



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

October 20, 2010

Mr. Barry S. Allen
Site Vice President,
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
Mail Stop A-DB-3080
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT
STATEMENT AND CONDUCT SCOPING PROCESS FOR LICENSE RENEWAL
FOR THE DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1

Dear Mr. Allen:

The U.S. Nuclear Regulatory Commission staff (NRC or the staff) has received your application dated August 27, 2010, for the renewal of the Operating License NPF-003 for Davis-Besse Nuclear Power Station Unit, 1 (DBNPS). In support of each application and in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 and 10 CFR Part 54, FirstEnergy Nuclear Power Operating Company (FENOC) also submitted an environmental report (ER) for DBNPS. This letter provides information related to the staff's environmental reviews of the applications.

The NRC has prepared a notice of intent advising the public that the NRC intends to gather information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," (NUREG-1437) related to the review of the applications for the renewal of the DBNPS operating licenses. Enclosed is a copy of the Notice of Intent, which has been forwarded to the Office of the *Federal Register* for publication.

Pursuant to 10 CFR 51.28, FENOC is invited to participate in the environmental scoping process. As discussed in the enclosed notice, the staff is providing the public with the opportunity to participate in two environmental scoping meetings to be held on November 4, 2010. The meetings will be held at the Camp Perry Conference Center, Port Clinton, OH 43452. The first session will be held in the afternoon, and the second session, covering the same subjects, will be held in the evening. The NRC will present an overview of the environmental review process and will describe how the process will be implemented for the review of the DBNPS license renewal applications.

B. Allen

- 2 -

A separate NRC meeting notice with a more detailed agenda is forthcoming. You will be provided a copy of that notice.

In the interim, should you have any questions regarding the scoping meeting, please contact the NRC's Environmental Project Manager, Mrs. Cooper, at 301-415-2323 or by e-mail at Paula.Cooper@nrc.gov.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Bo Pham, Chief
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosure:
As stated

cc w/encl: Distribution via Listserv

NUCLEAR REGULATORY COMMISSION
FIRSTENERGY NUCLEAR OPERATING COMPANY
NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL
IMPACT STATEMENT AND CONDUCT THE SCOPING PROCESS FOR
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1
DOCKET NO. 50-346

FirstEnergy Nuclear Operating Company (FENOC) has submitted an application for renewal of Facility Operating License No. NPF-003 for an additional 20 years of operation at Davis-Besse Nuclear Power Station, Unit 1 (DBNPS). DBNPS is located in Oak Harbor, Ohio.

The current operating license for DBNPS expires on April 22, 2017. The application for renewal, dated August 27, 2010, was submitted pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54, which included an environmental report (ER). A separate notice of receipt and availability of the application was published in the *Federal Register* on September 20, 2010 (75 FR 57299). A notice of acceptance for docketing of the application and opportunity for hearing regarding renewal of the facility operating license is also being published in the *Federal Register*. The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) related to the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29.

As outlined in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act (NHPA) in meeting the requirements of the National Environmental Policy Act

of 1969 (NEPA). Pursuant to 36 CFR 800.8(c), the NRC intends to use its process and documentation for the preparation of the EIS on the proposed action to comply with Section 106 of the NHPA in lieu of the procedures set forth at 36 CFR 800.3 through 800.6.

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, FENOC submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR Part 51 and is publicly available at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. The ADAMS Accession Number for the DBNPS ER is ML102450572. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff by telephone at 800-397-4209 or 301-415-4737 or by e-mail at pdr@nrc.gov. The ER may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/seabrook.html>. In addition, paper copies of the ER are available to the public near the site at the Ida Rupp Public Library, 310 Madison Street, Port Clinton, OH 43452 and the Toledo-Lucas County Public Library, 325 North Michigan Street, Toledo, OH 43604.

Public comments and supporting materials related to this notice can be found at the Federal Rulemaking website, <http://www.regulations.gov>, by searching on Docket ID NRC-2010-0298.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the NRC's "Generic Environmental Impact Statement

(GEIS) for License Renewal of Nuclear Plants," (NUREG-1437) related to the review of the application for renewal of the DBNPS operating license for an additional 20 years.

Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with NEPA and the NRC's regulations found at 10 CFR Part 51.

The NRC will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

- a. Define the proposed action, which is to be the subject of the supplement to the GEIS;
- b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth;
- c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant;
- d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of, the scope of the supplement to the GEIS being considered;
- e. Identify other environmental review and consultation requirements related to the proposed action;
- f. Indicate the relationship between the timing of the preparation of the environmental analyses and the Commission's tentative planning and decision-making schedule;

- g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies; and
- h. Describe how the supplement to the GEIS will be prepared and include any contractor assistance to be used.

The NRC invites the following entities to participate in scoping:

- a. The applicant, FENOC;
- b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved or that is authorized to develop and enforce relevant environmental standards;
- c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards;
- d. Any affected Indian tribe;
- e. Any person who requests or has requested an opportunity to participate in the scoping process; and
- f. Any person who has petitioned or intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC has decided to hold public meetings for the DBNPS license renewal supplement to the GEIS. The scoping meetings will be held on November 4, 2010, and there will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 3:30 p.m. The second session will convene at 7:00 p.m. with a repeat of the overview portions of the meeting and will continue until 9:00 p.m., as necessary. Both sessions will be held at the Camp Perry Conference Center, Port Clinton, OH 43452.

Both meetings will be transcribed and will include: (1) an overview by the NRC staff of the NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; and (2) the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the supplement to the GEIS. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the same location. No formal comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing, as discussed below.

Persons may register to attend or present oral comments at the meetings on the scope of the NEPA review by contacting the NRC Project Manager, Mrs. Paula Cooper, by telephone at 800-368-5642, extension 2223, or by e-mail at Paula.Cooper@nrc.gov no later than November 2, 2010. Members of the public may also register to speak at the meeting within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak if time permits. Public comments will be considered in the scoping process for the supplement to the GEIS. Mrs. Cooper will need to be contacted no later than October 28, 2010, if special equipment or accommodations are needed to attend or present information at the public meeting so that the NRC staff can determine whether the request can be accommodated.

Members of the public may submit comments by any one of the following methods. Please include Docket ID NRC-2010-0298 in the subject line of the comments. Comments submitted in writing or in electronic form will be posted on the NRC website and on the Federal

rulemaking website, <http://www.regulations.gov>. Because comments will not be edited to remove any identifying or contact information, the NRC cautions against including any information that the submitter does not want to be publicly disclosed. The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information and, therefore, they should not include any information in their comments that they do not want publicly disclosed.

Submit comments electronically via the Federal rulemaking website: Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0298. Address questions about NRC dockets to Carol Gallagher at 301-492-3668 or via e-mail at Carol.Gallagher@nrc.gov.

Mail comments to: Chief, Rulemaking and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Fax comments to RADB at 301-492-3446. To be considered in the scoping process, written comments should be postmarked by September 18, 2010. Comments will be available electronically and accessible through ADAMS at <http://www.nrc.gov/reading-rm/adams.html>.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting.

Dated at Rockville, Maryland, this 20th day of October, 2010.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Bo Pham, Chief
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

B. Allen

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Sincerely,
/RA/
Bo Pham, Chief
Projects Branch 1
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-346

Enclosure:

As stated

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RidsNrrDlrRerb Resource

RidsNrrDlrRpb Resource

B. Harris

P. Cooper

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B. Pham

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