



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

December 10, 2008

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

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RULES AND DIRECTIVES  
BRANCH  
15:20

Re: EPA Review and Comments on Draft Generic Supplemental Environmental Impact Statement (DGSEIS) for the Beaver Valley Power, Units 1 and 2 (Report Number NUREG-1437, Supplement 36)

Dear Sir/Madam:

The U.S. Environmental Protection Agency (EPA), Region 3, reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The purpose of the letter is to provide the Nuclear Regulatory Commission (NRC) with EPA's comments regarding the potential impacts of the renewal of the operating license (OL) for the Beaver Valley Power Station (VBPS), Units 1 and 2.

As you are aware, the proposed action of renewing the OL for a 20-year period (i.e., until January 29, 2036, Unit 1 and May 27, 2047, Unit 2) would maximize the use of existing assets. If the OLs are renewed, State regulatory agencies and FirstEnergy Nuclear Operating Company (FENOC) will ultimately decide whether the plant will continue to operate based on factors such as the need for power or other matters within the State's jurisdiction or purview of the owners. If the OLs are not renewed, then the units must be shut down at or before the expiration dates of the current OLs, which are January 29, 2016, for Unit 1, and May 27, 2027, for Unit 2.

FENOC, operates Unit 1 and 2 in Shippingport, Pennsylvania under NRC OLs DPR-66 and NPF-73, respectively. The facility has two Westinghouse-designed pressurized-water reactors, each with a current power level of 2900 megawatts thermal (MW (t)) and a gross power output of 974 megawatts electric (MW(e)) for Unit 1 and 969 MWe for Unit 2. The plant cooling is provided by two closed-cycle hyperbolic natural draft cooling towers heat dissipation system that dissipates heat primarily to the air. Unit 1 and 2 produce electricity to supply the needs of roughly 13,000 homes.

As part of the NEPA review process, EPA has developed a set of criteria for rating the Draft GSEIS. The two part criteria system rates Draft EISs from both an environmental and adequacy perspective. The rating system provides a basis upon which

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EPA makes recommendations to the lead agency for improving the Draft GSEIS (see attachment for additional information about the EPA rating system criteria or at: [www.epa.gov/compliance/nepa/comments/ratings.html](http://www.epa.gov/compliance/nepa/comments/ratings.html)). Based on our review of the DGSEIS for the BVPS, Units 1 and 2, EPA has rated this DGSEIS as LO, Lack of Objections. While the Draft GEIS has been rated as an LO, EPA has the following suggestions to improve the project.

**Recycling.** To promote the recycling of refuse generated by employees, recycling receptacles should be provided on the grounds and within office buildings. Procurement of recycled goods is also necessary and helps to stimulate markets. As a consumer and purchaser of goods and services, FENOC is encouraged to make purchasing decisions with this in mind.

**Water Conservation.** In an effort to conserve water consumption, low-flow toilets should be installed in new and renovated buildings as well other conservation/mitigation measure identified in Section 4.1.1 (page 4-9 of the Draft GSEIS).

**Energy Conservation.** Energy-efficient heating and cooling systems, proper building insulation, and the use of energy-efficient lighting can be incorporated in the design of renovated facilities to reduce cumulative impacts of energy consumption and encourage energy conservation. For example, take advantage of natural ventilation as well as using compact fluorescent lamps which consume considerably less electricity than do incandescent ones and last much longer. Install energy efficient windows and doors (for example, reflective glass).

EPA appreciates the opportunity to submit comments on the DGSEIS. EPA welcomes the chance to continue working with NRC. My staff is ready to continue to participate, as necessary, to assist NRC in the completion of the NEPA analysis for this project. Please feel free to contact me or Kevin Magerr at 215 814 5724, if you wish to discuss these comments further.

Sincerely,



William Arguto,  
NEPA Team Leader  
Office of Environmental Program



## National Environmental Policy Act (NEPA)

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# Environmental Impact Statement (EIS) Rating System Criteria

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EPA has developed a set of criteria for rating draft EISs. The rating system provides a basis upon which EPA makes recommendations to the lead agency for improving the draft EIS.

- [Rating the Environmental Impact of the Action](#)
- [Rating the Adequacy of the Draft Environmental Impact Statement \(EIS\)](#)

### RATING THE ENVIRONMENTAL IMPACT OF THE ACTION

- **LO (Lack of Objections)** The review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposed action.
- **EC (Environmental Concerns)** The review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact.
- **EO (Environmental Objections)** The review has identified significant environmental impacts that should be avoided in order to adequately protect the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). The basis for environmental Objections can include situations:
  1. *Where an action might violate or be inconsistent with achievement or maintenance of a national environmental standard;*
  2. *Where the Federal agency violates its own substantive environmental requirements that relate to EPA's areas of jurisdiction or expertise;*
  3. *Where there is a violation of an EPA policy declaration;*
  4. *Where there are no applicable standards or where applicable standards will not be violated but there is potential for significant environmental degradation that could be corrected by project modification or other feasible alternatives; or*
  5. *Where proceeding with the proposed action would set a precedent for future actions that collectively could result in significant environmental impacts.*
- **EU (Environmentally Unsatisfactory)** The review has identified adverse environmental impacts that are of sufficient magnitude that EPA believes the proposed action must not proceed as proposed. The basis for an environmentally unsatisfactory determination consists of identification of environmentally

objectionable impacts as defined above and one or more of the following conditions:

1. *The potential violation of or inconsistency with a national environmental standard is substantive and/or will occur on a long-term basis;*
2. *There are no applicable standards but the severity, duration, or geographical scope of the impacts associated with the proposed action warrant special attention; or*
3. *The potential environmental impacts resulting from the proposed action are of national importance because of the threat to national environmental resources or to environmental policies.*

### **RATING THE ADEQUACY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)**

1. **(Adequate)** The draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.
2. **(Insufficient Information)** The draft EIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the proposal. The identified additional information, data, analyses, or discussion should be included in the final EIS.
3. **(Inadequate)** The draft EIS does not adequately assess the potentially significant environmental impacts of the proposal, or the reviewer has identified new, reasonably available, alternatives, that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. The identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. This rating indicates EPA's belief that the draft EIS does not meet the purposes of NEPA and/or the Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS.