PMFermiCOLNPEm Resource

From: Olson, Bruce
Sent: Monday, August 09, 2010 2:29 PM
To: Randall D Westmoreland
Cc: 'LaGory, Kirk E.'; Fringer, John; FermiCOL Resource
Subject: FW: Emailing: Status of July 9, 2010 RAI Responses.docx
Attachments: Status of July 9, 2010 RAI Responses.docx

Thanks.....

Bruce Olson
Environmental Project Manager
NRC/NRO/DSER/RAP3
301-415-3731

-----Original Message-----
From: LaGory, Kirk E. [mailto:lagory@anl.gov]
Sent: Monday, August 09, 2010 12:17 PM
To: Olson, Bruce
Subject: Emailing: Status of July 9, 2010 RAI Responses.docx

Status of July 9 RAI responses.

Hearing Identifier: Fermi_COL_NonPublic
Email Number: 917

Mail Envelope Properties (AB7F52B9BFE4CE4EAFCD1B45F02BEA4F40D5E44FA2)

Subject: FW: Emailing: Status of July 9, 2010 RAI Responses.docx
Sent Date: 8/9/2010 2:28:40 PM
Received Date: 8/9/2010 2:28:41 PM
From: Olson, Bruce

Created By: Bruce.Olson@nrc.gov

Recipients:
'"LaGory, Kirk E.'" <lagory@anl.gov>
Tracking Status: None
"Fringer, John" <John.Fringer@nrc.gov>
Tracking Status: None
"FermiCOL Resource" <FermiCOL.Resource@nrc.gov>
Tracking Status: None
"Randall D Westmoreland" <westmorelandr@dteenergy.com>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	**Size**	**Date & Time**
MESSAGE	328	8/9/2010 2:28:41 PM
Status of July 9, 2010 RAI Responses.docx	32248	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

Status of Detroit Edison July 9, 2010 Responses to
U.S. Nuclear Regulatory Commission (NRC) Requests for Additional Information (RAIs)
Fermi Nuclear Power Plant, Unit 3 (Fermi 3)
Combined License Application - Environmental Report

RAI Number1	Response Date/ ADAMS Accession No.	Status of Response	Question Summary (RAI)	Full Text (supporting information)	Comments
AQ2.7-1 ESRP 2.7 40 CFR 51, Subpart W	12/23/09 ML093650120 7/9/10 ML_____	Not complete	Provide a general conformity analysis for construction and operation activities of the proposed Fermi 3 project due to nonattainment status of the area for 8-hour ozone and $PM_{2.5}$.	Section 2.7.2.1 of the ER states that "Monroe County and the counties that include the Detroit metropolitan area are ruled as non-attainment areas for the USEPA's $PM_{2.5}$ and 8-hour ozone standard." Accordingly, the site is subject to a general conformity analysis under 40 CFR 51, Subpart W. Provide a conformity analysis for ozone and $PM_{2.5}$ associated with construction and operation of Fermi 3, along with quantifying direct and indirect emission rates.	[7/27/10] Response unacceptable. There appear to be inconsistencies in the results presented. For worker vehicles, the travel distance changed more than 100 times (0.5375 mi vs. 57.2 mi) but NOx emissions increased only about 15 times (0.1761 tpy vs. 2.6 tpy). The same is true for the NOx emissions during operation (73 times -- 0.5375 mi vs. 39.26 mi; 23 times -- 0.24 tpy vs. 5.63 tpy). Please provide the detailed calculation procedures for estimating worker vehicles emissions during construction and operation. [4/16/10] Response unacceptable. The conformity

[1] RAI numbers follow a specific form. RAIs apply to a specific section from the Environmental Standard Review Plan (ESRP; U.S. Nuclear Regulatory Commission. 1999. *Standard Review Plans for Environmental Reviews for Nuclear Power Plants*. NUREG-1555. Office of Nuclear Reactor Regulation, Washington, D.C. October, 1999), and the RAI number consists of the relevant ESRP section number followed by a unique number (e.g., the first RAI related to ESRP Section 2.7 would be numbered 2.7-1). If the RAI applies to more than one section of the ESRP, then the next higher section number is used (e.g., if an RAI is applicable to Sections 3.3.4, 3.3.5, and 3.3.6, then the RAI is assigned to Section 3.3, such as 3.3-1).

					analysis for Fermi 3 appears to be complete with one exception. The RAI response includes emissions from passenger vehicles and delivery vehicles of materials and disposal wastes only within the Fermi site but does not include emissions offsite. All related emissions occurring beyond the site within the nonattainment or maintenance area should be included in the emission calculation. The applicant should explain the reason why offsite emissions are not included. [1/25/10] Detroit Edison indicated that the calculation package for this RAI response would be provided in the reading room. [1/15/10] Response unacceptable. Additional detail is needed to review the adequacy of the response. NRC needs to have detailed emission inventory spreadsheets to check whether all direct and indirect emission sources are included and their emission factors and activity levels are appropriate. For example, indirect emissions include commuter, support, and delivery vehicles traveling offsite within the entire nonattainment or maintenance area.
AQ2.7-4 ESRP 2.7 Reg. Guide 1.23,	9/30/09 ML093350028 7/9/10	Not complete. Update needed prior	Provide in electronic format all input and output files used in modeling, including PAVAN (short-term, accidental releases),	These data are required by the staff to perform independent evaluations and assessments of atmospheric diffusion	[7/27/10] PAVAN and SACTI files provided; XOQDOQ files will be provided along with DCD rev 7 changes in late August.

Sec. C Reg. Guide 1.111, Sec. C Reg. Guide 1.145, Sec. C Reg. Guide 4.2, Sec. 2.3, 3.4, 5.1, 5.2, 7.1 10 CFR 51.50 10 CFR 51.70(b) 10 CFR 51 App. A	ML_____	to completion of the draft EIS.	XOQDOQ (long-term, routine releases), and SACTI (seasonal/annual cooling tower) models.	characteristics and station impacts on the environment.	[4/8/10] Recently available DCD rev 7 could result in additional changes. [10/20/09] Response acceptable.
AQ4.4.1-1 ESRP 4.4.1 10 CFR 51.71(d)	12/23/09 ML093650120 7/9/10 ML_____	Complete	Provide expected CO2 emission rates during the worst year of construction. Emission sources considered should include engine exhaust emissions from heavy equipment and worker/delivery/support vehicles, and other fossil fuel combustion emissions.	CO2 emissions during construction are needed for the climate change analysis to be presented in the EIS. Emissions from the worst year (i.e., the year when CO2 emissions are expected to be highest) will provide a conservative estimate of climate change impacts.	[7/27/10] Still under review [4/26/10] Response acceptable. [1/25/10] Detroit Edison indicated that the calculation package for this RAI response would be provided in the reading room. [1/15/10] Response unacceptable. Additional detail is needed to review the adequacy of the response. NRC needs to have detailed emission inventory spreadsheets to check whether all direct and indirect emission sources are included and their emission factors and activity levels are appropriate.
AQ6.4-1 ESPR 6.4 Reg. Guide 1.23, Sec. C 10 CFR 51.45(c)	12/23/09 ML093650120 3/30/10 ML100960472 7/26/10	Not complete	Provide additional information or clarification regarding the following meteorological instrumentation issues identified at the site audit: • Distance between the	Visual inspection during the site audit indicated that the distance from the meteorological tower to the nearest obstruction (i.e., the wooded area located west of the tower) is less than ten obstruction heights. This distance does not	[7/27/10] Still under review [6/9/10] Additional questions related to this RAI remain and were submitted as safety RAIs. [2/11/10] Detroit Edison will provide an updated response

10 CFR 51.50 10 CFR 100.20(c)(2)	ML_____		meteorological tower and nearby trees; • Height of nearby trees; • Differences in temperature readings between the primary and secondary delta-temperature channels; and • Meteorological instrumentation vendor.	comply with requirements identified in Reg. Guide 1.23, which states "The sensors should be located over level, open terrain at a distance of at least 10 times the height of any nearby obstruction if the height of the obstruction exceeds one-half the height of the wind measurement." Detroit Edison stated that this was a self-identified issue entered into the Fermi 2 corrective action system in 2004 and was resolved as having no impact on the monitoring program based on a comparison with historic data collected during the previous 30 years. The staff would like Detroit Edison to provide a written description of the evaluation that closed out this issue. Also, during the site audit, the Fermi 2 meteorological system engineer indicated that the secondary delta-temperature channel (ΔT = T60m – T10m) recorded values that were consistently 0.2°C higher than the primary delta-temperature channel. This discrepancy translates to 0.4°C/100 m. Because this value is used in NRC's ΔT100m method to determine the Pasquill-Gifford stability class, results from the primary and secondary monitoring systems could result in different stability class estimates. Provide an evaluation of the potential cause(s) and	based on comments provided. [1/26/10] Response unacceptable. Additional information is needed to evaluate the effects of nearby trees on meteorological measurements. See additional comments at end of table.

				implication(s) of this temperature difference. The ER incorrectly lists the instrumentation vendor (i.e., the instrumentation was provided by Climatronics, not Climet).	
AE2.4.2-1 ESRP 2.4.2 10 CFR 51.71(d)	7/31/09 ML092290713 7/9/10 ML_____	Complete	Provide copies of correspondence with Federal and State agencies (U.S. Fish and Wildlife Service [USFWS], Michigan Department of Natural Resources [DNR], Ohio DNR, Canadian agencies, etc.) regarding potential impacts to aquatic species and monitoring studies for Fermi 3.	Discussions with agencies regarding Fermi 3 and threatened and endangered species were mentioned in the text of the ER (Sections 2.4.1.2.1 and 2.4.1.2.2, for example), but references were not provided. At the site audit, it was mentioned that written records of discussions with these agencies existed, but are not publically available. This correspondence is needed for the impact analysis to be presented in the EIS.	[7/27/10] Response acceptable. [6/21/10] Detroit Edison will submit report for docketing. [4/8/10] Response unacceptable. Detroit Edison does not want to docket this or other correspondence requested. [9/10/09] Response unacceptable. NRC requires that the discussions/correspondence identified in the RAI response (or an acceptable summary of those discussions) be submitted for docketing (under oath or affirmation) because they will be cited as references in the EIS.
CR4.1.3-1 ESRP 4.1.3 ESRP 5.1.3 10 CFR 51.71 (d) 36 CFR 800 36 CFR 63	7/31/09 ML092290713 7/9/10 ML_____	Complete	Provide copies of all past, present, and future correspondence and documentation of discussions between Detroit Edison (or its consultants), and the State Historic Preservation Office (SHPO), regarding cultural resources and/or historic properties in the direct and/or indirect areas of potential effect (APEs) for Fermi 3, and Fermi 1 and 2 as they relate to Fermi 3.	Comments from the SHPO on the findings of the Phase I reports conducted for the project, including comments on National Register of Historic Places (NRHP)-eligibility of those cultural resources identified within the archaeological and architectural APEs for the project, were not available at the time that the ER was prepared. This information will be used to complete the NEPA analysis and to support compliance with Section 106. Note that personal correspondence can be provided	[7/12/10] Response acceptable. [4/8/10] Information no longer needed. [9/10/09] Response unacceptable. Regarding the three additional documents placed in reading rooms on or before August 7, 2009, and any future correspondence and documentation to be provided, NRC requires that these items (or an acceptable summary of the content of these items) be submitted for docketing (under

				in reading rooms.	oath or affirmation) because they will be cited as references in the EIS.
HH5.3.4-1 ESRP 5.3.4 40 CFR 141.70	7/31/09 ML092290713 7/9/10 ML_____	Complete	Provide documentation related to the consultation with the Michigan Department of Community Health on infectious diseases associated with Lake Erie for the last 10 years.	Section 5.3.4.IV of the ESRP (Thermophilic Microorganisms) recommends inclusion of the results of consultations with the State Public Health Department, related to any regional outbreaks of waterborne diseases. Documentation related to the consultation with the Michigan Department of Community Health is needed for the staff to perform this assessment.	[7/28/10] Response acceptable. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. The staff will cite the ER directly and supplement with other information as needed. [9/10/09] Response unacceptable. NRC requires that the information identified in the RAI response (or an acceptable summary of that information) be submitted for docketing (under oath or affirmation) because it will be cited as a reference(s) in the EIS.
HY2.3.1-14 ESRP 2.3.1 10 CFR 51.70(b)	6/19/09 ML091940262 7/9/10 ML_____	Not complete	Provide copies of the following: • DTE Energy Nuclear Generation Memorandum, January 5, 2005; • EnviroSolutions Remedial Action Plan Closure Report (Fuel Tank Release), Dec. 2007; • NPMA-05-0001; • ACRES International Comprehensive Report #P13827.00, dated July 2001; • Facsimile to Mick Blunden from Mike Parrish, dated 12/19/2000, containing dredging map;	These documents are cited in the ER, but are not publicly available. They need to be made available to the NRC staff so they can be cited as references in the EIS.	[7/27/10] Response unacceptable. The following documents were not provided but are still needed: • NPMA-05-0001; • ACRES International Comprehensive Report #P13827.00, dated July 2001; [4/16/10] Detroit Edison plans to provide the following publicly available documents: • EnviroSolutions Remedial Action Plan Closure Report (Fuel Tank Release), Dec. 2007; • NPMA-05-0001;

			• MDEQ Permit No. 04-58-009-P, dated (issued) July 21, 2004; • January 2001 Dredging Story (handwritten note); • MDEQ NPDES Permit No. MI0037208; • Storm Water Pollution Prevention Plan for Fermi 2 Plant, Rev. 7; • Facsimile to Mike Parrish from Mick Blunden, dated 01/03/2001; • USACE Detroit District approval letter for dredging by hydraulic means, dated Nov. 8, 2000; • USACE Detroit District Permit No. 88-001-040-8, dated May 26, 2004; and • Detroit Edison Final Siting Study Report.		• ACRES International Comprehensive Report #P13827.00, dated July 2001; [4/5/10] Recommend the following reports be provided as sensitive (SUNSI) and not be made available to the public: • EnviroSolutions Remedial Action Plan Closure Report (Fuel Tank Release), Dec. 2007; • NPMA-05-0001; • ACRES International Comprehensive Report #P13827.00, dated July 2001; • Storm Water Pollution Prevention Plan for Fermi 2 Plant, Rev. 7, including SWPPP Appendices; • Facsimile to Mike Parrish from Mick Blunden, dated 01/03/2001 (in reading room as “Permit revisions to Mechanical 12-2000.” Other reports in original request are no longer needed. [7/17/09] Response unacceptable. Only 4 of the 13 requested documents were provided to NRC for docketing. The remaining 9 have been provided in the reading rooms only. NRC must be provided with copies of these 9 documents for docketing because they will be cited as references in the EIS.

SE2.5.4-1 ESRP 2.5.4 ESRP 4.4.3 ESRP 5.8.3 10 CFR 51.45 10 CFR 51.70 Executive Order 12898 59 CFR 7629	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide copies of all correspondence and documentation of personal communications used to support the analysis in the ER sections on environmental justice.	The staff needs to be able to identify the authority that was cited in ER Sections 2.5.4.2.4, 4.4.3.3, and 5.8.3 and the information contained within to support statements related to low-income and minority populations, subsistence uses, and impact evaluation on those populations.	[7/27/10]. Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. Requested file names provided for review. [7/17/09] Response unacceptable. All of the requested items of correspondence will need to be provided for docketing because they will be cited as references in the EIS. It was discussed that Detroit Edison may need to submit these items to NRC with a request that portions be considered proprietary or confidential (e.g., personal identifiable information, or PII), and that NRC's Office of General Counsel (OGC) would consider these requests and possibly allow redaction of certain information. However, we would need to discuss this matter further with OGC before Detroit Edison takes any action to submit the documentation. (NOTE: This also applies to RAIs SE4.4.2-1, SE4.4.2-2, SESE4.4.2-3, SE4.4.2-4, and SE5.11-2.)
SE4.4.2-2 ESRP 4.4.2 ESRP 5.8.2	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on	The staff needs to be able to identify the information obtained to support statements related to impact evaluation on public safety and social services, where such	[7/27/10]. Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not

10 CFR 51.45 10 CFR 51.70			public safety and social services.	authoritative references were used in the evaluation. Although no mention of contacts was made in ER Sections 4.4.2.4.3 or 5.8.2.4.3, Detroit Edison indicated during the site audit that some contacts had been made.	want to docket this or other correspondence requested. Requested file names provided for review. [7/17/09] Response unacceptable. All of the requested items of correspondence will need to be provided for docketing because they will be cited as references in the EIS.
SE4.4.2-3 ESRP 4.4.2 ESRP 5.8.2 10 CFR 51.45 10 CFR 51.70	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on public utilities.	The staff needs to be able to identify the information obtained to support statements related to impact evaluation on public utilities. Although no mention of contacts was made in ER Sections 4.4.2.4.4 or 5.8.2.4.4, Detroit Edison indicated during the site audit that some contacts had been made.	[7/27/10]. Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. Requested file names provided for review. [7/17/09] Response unacceptable. All of the requested items of correspondence will need to be provided for docketing because they will be cited as references in the EIS.
SE4.4.2-4 ESRP 4.4.2 ESRP 5.8.2 10 CFR 51.45 10 CFR 51.70	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide copies of all correspondence and documentation of personal communications used to support analysis in the ER sections on tourism and recreation.	The staff needs to be able to identify the information obtained to support statements related to impact evaluation on public utilities. Although no mention of contacts was made in ER Sections 4.4.2.4.5 or 5.8.2.5, Detroit Edison indicated during the site audit that some contacts had been made.	[7/27/10]. Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. Requested file names provided for review. [7/17/09] Response unacceptable. All of the

					requested items of correspondence will need to be provided for docketing because they will be cited as references in the EIS.
SE4.4.2-6 ESRP 4.4.2 ESRP 5.8.2 10 CFR 51.45 10 CFR 51.70	10/30/09 ML093090165 7/9/10 ML_____	Complete	Provide revised and updated construction cost estimates, reporting pre-construction and construction activities and expenditures separately, and reporting planned expenditures for supplies and materials within the local area versus outside the area.	The data are needed to better characterize the economic impacts of the proposed project presented in ER Sections 4.4.2, 4.4.2.4.6, and 5.8.2.7 using the most currently available construction cost estimates.	[7/27/10]. Response acceptable. [11/12/09] Response acceptable.
SE4.4.2-8 ESRP 4.4.2 ESRP 5.8.2 10 CFR 51.45 10 CFR 51.70	12/23/09 ML093650122 7/9/10 ML_____	Complete	Provide revised RIMS II model output.	The staff assumes that the multiplier effect as modeled by the RIMS II Input-Output model is based on only the workforce that is relocated to the area, and does not include the existing workforce that is assumed to reside in the area (ER Sections 4.4.2, 4.4.2.4.6, and 5.8.2.7). The revised RIMS II output should also be based on the revised and updated construction cost estimates as specified in RAI number 4.4.2-6.	[7/27/10]. Response acceptable. [1/15/10] Response acceptable.
SE5.11-2 ESRP 5.11 10 CFR 51.45 10 CFR 51.70	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide copies of all correspondence and documentation of personal communications used to support the cumulative impact analysis presented in the ER, including but not limited to discussions with local government authorities on current or future activities/projects (public or private) in the vicinity of the Fermi site.	The projects that were considered in determining that cumulative impacts would be SMALL were not identified in ER Section 5.11.	[7/27/10]. Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. Requested file names provided for review. [7/17/09] Response

					unacceptable. All of the requested items of correspondence will need to be provided for docketing because they will be cited as references in the EIS.
TE2.4.1-3 ESRP 2.4.1 10 CFR 51.71 (d)	7/31/09 ML092290713 7/9/10 ML_____	Complete	Provide copies of all correspondence with regulatory, natural heritage, and wildlife agencies.	Input from resources agencies is critical to ensuring a thorough and complete review of project impacts. Provide copies of correspondence (letters/emails) from USFWS (11/26/07) and Michigan DNR (11/28/07).	[7/28/10] Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] Detroit Edison does not want to docket this or other correspondence requested. Official correspondence with regulatory agencies is needed for the EIS. [9/10/09] Response unacceptable. NRC requires that the items provided in the reading rooms only—the email from USFWS and the two MDNR correspondence records (or an acceptable summary of the discussions in those items)--be submitted for docketing (under oath or affirmation) because they will be cited as references in the EIS.
TE2.4.1-6 ESRP 2.4.1 10 CFR 51.71 (d)	6/19/09 ML091940262 7/9/10 ML_____	Complete	Provide a copy of the "Wetland Delineation/Wetlands Functional Values Assessment Report."	The "Wetlands Delineation and Wetlands Functional Values Assessment Report," reviewed during the site audit, is needed as a reference for the EIS. Report data will be used to complete the analysis of impacts to wetlands. The report is not available elsewhere.	[7/28/10] Response acceptable. [6/21/10] Detroit Edison will submit documents for docketing. [4/16/10] This report is not available for staff review in the virtual reading room. Detroit Edison does not want to docket this report. [7/17/09] Response

					unacceptable. The requested report must be submitted for docketing because the NRC needs to cite it as a reference in the EIS.