Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381

AUG 2 1 1995

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

Gentlemen:

In the Matter of the Application of) Docket No. 50-390
Tennessee Valley Authority)

WATTS BAR NUCLEAR PLANT (WBN) UNIT 1 - COMMENTS ON DRAFT ENVIRONMENTAL PROTECTION PLAN, APPENDIX B TO DRAFT FACILITY OPERATING LICENSE NO. NPF-20 (TAC M91489)

By letter dated April 7, 1995, the staff provided TVA with a revised draft of the Watts Bar Unit 1 Environmental Protection Plan (EPP), Appendix B to the draft Facility Operating License No. NPF-20, for review and comment. Enclosed are specific comments on the draft EPP.

If you should have any questions, please contact John Vorees at (615) 365-8819.

Sincerely,

/Paul Baron

R. R. Baron
Nuclear Assurance and
Licensing Manager (Acting)

Enclosure
cc: See page 2

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ENCLOSURE

WATTS BAR NUCLEAR PLANT (WBN) UNIT 1
COMMENTS ON DRAFT ENVIRONMENTAL PROTECTION PLAN (EPP), APPENDIX B TO DRAFT FACILITY OPERATING LICENSE NO. NPF-20

Comments are identified by section and section title. Suggested changes to text are presented as follows: proposed additions are printed in bold; proposed deletions are lined through.

1. Section 3.1, Plant Design and Operation, first paragraph, first sentence:

   "The licensee may make changes in station design or operation, or perform tests or experiments ~~affecting~~ **at the station or involving station operation that affect** the environment provided such activities do not involve an unreviewed environmental question and do not involve a change in the EPP."

   The original sentence could be broadly interpreted to include any tests or experiments performed by the Tennessee Valley Authority (TVA) that affect the environment. The sentence, as revised, makes it clear that the tests or experiments covered are limited to those conducted at WBN or which involve station operation.

2. Section 4.2, Unusual or Important Environmental Events, first paragraph, first sentence:

   "Any occurrence of an unusual or important event that indicates, or could result, in significant environmental impact causally related to plant operation shall be recorded and reported to the NRC within 24 hours **of the determination that the impact is causally related to station operation,** followed by a written report per Subsection 5.4.2."

   The revision would clarify that TVA's duty to report the event in a timely manner (i.e., 24 hours) is contingent upon TVA's first determining that the impact is causally related to station operations. The proposed change is consistent with the reporting requirements documented in the WBN National Pollutant Discharge Elimination System (NPDES) Permit No. TN0020168.

3. Section 4.2, Unusual or Important Environmental Events, first paragraph, examples of occurrences described in "Item 2" above:

   "...increase in nuisance organisms or conditions **in excess of levels anticipated in station environmental impact appraisals,...**"

   The proposed change takes into account that TVA has already identified the likelihood of increased nuisance organisms such as the zebra mussel and need not provide further notice of such an occurrence.

4. Section 4.2, Unusual or Important Environmental Events, first paragraph, examples of occurrences described in "Item 2" above:

   "...and unanticipated or emergency discharge of waste water or any other chemical substance that ~~exceeds the limits of, or~~ is not authorized by the NPDES permit **and requires 24-hour notification to the State of Tennessee.**"

   Twenty-four hour notice to the "appropriate Division field office" is required by NPDES Permit Section 2.a.: "in cases of any noncompliance which could cause a threat to public drinking supplies, or any other discharge which could constitute a threat to human health or the environment." For instances of noncompliance which are not reported under 2.a., the noncompliance is reported via the Discharge Monitoring Report.

   By phrasing the requirement for notifying the NRC in this way, 24-hour reporting will be accomplished for significant noncompliances consistent with the requirements for reporting to the state of Tennessee. Any other instances would be reported via the Discharge Monitoring Report, which is issued on a quarterly basis. This report contains all information concerning the steps taken or planned, to reduce, eliminate, and prevent recurrence of the noncompliance, as well as the anticipated time the noncompliance is expected to continue.

5. Section 4.2, Unusual or Important Environmental Events, second paragraph, first sentence:

   "The licensee shall also notify the FWS Cookeville Field Office when an unusual or important event results in the taking of, or ~~could result in~~ an adverse impact to, any species protected by the ESA."

   This sentence, as revised, more closely meets the intent of the Fish and Wildlife Service (FWS) Biological Opinion issued in March 1995. In a letter dated March 29, 1995 to FWS, TVA stated its understanding that the Biological Opinion required TVA to notify the Cookeville Field Office if one or more specimens of a Federal endangered or threatened species appears to have been taken as a result of WBN operations. A copy of TVA's letter was provided to the NRC. By letter dated April 9, 1995, FWS agreed that its interest was in addressing incidental taking attributable to plant operations. NRC also received a copy of this letter.

6. Section 4.2, Unusual or Important Environmental Events, second paragraph, second sentence:

   ~~TVA should also notify the FWS law enforcement agent in Nashville, TN if an unusual or important event involves the death, injury, or illness of any individual of a species protected by the ESA.~~"

The Site Environmental Manager (SEM) notifies the appropriate TVA endangered species expert to make an initial evaluation of possible effects on Federal listed species. The result of this evaluation is then communicated to the U. S. Fish and Wildlife Service office in Cookeville, Tennessee. Notification of the FWS Cookeville office provides sufficient notification, and is supported by plant procedure.

7. Section 4.2, Unusual or Important Environmental Events, second paragraph, third sentence:

"Initial notification must be completed within 24 hours of the **determination that the** unusual or important event **is causally related to station operations**, followed by a written report per Subsection 5.4.2."

As noted in the discussion under "Item 2" above, the proposed change clarifies that TVA's duty to report the event in a timely manner is contingent upon a causal finding related to plant operations, and is consistent with the reporting requirements documented in NPDES Permit No. TN0020168.