PMTurkeyCOLPEm Resource

From: Kugler, Andrew
Sent: Friday, May 14, 2010 7:04 AM
To: Grossenbacher, Craig (DERM); Masnik, Michael
Cc: Hefty, Lee (DERM); Otero, Luis (DERM); Davis, Matthew (DERM); TurkeyCOL Resource
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Craig

Mike Masnik and I discussed the question(s) being posed below. I'd love to tell you there's a simple answer. But I don't think that there is.

Regarding Federal permits issued by the State, they aren't bound to the EIS that the NRC is developing. Our EIS is required by NRC regulations (implementing NEPA) to support the decision on the combined license application that was submitted to us by FPL. But any other Federal permissions (e.g., the permits you reference below, or the Corps permit) are not required to rely on our work. In this particular case, the Corps has agreed to work as a cooperating agency on our EIS and they will use it as a part of the basis for their decision.

The State has its own processes for issuing Federal permits that it issues under authority that has been delegated to it (e.g., NPDES). I'm not familiar with the State processes. But I assume they include an environmental review component. That State environmental review would be the basis for issuing those permits. Nothing would require the State to wait to issue its permits until after the NRC EIS is issued. (I have seen cases in which a State has chosen to wait for an NRC draft EIS before acting on a CZMA certification. But that was a choice and they could have proceeded without us.) Keep in mind as well that the State issues many permits of these types (e.g., NPDES) in cases in which there is no EIS because there's no Federal action associated with the project for which the NPDES permit has been requested.

I expect that we'll be watching what the State and the County do with their reviews, and that the State and County will be watching what we do in our review. Through coordination and communication, I assume we won't come to significantly different conclusions regarding any of the impacts of the project. But because the start of our review was delayed – we really only started the review at the beginning of March – the State is well out ahead of us in its work. So we probably won't be in a position to add that much information by the time the State is making some of its early decisions.

One last thought. I would assume the State also has processes for revoking or modifying permits if significant new information comes to light. So even if the cooling towers get their State permits, if the NRC EIS revealed a significant issue that had not been addressed during the State permitting process, the door wouldn't be closed to modify or revoke a permit.

I'm hoping this information helps. If you have any additional questions, pease give me a call.

Andrew Kugler
Sr. Environmental Project Manager
NRC/NRO/RAP2
301-415-2828

From: Grossenbacher, Craig (DERM) [mailto:GrossC@miamidade.gov]
Sent: Tuesday, May 11, 2010 5:09 PM
To: Masnik, Michael; Kugler, Andrew

Cc: Hefty, Lee (DERM); Otero, Luis (DERM); Davis, Matthew (DERM)
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

FYI the below email string. Maybe I should have posed this question to the NRC first rather than the state since this seems to be a federal permit the state is about to issue for Units 6 and 7. Any perspective you can provide would be appreciated.
Thanks,
Craig

From: Grossenbacher, Craig (DERM)
Sent: Tuesday, May 11, 2010 5:01 PM
To: 'Koerner, Jeff'; 'Mulkey, Cindy'
Cc: 'Anderson, Lennon'; 'Vielhauer, Trina'; Muthiah P.E., Mallika; Wong, Patrick (DERM); Hefty, Lee (DERM); Otero, Luis (DERM); 'Golden, James'; 'Coughanour, Susan'; 'Holmes, Ruth'; McInnis, John (CAO); Davis, Matthew (DERM)
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Thank you for your response. So it seems this question needs to be directed to Cindy also. Assuming DEP issues a construction permit for the Units 6 and 7 cooling towers, what happens if it is determined through either the state or federal permitting process for the project that the cooling towers cannot be approved for some reason? For example, what if it is determined that the chloride or sodium "drift" from the cooling towers would impact receiving wetlands or other surface waters at levels exceeding numeric standards?

Has DEP done a water quality evaluation to determine if state or local water quality standards would be met in these "receiving waters" by the salt drift from these cooling towers? Has DEP considered applicable local water quality standards as part of this application? We have been trying to obtain the information necessary to evaluate this aspect of the project and any data you can provide would be appreciated.

Thanks,
Craig

Craig K. Grossenbacher, Chief
Natural Resources Planning Section
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"Delivering Excellence Every Day

From: Koerner, Jeff [mailto:Jeff.Koerner@dep.state.fl.us]
Sent: Tuesday, May 11, 2010 3:26 PM
To: Grossenbacher, Craig (DERM)
Cc: Anderson, Lennon; Vielhauer, Trina; Muthiah P.E., Mallika; Wong, Patrick (DERM); Mulkey, Cindy
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Dear Mr. Grossenbacher,

Lennon Anderson, DEP Southeast District Office, forwarded me your e-mail.

Actually, Florida changed the site certification requirements a few years ago to satisfy EPA concerns regarding federal permits.

Previously, the application for a PSD air construction permit was processed concurrently with the site certification application.

With the change in the site certification requirements, the application for a PSD air construction permit is now processed independently of the site certification, but will also be included in the final site certification package. I believe, but am not sure, that other federal permits (e.g., the NPDES permit) are also processed independently and then incorporated.

If you have questions on the site certification application, please contact Cindy Mulkey at 850-245-2175.

If you have any questions on the PSD air construction permit application, please contact me at 850-921-9536.

Sincerely,

Jeff Koerner, New Source Review Section
Bureau of Air Regulation
DEP, Division of Air

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Anderson, Lennon
Sent: Tuesday, May 11, 2010 2:49 PM
To: Koerner, Jeff
Cc: McWade, Tammy
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Hi Jeff!

I have received the following questions below, highlighted. Since permitting is being done by your group, please provide a response to Craig Grossenbacher and copy me.

Thanks!

From: Powell, Tim
Sent: Tuesday, May 11, 2010 2:30 PM
To: Anderson, Lennon
Cc: Brien, Linda
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

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From: Grossenbacher, Craig (DERM) [mailto:GrossC@miamidade.gov]
Sent: Tuesday, May 11, 2010 2:26 PM
To: Golden, James; Otero, Luis (DERM); Coughanour, Susan; Holmes, Ruth; Krupa, Steven; Rudnick, David; Hunt, Melody; May, Joseph; Gray, Tim; Powell, Tim
Cc: Hefty, Lee (DERM)
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

How is it that the state can issue a construction permit on behalf of the federal government well before the federally required EIS is performed for the project? This does not make any sense to me. Is this a violation of NEPA or some other federal rule?

From: Golden, James [mailto:jgolden@sfwmd.gov]
Sent: Tuesday, May 11, 2010 1:03 PM
To: Grossenbacher, Craig (DERM); Otero, Luis (DERM); Coughanour, Susan; Holmes, Ruth; Krupa, Steven; Rudnick, David; Hunt, Melody; May, Joseph; Gray, Tim; Powell, Tim
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

The DEP Siting Office has advised me that this is a Federal permit rather than a State permit. These Federal permits are issued out of a DEP office in Tallahassee.

As a reminder, the Site Certification review process only covers State permitting activities, not Federal permitting activities. Federal permitting activities are handled separately.

James J. Golden, AICP
Lead Planner
Intergovernmental Policy & Planning
South Florida Water Management District
(561) 682-6862

From: Grossenbacher, Craig (DERM) [mailto:GrossC@miamidade.gov]
Sent: Tuesday, May 11, 2010 12:40 PM
To: Otero, Luis (DERM); Golden, James; Coughanour, Susan; Holmes, Ruth; Krupa, Steven; Rudnick, David; Hunt, Melody; May, Joseph; Gray, Tim; Powell, Tim; Golden, James
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers
Importance: High

I have attached the DEP notice of intent to issue construction permits for the Units 6 and 7 cooling towers. Yes I am sure that this is for Units 6 and 7, please note the text on PDF page 5 of the first attachment. I am guessing that this is also catching you unawares. Can someone please forward this to Linda Brien? I can't seem to be able to find her email address. Thanks.

From: Jordahl, Claire (DERM)
Sent: Tuesday, May 11, 2010 10:50 AM
To: Grossenbacher, Craig (DERM)
Cc: Muthiah P.E., Mallika; Garcia, Manuel (DERM); Wong, Patrick (DERM)
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

<<0250003-013-AC (PSD-FL-409) Draft Permit.pdf>> <<Proof of Publication 0250003-013-AC.pdf>>

Attached above is the draft air construction permit and the proof of public notice.

The link below is to access all the project documents issued by FDEP including the Technical Evaluation and Intent to Issue the permit.

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0250003.013.AC.D_pdf.zip

Owner/Company Name: FLORIDA POWER and LIGHT (PTF)
Facility Name: TURKEY POINT POWER PLANT
Project Number: 0250003-013-AC/PSD-FL-409
Permit Status: DRAFT
Permit Activity: CONSTRUCTION
Facility County: MIAMI-DADE

Processor: Tammy McWade/Jeff Koerner

Claire M. Jordahl, Engineer II, Air Facilities Section
Miami-Dade County Environmental Resources Management
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From: Muthiah P.E., Mallika
Sent: Tuesday, May 11, 2010 10:42 AM
To: Jordahl, Claire (DERM)
Subject: FW: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Claire,

Please provide a copy of the FPL draft construction permit and the public notice to Craig Grossenbacher.

Thank you.

Mallika Muthiah

From: Grossenbacher, Craig (DERM)
Sent: Tuesday, May 11, 2010 10:22 AM
To: Muthiah P.E., Mallika
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

Can you please get me a copy of the air permit? Thanks.

From: Muthiah P.E., Mallika
Sent: Tuesday, May 11, 2010 10:09 AM
To: Grossenbacher, Craig (DERM)
Cc: Otero, Luis (DERM); Wong, Patrick (DERM); Gordon, Ray (DERM); Garcia, Manuel (DERM); Jordahl, Claire (DERM)
Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers

The Air Quality Management Division provided input to the County item 1MDC-B-3. FPL addressed the Air Quality Management Division's comments in their various responses to the DEP (Air program in Tallahassee) and the County.

Item 2MDC-B-3 is a wetland and surface water issue. The Air Division does not have any further comments.

For your information, a Draft Air Construction Permit for the referenced project was issued by DEP (Division of Air Resource Management) on March 19, 2010 and it was public noticed on April 23, 2010.

Thank you.

Mallika Muthiah, P.E., Chief

Air Facilities Section

Miami-Dade County Environmental Resources Management

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From: Grossenbacher, Craig (DERM)
Sent: Monday, May 10, 2010 4:57 PM
To: Wong, Patrick (DERM); Muthiah P.E., Mallika
Cc: Otero, Luis (DERM)

Subject: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers
Importance: High

Have you been able to review FPL's completeness response on this issue? Here is a clipped version from their response. We would like to meet with you at your earliest convenience to discuss whether this is adequate and if not, to develop a response.

Thanks,

Craig

2MDC-B-3. Miami-Dade County acknowledges that information on deposition that would result from the cooling towers has been provided for some constituents. However, no information has been provided for other constituents that would be deposited in the adjacent wetlands and surface waters including within Biscayne National Park. This information is required in order to assess impacts to surface waters and ecoreceptors pursuant to Chapter 24 of the Miami-Dade County Code and allow Miami-Dade County to prepare the reports required by 403.526 F.S. Additionally, it should be noted that the Wastewater Reuse Plant will require an Unusual Use Zoning Approval. The approval is necessary prior to certification; therefore the information being requested will be necessary for the review of the plant.

RESPONSE:

Additional information has been provided on "other constituents". The concentrations of other constituents in the circulating water for the cooling towers was provided in 1st Round Completeness Responses FDEP-II-B-53, FDEP-II-B-86, FDEP-VI-D-1, SFWMD-B-94 and MDC-B-3. Specifically, the analytical data used in the deposition analysis were provided in 1st Round Completeness Response MDC-B-3 and was included on the attached CD. The analyses for saltwater are included on the attached CD #2 as the Genapure Analytical Services, Inc. April 22, 2009 which was taken at a location in Biscayne Bay near Turkey Point [File name: *Attachment 2MDC-B-3.pdf*]. The assessment of maximum deposition impacts was provided in 1st Round Completeness Response FDEP-VI-D-1 and included information on TDS, nitrogen (TKN), phosphorous (total), sulfur (as sulfate), compounds classified as hazardous air pollutants (HAPs) and volatile organic compounds

(VOCs) pursuant to Rule 62-210.200 F.A.C. and metals (Sb, Cd, Cr, Pb, Mn, Hg, Ni, Se). For HAPs, the deposition estimates included 54 parameters for treated reclaimed water and 107 parameters for saltwater. For VOCs, deposition estimates included 39 parameters for treated reclaimed water and 138 parameters for saltwater. Thus information was provided on 105 parameters for treated reclaimed water and 257 parameters for saltwater.

Moreover, the deposition estimates for HAPs, VOCs and metals were based on either the highest value for each parameter in the samples taken or the method detection limit (MDL) for that specific parameter. For treated reclaimed water, only 5 out of 54 parameters classified as HAPs were above the MDL and only 6 out of 39 parameters classified as VOCs were above the MDL. For saltwater, only 2 out of 107 parameters classified as HAPs were above the MDL and none of 138 parameters classified as VOCs were above the MDL. Only one metal was above the MDL.

The deposition analysis demonstrated that the predicted concentrations at a location in proximity to the circulating water cooling towers (i.e., Biscayne Bay Aquatic Preserve) are more than four orders of magnitude lower for HAPs, VOCs and metals than the ambient concentration observed from the sample taken in Biscayne Bay. Indeed, as described above, the deposition estimates are conservative as many of the parameters assumed the MDL.

Zoning Resolution Z-56-07 approved an unusual use for atomic reactors and ancillary structures and equipment. The FPL reclaimed water treatment facility is an ancillary structure.

Hearing Identifier: TurkeyPoint_COL_Public
Email Number: 103

Mail Envelope Properties (94A2A4408AC65F42AC084527534CF41608A0F3E905)

Subject: RE: FPL Turkey Point Units 6 & 7 Aerosol Air Pollutants from Cooling Towers
Sent Date: 5/14/2010 7:04:14 AM
Received Date: 5/14/2010 7:04:15 AM
From: Kugler, Andrew

Created By: Andrew.Kugler@nrc.gov

Recipients:
"Hefty, Lee (DERM)" <HeftyL@miamidade.gov>
Tracking Status: None
"Otero, Luis (DERM)" <OteroL@miamidade.gov>
Tracking Status: None
"Davis, Matthew (DERM)" <DavisM@miamidade.gov>
Tracking Status: None
"TurkeyCOL Resource" <TurkeyCOL.Resource@nrc.gov>
Tracking Status: None
"Grossenbacher, Craig (DERM)" <GrossC@miamidade.gov>
Tracking Status: None
"Masnik, Michael" <Michael.Masnik@nrc.gov>
Tracking Status: None

Post Office: HQCLSTR01.nrc.gov

Files	**Size**	**Date & Time**
MESSAGE	18683	5/14/2010 7:04:15 AM

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