



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

March 18, 2010

Vice President, Operations
Entergy Nuclear Operations, Inc.
Palisades Nuclear Plant
27780 Blue Star Memorial Highway
Covert, MI 49043-9530

SUBJECT: PALISADES NUCLEAR PLANT – ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT (TAC NO. ME3080)

Dear Sir:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application for exemption dated January 14, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML100200287 and ML100141878). In response to the telephone conversation with the Nuclear Regulatory Commission staff on January 28, 2010, Entergy Nuclear Operations, Inc., submitted a supplemental response in letters dated February 16, 2010 (ADAMS Accession No. ML100541937) and March 8, 2010 (ADAMS Accession No. ML100680530).

The letters dated January 14 and February 16, 2010, contain security-related information and accordingly are being withheld from the public. The redacted version of these letters, dated January 14, 2010 (ADAMS Accession No. ML100141878), and March 8, 2010 (ADAMS Accession No. ML100680530), are available to the public. The proposed exemption would extend the full compliance date with certain new requirements in Title 10 of the *Code of Federal Regulations* Section 73.55 from March 31, 2010, to August 31, 2010.

The assessment is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,

A handwritten signature in black ink, appearing to read "Chawla M".

Mahesh Chawla, Project Manager
Plant Licensing Branch 3-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255

Enclosure:
Environmental Assessment

cc w/encl: Distribution via Listserv

NUCLEAR REGULATORY COMMISSION
ENTERGY NUCLEAR OPERATIONS, INC.
PALISADES NUCLEAR PLANT
DOCKET NO. 50-255
ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Exemption, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.5, "Specific exemptions," from the implementation date for certain new requirements of 10 CFR Part 73, "Physical protection of plants and materials," for Facility Operating License No. DPR-20, issued to Entergy Nuclear Operations, LLC (ENO) (the licensee), for operation of the Palisades Nuclear Plant (PNP), located in Van Buren County, Michigan. In accordance with 10 CFR 51.21, the NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed actions will have no significant environmental impact.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The proposed action would exempt Palisades Nuclear Plant from the required implementation date of March 31, 2010, for several new requirements of 10 CFR Part 73. Specifically, PNP would be granted an exemption from being in full compliance with certain new requirements contained in 10 CFR 73.55 by the March 31, 2010, deadline. ENO has proposed an alternate full compliance implementation date of August 31, 2010, approximately 5 months beyond the date required by 10 CFR Part 73. The proposed action, an extension of the schedule for completion of certain actions required by the revised 10 CFR Part 73, does not

involve any physical changes to the reactor, fuel, plant structures, support structures, water, or land at the Palisades site.

The proposed action is in accordance with the licensee's application dated January 14, 2010, as supplemented by letter dated February 16, 2010.

The Need for the Proposed Action:

The proposed action is needed to provide the licensee with additional time required for completion of significant physical modifications to comply with the new 10 CFR 73 rule requirements. While some of the work scope required by the 10 CFR 73 rule change requirements will be completed by March 31, 2010, some modifications will require additional time to complete.

Environmental Impacts of the Proposed Action:

The NRC has completed its environmental assessment of the proposed exemption. The staff has concluded that the proposed action to extend the implementation deadline would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring.

The proposed action would not result in an increased radiological hazard beyond those previously analyzed in the environmental assessment and findings of no significant impact made by the Commission in promulgating its revisions to 10 CFR Part 73 as discussed in a *Federal Register* notice dated March 27, 2009 (74 FR 13926). There will be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

The proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National

Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Steven's Act are expected. There are no impacts to the air or ambient air quality.

There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action. In addition, in promulgating its revisions to 10 CFR Part 73, the Commission prepared an environmental assessment and published a finding of no significant impact [Part 73, Power Reactor Security Requirements, 74 FR 13926 (March 27, 2009)].

The licensee currently maintains a security system acceptable to the NRC and will continue to provide acceptable physical protection of Palisades in lieu of the new requirements in 10 CFR Part 73. Therefore, the extension of the implementation date of the new requirements of 10 CFR Part 73 to August 31, 2010, would not have any significant environmental impacts.

The NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation, if granted.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed actions, the NRC staff considered denial of the proposed actions (i.e., the "no-action" alternative). Denial of the exemption request would result in no change in current environmental impacts. If the proposed action was denied, the licensee

would have to comply with the March 31, 2010, implementation deadline. The environmental impacts of the proposed exemption and the "no action" alternative are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those considered in the Final Environmental Statement for the Palisades, dated February 1978, supplemented by NUREG-1437, Supplement 27, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," dated October 12, 2006.

Agencies and Persons Consulted:

In accordance with its stated policy, March 8, 2010, the NRC staff consulted with the Michigan State official, Mr. Ken Yale, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated January 14, 2010, as supplemented by letter dated February 16, 2010. Portions of January 14, 2010, and February 16, 2010, submittals contain security related information and, accordingly, are not available to the public. Other parts of these documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O-1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available records will be accessible electronically from the Agencywide Document Access and

Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC

Website: <http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to pdr.resource@nrc.gov.

Dated at Rockville, Maryland, this 18th day of March 2010.

FOR THE NUCLEAR REGULATORY COMMISSION



Mahesh Chawla, Project Manager
Plant Licensing Branch LPL III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

March 18, 2010

Vice President, Operations
Entergy Nuclear Operations, Inc.
Palisades Nuclear Plant
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The assessment is being forwarded to the Office of the *Federal Register* for publication.

Sincerely,
/RA/
Mahesh Chawla, Project Manager
Plant Licensing Branch 3-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-255
Enclosure: Environmental Assessment
cc w/encl: Distribution via Listserv

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