



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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March 3, 2008

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

12/19/07

72 FR 71973

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**RE: EPA Review and Comments on
Draft Generic Supplemental Environmental Impact Statement (DGSEIS)
Shearon Harris Nuclear Power Plant, Unit 1
Plant-specific supplement 33 to NUREG-1437
CEQ No. 20070523**

Dear Sir:

The U. S. Environmental Protection Agency (EPA), Region 4, reviewed the Draft Generic Supplemental Environmental Impact Statement (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 renewal of the operating license (OL) for the Shearon Harris Nuclear Power Plant, Unit 1. The proposed action of renewing the OL for a 20-year period would maximize the use of existing assets. The facility uses two intakes to withdraw water from the Harris Reservoir and the auxiliary reservoir for plant cooling, and discharges wastewater via outfalls to this reservoir and to a sewage treatment plant.

Based on EPA's review of the DGSEIS, the project received an "EC-1" rating, meaning that environmental concerns exist. Specifically, protecting the environment involves the continuing need for appropriate storage and ultimate disposition of radioactive wastes generated on-site, as well as continuing measures to limit bioentrainment and other impacts to aquatic species from surface water withdrawals and discharges, and compliance with the NPDES Permit. Potential impacts resulting from water withdrawals during drought conditions are also a concern, and should be addressed in the Final Generic Supplemental Environmental Impact Statement (FGSEIS). We note that the North Carolina Drought Management Advisory Council currently lists Wake County and surrounding counties as D4 Exceptional Drought areas.

The National Pollutant Discharge Elimination System (NPDES) Permit Program authorizes the discharge of pollutants from certain facilities to waters of the United States. Administration of the NPDES permit program in North Carolina is delegated by EPA to the North Carolina Department of Environment and Natural Resources (NCDENR). The Shearon Harris Nuclear Plant has an NPDES Permit issued by the NCDENR. The NPDES Permit limits

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Cdd = S. Hernandez

(Shg)

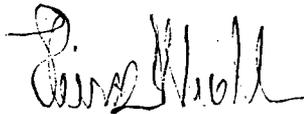
specific pollutant discharges from the plant, requires monitoring of discharges, and regulates the flow and thermal impacts of discharges. The NPDES permittee has operated and is operating in compliance with the NPDES permit requirements.

The DGSEIS acknowledges that continuing radiological monitoring of all plant effluents and appropriate storage of spent fuel assemblies and radioactive wastes on-site are required for this project. Appropriate storage of spent fuel assemblies and radioactive wastes on-site is required, in order to prevent impacts.

In the Waste Confidence Rule (10 CFR 51.23), 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 in the DGSEIS regarding the expected availability of Yucca Mountain as a geological repository for spent nuclear fuel and high-level waste.

In conclusion, the DGSEIS is clearly written and provides useful information for assessment of the proposal to renew the OL for Unit 1. Thank you for the opportunity to comment on this document. We look forward to reviewing the FGSEIS. 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 J. Mueller". The signature is written in a cursive style with a large initial "H".

Heinz J. Mueller, Chief
NEPA Program Office