moreover, any new or modified discharge by JAFNPP could only occur through re-issuance or modification by DEC of its SPDES permit which, as discussed below, assures compliance with all applicable Clean Water Act requirements. Therefore, certification under §401 is not required for the Commission's license renewal decisions.

<sup>1</sup> DEC is authorized to implement the NPDES permitting program. See 6 NYCRR §750-01.1.

<sup>2</sup> Entergy voluntarily submitted an application to DEC for a certification under §401 and is proceeding with the collection and submittal of information solicited by DEC for that purpose. However, Entergy has reserved its rights to raise any legal arguments in that proceeding, including whether a §401 WQC is required to renew its NRC license. See JAFNPP's Applicant Environmental Report, at 9-2 ("consistent with the FEIS, JAFNPP is providing the copy of its SPDES permit as evidence of state water quality (401) certification").

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- 2. Even if §401 applies to the Commission's license renewal decision, Entergy has satisfied any such requirements by submitting to the Commission a copy of its currently effective SPDES permit.**

To the extent applicable, Section 401 requires only that the applicant for a federal license submit a certification from the State that future discharges will comply with the identified provisions of the Clean Water Act. The submission to the Commission of a currently effective SPDES permit is sufficient for this purpose.

Both New York and federal law expressly require that SPDES permits be issued only where the subject discharge will comply with the very same provisions identified in §401, i.e., §§301, 302, 303, 306 and 307 of the Clean Water Act. See 33 U.S.C. §§1342(b)(1)(A) (requiring SPDES permits to ensure compliance with, among others, §§301, 302, 306, and 307 of the Clean Water Act); 1311(b)(1)(C) (requiring compliance with state WQS); see also 40 C.F.R. §§122.44(d)(1) (NPDES permits must achieve WQS established under §303 of the CWA, including State narrative criteria for water quality); 123.25(a)(15) (requiring same for SPDES permits); see also 6 NYCRR §750-1.11 (imposing same requirements for SPDES permits). In fact, the currently effective JAFNPP SPDES permit expressly states that DEC has determined that operation in compliance with that permit assures compliance with applicable water quality standards. See JAFNPP SPDES Permit No. NY-0020109, General Provision 1(b) ("a determination has been made on the basis of a submitted application, plans, or other available information, that compliance with the specified permit provisions will reasonably protect classified water use and assure compliance with applicable water quality standards."); see also 6 NYCRR §750-2.1(b). Accordingly, every element of a §401 certification is satisfied by the submission of JAFNPP's effective SPDES permit. Any further certification under §401 would be entirely redundant.

JAFNPP currently discharges, and intends to continue to discharge if re-licensed, in compliance with its SPDES permit or subsequent renewals thereof.<sup>3</sup> As noted above, the license renewal for JAFNPP does not involve any new discharge and, therefore, operations during the extended license period already has been determined by DEC to be in compliance with the provisions cited in §401. Moreover, under the New York SPDES program, water quality determinations will be routinely revisited, both during the current license period and any extended license period, affording the State multiple opportunities to reassess water quality issues. See 6 NYCRR §750-1.15 (SPDES permits for surface water discharges have a fixed term of five years); see also 6 NYCRR §750-2.1(b) (authorizing modifications to SPDES permits where even compliant operations contribute to contravention of State water quality standards).

- 3. Based upon our review of NRC practice in the license renewal context, the Commission has relied on the submission of NYSPDES permits as satisfying the licensee's obligations (if any) under §401.**

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<sup>3</sup> As the SEIS notes, on January 24, 2006, JAFNPP applied for a renewal of its New York SPDES permit, which was scheduled to expire on August 1, 2006. Until the JAFNPP renewal permit is finalized, the existing SPDES permit remains in effect. See SEIS at 4-14.

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NRC guidance confirms that a §401 certification is not required for re-licensing where the facility discharges under an effective SPDES permit. See NRC's Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG 1437, Volume 1 ("GEIS"), at 4-4 ("Of course, issuance of an NPDES permit by a state water quality agency implies certification under Section 401.");<sup>4</sup> see also 56 Fed. Reg. 47,016, 47,019 (September 17, 1991) (with respect to the aquatic impacts of entrainment, impingement, and heat shock stating that "[t]he permit process authorized by the [CWA] is an adequate mechanism for control and mitigation of these potential impacts. If an applicant to renew a license has appropriate EPA or State permits, further NRC review of these potential impacts is not warranted. Therefore, the proposed rule requires an applicant to provide the NRC with certification that it holds [CWA] permits, or if State regulation applies, current State permits."); 61 Fed. Reg. 28467, 28474 (June 5, 1996) ("As a result of this analysis, the Commission has concluded that the environmental impacts on surface water quality are small for those effluents subject to existing permit or certification requirements.").

NRC appears to have invariably followed this practice in the license renewal context, because our review indicates that none of the other SEISs issued for license renewals expressly requires the issuance of a §401 certification by the state prior to license renewal.<sup>5</sup> Therefore, the Commissions' change of course in the SEIS constitutes a change in NRC procedures without any change in the underlying law. Entergy respectfully submits that such a deviation is improper.

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<sup>4</sup> See also GEIS, §§ 2.3.3 ("effluent discharges are regulated under the provisions of the Clean Water Act and the implementing effluent guidelines, limitations, and standards established by EPA and the states."), 4.2.1.1 ("Once a plant is operating, however, the continuing regulation of nonradiological impacts on water quality and aquatic ecology is primarily the responsibility of [EPA] or the applicable state permitting agency.").

<sup>5</sup> Although the state of New York issued contingent §401 WQCs for the Ginna and Nine Mile Point nuclear stations, these documents were WQCs in name only because they expressly deferred to the New York SPDES program for demonstrating compliance with the Best Technology Available standard under 6 NYCRR §704.5. See e.g., October 7, 2003, 2006 §401 WQC for Ginna, Natural Resource Permit Condition #4 ("Best Technology Available (BTA) Determination. A BTA determination will be conducted, pursuant to the SPDES permit, by the Department to determine if the facility meets the regulatory criteria to minimize adverse environmental impacts to aquatic species and whether any mitigation is required. Upon evaluation by the Department of the submitted studies, the Department will determine whether additional BTA measures will be needed, for which Mitigation Plans will need to be developed, submitted, and completed in consultation with Department staff."); see also June 21, 2006 §401 WQC for Nine Mile Point, Natural Resource Permit Condition #2 ("Best Technology Available (BTA) Determination. Pursuant to 6 NYCRR Part 704 and Section 316(b) of the Clean Water Act a Best Technology Available (BTA) determination will be conducted for the facility as part of the renewal of the State Pollutant Discharge Elimination (SPDES) permit. The BTA determination is based on whether the facility meets the regulatory criteria to minimize adverse environmental impacts to aquatic species. Biological studies will be required by the SPDES permit, and will be used by the Department to determine whether additional measures are needed to achieve BTA. As necessary, Mitigation Plans will need to be developed, submitted, and completed in consultation with Department staff.").



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- 4. If the Commission persists in requiring a separate certification from DEC, Entergy reserves its rights to demonstrate to the Commission that it falls within the statutory exceptions to certification provided under §401.**

Section 401 contains several statutory exemptions from the requirement to obtain a State certification, including those set forth in §§401(a)(3) and (a)(6). Federal case law confirms that the NRC is the proper entity to determine whether either of the §401 WQC exceptions apply here. See Keating v. FERC, 927 F.2d 616, 625 (D.C. Cir. 1991) ("the application of section 401(a)(3) involves a federal question that, absent satisfactory explanation, presumably must be resolved by the applicable federal licensing authority and the federal courts"). Thus, here again, a §401 certification by the state prior to license renewal is not required.

Further, if the Commission concludes that a separate §401 certification is required (*i.e.*, something other than the submission of the currently effective SPDES permit), Entergy reserves its right to submit documentation to the Commission supporting the application of these exemptions to JAFNPP.

#### **Conclusion**

In short, although JAFNPP is working with the State on a voluntary and collaborative basis, as a matter of federal and state law, the JAFNPP license renewal does not require a §401 WQC. As detailed above, this is because §401 does not apply in the license renewal context and, even if it does apply, Entergy has satisfied its §401 obligations by submitting to the Commission copies of its currently effective SPDES permit issued by the DEC. To the extent the Commission requires any further certification under §401, Entergy reserves its right to request from the Commission an exemption from such requirements.

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Attachment 2

General Comments

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Attachment 2  
General Comments for the JAFNPP SEIS

Number	Page	Line Number(s)	Comment
1	Xxi	20	Change "Lowest" to "lowest".
2	1-5	33	Insert a space between "Renewal" and "NUREG-1555".
3	2-6	37	Change "services" to "service"
4	2-9	29	Add "releases" or "effluents" between "gaseous" and "in"
5	2-10	32	Change "solid" to "nonhazardous" since hazardous and mixed wastes are considered solid waste under 40CFR261.
6	2-10	35 - 36	Delete the sentence "Solid waste is waste that is neither radioactive nor hazardous as defined by the Resource Conservation and Recovery Act (RCRA) (40 CFR Part 260)" and replace with "A solid waste can be nonhazardous, hazardous or radioactive."
7	2-10	36	Change "solid" to "nonhazardous" since hazardous and mixed wastes are considered solid waste also under 40CFR261.
8	2-11	3	Insert "other nonhazardous wastes such as" between "for" and "office".
9	2-11	32	Delete "disposed of offsite by a contract service" and replace with "then shipped off-site by a contract service for recycling" since these type materials are recycled and not disposed.
10	2-12	1	Replace "is" with "are"
11	2-12	1	Delete "transformer oil" since oils in onsite transformers do not contain PCBs based on analytical testing.
12	2-12	2 - 3	Replace the sentence "In 2005, JAFNPP received a fine from EPA for improperly identifying a drum of used oil as nonhazardous instead of PCB-waste and not disposing of the drum at a TSCA disposal facility" with "Although the wastes was properly disposed, JAFNPP received a fine from the EPA in 2005 for shipping used oil containing PCBs on a Straight Bill of Lading instead of the required hazardous waste shipping manifest specified under TSCA" since the waste was ultimately disposed of properly and the issue was associated with not using the EPA hazardous waste manifest.
13	2-12	12	Change "Discharge" to "Disposal" to reflect the correct title in the regulations.

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Number	Page	Line Number(s)	Comment
14	2-12	25	Delete "several accumulation areas in" since mixed waste is only accumulated in one area.
15	2-12	25	Insert "currently" between "not" and "have"
16	2-16	9	Insert "(0.7 mi)" after "3700 ft" to be consistent with previous write-up on Page 2-14.
17	2-17	17	Change "0.71" to "0.7" to be consistent with how this number is listed on Page 2-1 (Line 24) of the Draft SEIS.
18	2-20	8-12	While the use of Betz Clam-Trol CT-1 is still allowed by the JAF SPDES Permit, it has not been used in at least 10 years. Correspondingly, remove references to it from line 8 through line 12.
19	2-20	20	Change "(Entergy 2006a)" to "(Entergy 2006c)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
20	2-21	5	Change "(Entergy 2006c)" to "(Entergy 2006f)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
21	2-22	30	Insert a space between "Statement" and "(NRC 2006, Section 2.2.4)".
22	2-23	21-24	Should read as follows: "The emergency diesel generators, fire pumps and boilers are regulated under a Certificate to operate an Air Contamination Source (7-3556-00020/00012) issued by NYSDEC. This certificate limits fuel usage, fuel type, and hours of operation for the three sets of equipment."
23	2-23	26	Change "system" to "systems"
24	2-26	28	Pg 2-24, line 12 says the Port of Oswego is "approximately 6 miles west of JAFNPP" This distance should be consistent, either 4 or 6 miles in both places?
25	2-28	29	There is no "(NYSDEC 2003)" listing in the Section 2.3 references of the Draft SEIS.
26	2-28	33	Add "Endangered Species Act of 1972" to the references listed in Section 2.3 of the Draft SEIS to be consistent with other Federal Acts listed.
27	2-28	33	Change "(Entergy 2006b)" to "(Entergy 2006c)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
28	2-31	5	Change "(Entergy 2006)" to "(Entergy 2006c)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.

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Number	Page	Line Number(s)	Comment
29	2-31	15	Delete spaces between "birch" and "/" and "/" and "sweet".
30	2-31	30	Change "(Entergy 2006)" to "(Entergy 2006c)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
31	2-35	-----	Need to delete "Table 2-4 (cont'd)" and subheading under it. Should be a continuation of the bird listing.
32	2-37	19	Change "on" to "or".
33	2-38	14	Insert "are" between "and" and "used".
34	2-40	7-15	The percentages in the text do not match the percentages in Table 2-6.
35	2-46	1 - 2	For the list of Sources, change "(USCB 2006)" and "(NRC 2006a)" to "(USCB 2006a)" and "(NRC 2006)" respectively, to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
36	2-47	1	In Table 2-10, change the number of Entergy Nuclear Northeast employees from "560" to "716" to accurately reflect the employment and to be consistent with what is shown on Page 2-39 (Line 16) of the draft SEIS.
37	2-54	9	Replace "draft" with "final"
38	2-54	12	Replace "draft" with "final"
39	2-55	23 -26	There is no "Boyd and Biberhofer" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
40	2-56	12	Insert "(EA)" after "Technology" to be consistent with how the reference is shown in the Section 2.0 write-up (Page 2-28).
41	2-59	1 - 3	There is no "(ISLRBC 2002a)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
42	2-59	4 - 6	There is no "(ISLRBC 2002b)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
43	2-61	3 - 5	There is no "(NYSDEC 2001)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
44	2-62	26 - 27	There is no "(NMPC 1975)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
45	2-62	30 - 32	There is no "(NMPNS 2002a)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
46	2-64 2-65	33 & 1 - 2	There is no "(USACE 2002)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
47	2-65	14 - 17	There is no "U.S. Department of Agriculture 2002" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
48	2-65	18 -22	There is no "(EPA et al. 1998)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
49	2-66	24 - 28	There is no "(NRC 1985)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
50	2-66	29 - 30	There is no "(NRC 1996)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
51	2-66	31 - 34	There is no "(NRC 1999)" reference listing in the Section 2.0

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Number	Page	Line Number(s)	Comment
			write-up (Pages 2-1 through 2-54).
52	2-67	10 - 11	There is no "(Zilkoski et al. 1992)" reference listing in the Section 2.0 write-up (Pages 2-1 through 2-54).
53	4-4	1 - 10	Delete these sentences since they are a repeat of the sentences on Page 4-2 (Lines 21 – 30).
54	4-19	Table 4-4	Numbers in Table 4-4 do not match numbers in the text on pg 4-18, lines 31-35. Numbers in text are correct.
55	4-23	8 – 12	Remove from "As such..." on line 8 to "...thermal criteria." on line 12 as this is not a requirement of the current SPDES permit.
56	4-24	25	Replace "limes" with "lines"
57	4-34	20	Change "(NRC 2006a)" to "(NRC 1996a)" to accurately reflect the reference source in the Section 2.3 references of the Draft SEIS.
58	4-35	26	Replace "Minetta" with "Minetto"
59	4-46	36	Add "Endangered Species Act of 1972" to the references listed in Section 4.10 of the Draft SEIS to be consistent with other listed federal Acts shown in previous sections.
60	4-50	7	Change "(NRC 1996)" to "(NRC 1996a)" to accurately reflect the reference source in the Section 4.10 references of the Draft SEIS.
61	4-51	4	The "(Entergy 2006b)" reference appears to be incorrect for this statement. However, the "(Entergy 2006a)" reference would appear to be more appropriate for this statement.
62	4-52	4	Add "20" between "additional" and "year" and add an "s" to "year"
63	4-55	26 - 28	There is no "(Fox 2006)" reference listing in the Section 4.0 write-up (Pages 4-1 through 4-54).
64	4-57	11 - 13	There is no "(Oswego County 2006)" reference listing in the Section 4.0 write-up (Pages 4-1 through 4-54).
65	4-58	30 - 32	There is no "(EPA 2004)" reference listing in the Section 4.0 write-up (Pages 4-1 through 4-54).
66	4-59	15 – 17	There is no "(NRC 1996b)" reference listing in the Section 4.0 write-up (Pages 4-1 through 4-54).
67	4-60	15 – 17	There is no "(Wilke 2006)" reference listing in the Section 4.0 write-up (Pages 4-1 through 4-54).
68	5-1	5	There is no "(NRC 1996)" listing in the Section 5.3 references of the Draft SEIS.
69	5-1	5	There is no "(NRC 1999)" listing in the Section 5.3 references of the Draft SEIS.
70	5-2	16	Add "10 CFR Part 50" and "10 CFR Part 100" to the references listed in Section 5.3 of the Draft SEIS to be consistent with other listed federal regulations shown in previous sections.
71	5-2	37	Add "10 CFR Part 51" to the references listed in Section 5.3 of the Draft SEIS to be consistent with other listed federal regulations shown in previous sections.

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Number	Page	Line Number(s)	Comment
72	5-3	28	There is no "(NRC 1996)" listing in the Section 5.3 references of the Draft SEIS. Delete "(NRC 1996)" {Footnote on page 5-1 states that all GEIS references are to the GEIS and Addendum 1}
73	5-3 5-4	31 – 33 & 1	Recommend deleting this sentence since it is captured in the sentence shown on Page 5-4 (Lines 1 -5).
74	5-6	21	Change "(NPA 1991)" to "(NYPA 1991)" to accurately reflect the reference source in the Section 5.3 references of the Draft SEIS.
75	5-6	22	Change "(NPA 1996)" to "(NYPA 1996)" to accurately reflect the reference source in the Section 5.3 references of the Draft SEIS.
76	5-7		In Table 5-3 line item for station blackout, change the exponent for " $1.27 \times 10^{-6}$ " to superscript " $1.27 \times 10^{-6}$ ."
77	8-32	1	Insert "However," prior to "the impact".
78	8-32	-----	Under the "Impact" column for "Water Use and Quality – Groundwater" at the "JAFNPP Site", change "SMALL" to "NO IMPACT" to be consistent with the impact conclusion reached for the natural gas alternative at the JAFNPP site (Page 8-25).
79	8-35	6	Change "Overall, the impacts of the nuclear alternative at the JAFNPP site would be SMALL" to "Overall, there would be no impacts of the nuclear alternative at the JAFNPP site" to be consistent with the impact conclusion reached for the natural gas alternative at the JAFNPP site (Page 8-25).
80	8-42	9\	There is no "(NRC 2006)" listing in the Section 8.4 references of the Draft SEIS.
81	8-43	25	Insert "what is" between "than" and "needed".
82	8-49	-----	Under the "Socioeconomics Impact" column at an "Alternate Site", should the impacts be "SMALL to MODERATE" instead of "SMALL to LARGE" based on the summary in the "Comments" column since it states "SMALL to MODERATE"?
83	8-53	8 – 10	There is no "(EPA 2000a)" reference listing in the Section 8.0 write-up (Pages 8-1 through 8-51).
84	8-53	17 - 18	There is no "(NRC 1988)" reference listing in the Section 8.0 write-up (Pages 8-1 through 8-51).
85	9-6	24	Change "closed-cycle" to "once-through" since JAFNPP is equipped with a once-through cooling system.
86	9-7	-----	Under the "No-Action Alternative" column for "Water Use and Quality – Groundwater", change "SMALL" to "NO IMPACT" to be consistent with what is shown in Table 8-1 of the Draft SEIS (Page 8-3).
87	9-7	-----	Under the "New Nuclear Generation" column at an "Alternate Site" for "Transportation", change "SMALL to MODERATE" to "SMALL to LARGE" to be consistent with what is shown in Table 8-6 of the Draft SEIS (Page 8-33).

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Number	Page	Line Number(s)	Comment
88	9-7	-----	Under the Combination of Alternatives" column at an "Alternate Site" for "Socioeconomics", should the impacts be "SMALL to MODERATE" instead of "SMALL to LARGE" since the summary in the "Comments" column of Table 8-8 (Page 8-49) states "SMALL to MODERATE".
89	E-3	-----	For Table E-2, change footnote (a) to read "Permit has been administratively continued under the New York State Administrative Procedures Act; therefore, JAFNPP continues to operate under the existing permit while NYSDEC completes the SPDES permit renewal".
90	G-1	14	Change "(NPA 1991)" to "(NYPA 1991)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
91	G-1	14	Change "(NPA 1996)" to "(NYPA 1996)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
92	G-2	7	Change "(NPA1991)" to "(NYPA1991)".
93	G-2	18	Change the reference for the breakdown of CDF by initiating event provided in Table G-1 to Entergy 2007, rather than Entergy 2006a. The information presented in Entergy 2006a contained values prior to combining and subsuming cutsets. In response to RAI 5.1, values after combining and subsuming cutsets were presented in Entergy 2007.
94	G-3	1	Change "(MAAP 4.04)" to "(MAAP 4.0.4)".
95	G-3		In Table G-1 line item for station blackout, change the exponent for " $1.27 \times 10^{-6}$ " to superscript " $1.27 \times 10^{-6}$ ".
96	G-4	11 – 12	Change "(NPA 1991)" to "(NYPA 1991)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
97	G-4	12	Change "(NPA 1996)" to "(NYPA 1996)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
98	G-7	7	Change "(NPA 1991)" to "(NYPA 1991)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
99	G-7	7	Change "(NPA1996)" to "(NYPA1996)".
100	G-7	8	Change "(NRC 19961b)" to "(NRC 1991b)" to correct a typographical error.
101	G-7		In last item in Table G-3, delete "for instrument, master and slave trip units" leaving only "Updated initiating event frequencies and component failure data."
102	G-8	1	Change "(NPA 1996)" to "(NYPA 1996)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
103	G-8	2	Change "(NPA 1991)" to "(NYPA 1991)" to accurately reflect the



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Number	Page	Line Number(s)	Comment
			reference source in the Section G.8 references of the Draft SEIS.
104	G-10	15	Change "(NPA 1996)" to "(NYPA 1996)" to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
105	G-11	30 and 31	Change "(MAAP 4.04)" to "(MAAP 4.0.4)".
106	G-12	17	Draft SEIS states 4.66 percent enrichment, but reference document (Entergy 2007) states that 4.65 percent enrichment was assumed.
107	G-15	37	Change "(NRC 2006a)" to "(NRC 2006)" only to accurately reflect the reference source in the Section G.8 references of the Draft SEIS.
108	G-18	27	Change "Table G-4" to "Table G-5."
109	G-27		Population dose reduction for SAMA 29 has a stray mark prior to the value.
110	G-42	29 - 30	Add "10 CFR Part 54" to the references listed in Section G.8 of the Draft SEIS to be consistent with other listed federal regulations shown in previous sections.
111	G-43	19 - 20	There is no "(NYPA 2004)" reference listing in the Appendix G write-up (Pages G-1 through G-42).
112	G-43	30	Change "1991" to "1991a" to be consistent with how the reference is listed in the Section G.2.2 write-up (Page G-10) of the Draft SEIS.