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Date: 03/05/2008 11:58:56 AM
Subject: Additional Comments on HNP DSEIS

Here are additional comments on the HNP DSEIS from our contractor and one of our subject matter experts. They are mostly minor corrections or suggestions.

Call if any questions.

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Comments on HNP Draft Supplemental Environmental Impact Statement

Item	Topic	Comment
Table 2-4	<i>Ambloplites cavifrons</i>	Federal status should be "SC."
Table 2-4	<i>Moxostoma sp. 2</i>	Should be revised to " <i>Moxostoma sp. 3.</i> " Revise footnote b accordingly.
Table 2-4	<i>Noturus furiosus</i>	Federal status is "SC."
Table 2-4	<i>Noturus sp. 1</i>	Should be revised to " <i>Noturus sp. 2;</i> " Federal status is "SC." Revise footnote b accordingly.
Table 2-5	<i>Hemidactylium scatatum</i>	Should be revised to " <i>Hemidactylium scutatum.</i> "
Table 2-5	<i>Haliaeetus leucocephalus</i>	State status should be "T."
Table 2-5	<i>Condylura cristata</i>	Should be revised to " <i>Condylura cristata pop. 1.</i> "
Table 2-5	Star-nosed mole	Should be revised to "Star-nosed mole - Coastal Plain Population."
Table 2-5	<i>Eupatorium resinsum</i>	State status is "T-SC."
Table 2-5	<i>Lilium pyrophilum</i>	State status is "E-SC."
Table 2-5	<i>Lysimachia asperulaefolia</i>	Should be revised to " <i>Lysimachia asperulifolia.</i> "
Table 2-5	<i>Pyxidantha brevifolia</i>	Should be revised to " <i>Pyxidantha barbulate var. brevifolia.</i> "
Table 2-5	<i>Rhus michauxii</i>	State status is "E-SC."
Table 2-5	<i>Trillium pusillum</i>	Should be revised to " <i>Trillium pusillum var. virginianum.</i> "
Table 2-5	Carolina Least Trillium	Should be revised to "Virginia Least Trillium."
Table 2-5	<i>Pteroglossaspis ecristata</i>	Should be revised to " <i>Pteroglossaspis ecristata.</i> "
Table 2-5	<i>Stylisma pickeringii</i>	Should be revised to " <i>Stylisma pickeringii var. pickeringii.</i> "

Note that while the bald eagle has been de-listed at the federal level, it maintains "Threatened" status at the state level. Lines 30 through 33 on page 2-33 should be revised to reflect this status. Also, on page 2-34 line 2 we suggest adding a sentence similar to "This bird is still on the state list as threatened" after "Energy 2006b)."

On page 2-34, we suggest adding a sentence to the end of the paragraph that currently ends on line 8 similar to: "Although this nest was abandoned after this season, it is believed that this pair relocated to a new nest in the White Oak Creek arm of the reservoir in the 2005 – 2006 nesting season."

Also on page 2-34 we suggest adding a sentence similar to: "Although the trees exist, the forest is not managed for red cockaded woodpeckers, i.e., the understory is not cut/burned back and thus it is unlikely the birds will nest there" after "Energy 2006b)."

It is noted that Table 2-4 includes recognition of Federal species of Special Concern, while Table 2-5 does not. Table 2-5 contains numerous species that have a Federal status of Special Concern, but are indicated as “_.”

Comments on HNP Draft SEIS for License Renewal

General Comments. The SEIS generally does a good job of capturing information presented in the Environmental Report. As is the case with all NRC SEISs, more time is spent than necessary on Category One issues and extraneous matters. In general, though, it's a solid, well-written document.

Page xxi. The agency's name is "North Carolina Department of *Environment and Natural Resources*."

Page 2-6, line 36 and page 2-7, line 7. The approach velocity is 0.15 m/sec (0.5 ft/sec) rather than 9 or 9.1 m/sec.

Page 2-28, second paragraph. Given that a full paragraph is devoted to the dwarf wedgemussel, a species that also appears in Table 2-4, it should be made clear early in the paragraph that this species occurs in the (adjoining) Neuse River drainage (in Wake County) rather than the Cape Fear River drainage. This critical bit of information appears too late in the paragraph.

Page 2-30, lines 12-14. Should be re-worded as follows: "CP&L has enrolled 5700 ha (14,090 ac) of land around the Harris Reservoir, known collectively as the Shearon Harris Game Lands, in the North Carolina Game Lands program." Misleading as is.

Page 2-31, line 29. Species name is *Liquidambar styraciflua*.

Page 2-33, lines 7-8. Not sure what meaning is intended. "Harris Lake County Park holds the only longleaf pine habitat [*in the area? in the county?*] outside the Harris Research Tract." As written, it's incorrect. Clearly, there are hundreds of thousands of acres of longleaf pine habitat outside the Harris Research Tract, an estimated 80,000 acres on the Fort Bragg installation alone.

Page 2-33, lines 37 and 38, page 2-34, lines 1-8. Given that Table 2-5 indicates that the bald eagle has no state or federal special status, this discussion appears unwarranted. Recommend that it be deleted or that the species' special status under the Bald and Golden Eagle Protection Act be discussed.

Page 2-35/Table 2-5. The American alligator is threatened due to similarity of appearance to the American crocodile. This is an important distinction, and could be handled with a footnote.

Section 4.8.1, Cumulative Impacts on Aquatic Resources. The conclusion seems based on flimsy evidence and pure speculation. For example, it does not follow logically that doubling the acreage of the reservoir "could lead to an increase in eutrophy in the reservoir." Recommend that, at a minimum, that the next-to-last sentence be changed from "would" to "could" be MODERATE to LARGE.

Section 4.8.4, Cumulative Impacts on Surface Water. Given that blowdown temperatures are only slightly higher than ambient in the warmer months, it seems unlikely that “localized areas of Harris Reservoir...could potentially increase in temperature, creating an environment optimal for the growth of thermophilic microorganisms...” Even with three closed-cycle units operating, temperatures would not approach those optimal for thermophilic pathogens. Recommend that “optimal” be replaced with “suitable.” As is, the text suggests that these pathogenic organisms will flourish. Thermophilic organisms haven’t been a problem at once-through power plants in the southeastern U.S. with discharge temperatures greater than 110°F in summer. They certainly won’t be a problem at Harris, whether one, two, or three closed-cycle units are operating.

Section 2.1.4 Radioactive Waste Management Systems and Effluent Control Systems, beginning on page 2-2; Section 2.2.7 – Radiological Conditions, beginning on page 2-38.

Section 2.1.4 devotes 5 pages to describing the HNP radwaste system and Section 2.2.7 adds 2 more, accounting for a total of more than 10 percent of Chapter 2. This text is related to what Section 4.3 explains are Category 1 issues and for which NRC has found impacts to be SMALL. Furthermore, these are issues for which the NRC definition of SMALL includes the following:

For the purposes of assessing radiological impacts, the Commission has concluded that those impacts that do not exceed permissible levels in the Commission’s regulations are considered small...¹

Based on this regulatory language, the only relevant aspect of the HNP radwaste system is whether HNP meets applicable Commission limits. In the case of a radwaste system, the limits are expressed in terms of dose. As long as HNP demonstrates that dose from its radwaste system meets Commission limits, its radwaste impacts are presumptively SMALL. NRC’s independent investigation for new and significant information should similarly be limited to the question of dose.

The level of detail in Sections 2.1.4 and 2.2.7 raises the specter of re-analyzing Category 1 issues or having identified new and significant information, neither of which appears to be NRC’s intent. The purpose of Section 2.1.4 should be to alert the reader to the fact that there are radioactive releases and a system for mitigating those releases. A brief paragraph should be sufficient for this purpose. The purpose of Section 2.2.7 should be to alert the reader to existing impact, that is, dose, from those releases. The summation of information in Section 2.1.4 is irrelevant and unnecessarily redundant. NRC should revise Sections 2.1.4 by adding the portion of the definition of “SMALL” that is specific to the subject and by deleting from Sections 2.1.4 and 2.2.7 text that is not directly related to evaluation of dose from HNP operations.

Section 4.8.5 Cumulative Radiological Impacts, beginning on page 4-41.

¹ 10 CFR 51, Subpart A, Appendix B, Table B-1, footnote 3.

Section 4.8.5 should be revised by adding mention of past shipments of spent nuclear fuel to the HNP spent fuel pool. This is an obvious source of cumulative radiological impacts and its absence from the section suggests that NRC failed to consider it in the analysis. Given the sensitivity of the topic within public interests groups, this could be the basis of a contention or litigation. The fix should be a simple matter of indicating that the plant monitoring programs, and resultant impact information, include that spent nuclear fuel.

Section 9.1.2 Irreversible or Irretrievable Resource Commitments, beginning on page 9-5.

Section 9.1.2 should be revised by adding items itemized in Section 4.8.5 on page 4-41.

Environmental Justice.

On page 4-26 of the SEIS, the author of the section notes, correctly, that "minority populations are identified when (1) the minority population percentage of an affected area exceeds 50 percent or (2) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.

The NRR Office Instruction, LIC-203, Rev 1, uses the following wording: "a minority population is considered to be present if (1) the minority population in the census block group or environmental impact site exceeds fifty percent or (2) the minority population percentage of the environmental impact area is significantly greater (*typically at least 20 percentage points*) than the minority population percentage in the geographic area chosen for the comparative analysis..."

On page 4-27 (lines 14-16) of the SEIS, the author of the EJ sections states that "census block groups with minority populations exceeding 50 percent were considered minority block groups. Figure 4-1 shows minority block groups, etc."

It is unclear whether the second kind of minority population (census blocks with minority populations meaningfully greater than the minority population percentage in the geographic area) was considered. If not, this should be explained.

Page 2-38 line 26 and page 4-30 line 26. The document reads that the HNP Radiological Environmental Monitoring Program (REMP) includes (among other things) sediments. While it is true that we collect sediment samples, these samples are not obtained as part of REMP requirements. We agreed to do that sampling in response to comments from ANI a number of years ago. Not that we intend to discontinue it, but we do not think that it was part of our commitment under REMP, per se.

Page 2-8 line 18, "HPN" should be "HNP".