

IPRenewal NPEmails

From: Logan, Dennis
Sent: Thursday, January 10, 2013 10:05 AM
To: Turk, Sherwin; Wong, Melanie; James, Lois
Cc: IPRenewal NPEmails
Subject: FW: Proposed Wording

FYI -Dennis

From: Gray, Dara F [mailto:DGray@entergy.com]
Sent: Thursday, January 10, 2013 8:40 AM
To: Logan, Dennis; 'Julie Crocker'
Subject: Proposed Wording

Hi Dennis and Julie

I just wanted to get you the proposed wording changes that our counsel provided to Mary Colligan yesterday afternoon, in an effort to facilitate a mutually agreed upon version. As I understand it, the plan is for this to be discussed with Julie Williams on her return next week.

Thanks and please let me know if you have any questions, or need to discuss anything.

1. To implement RPM #1, Entergy must fully implement a NMFS-approved monitoring plan within 120 days of []NMFS' approval of the monitoring plan or so much time as is required to implement any plan component requiring other approvals, e.g., from NRC or NYSDEC, or physical plant alterations. A draft monitoring plan must be provided to NMFS within 60 days of the issuance of this Opinion for NMFS review and approval. The monitoring plan must be implemented throughout the remaining term of the existing operating licenses and any period beyond their expiration that the facilities continue to operate pursuant to those licenses. The monitoring plan must also be implemented through the duration of the operating period authorized by any new operating licenses. The monitoring plan must be designed and implemented to allow for the detection [] of shortnose and Atlantic sturgeon that are impinged anywhere at the intakes, including on the trash bars []or the Ristroph screens []. All references to "Ristroph screens" below are inclusive of all parts of the Ristroph screen system including the screening itself, the fish buckets, and the fish return system. This monitoring plan must contain the following components:

- a. methods and procedure for monitoring, including through visual intake trash rack inspection by walkover, the intake trash bars on a schedule that facilitates detection of [] shortnose and Atlantic sturgeon impinged on the trash bars [Note: This is consistent with the Opinion, which states that most, if not all, sturgeon impinged are already moribund or dead; see Draft, p. 75];
- b. any method developed to monitor the intake trash bars for shortnose and Atlantic sturgeon [] should be designed to facilitate detection of [] individuals impinged at the trash bars within 24 hours of impingement, where practicable [Note: This is consistent with the Opinion, which states that most, if not all, sturgeon impinged are already moribund or dead; see Draft, p. 75];
- c. methods and procedures for monitoring the Ristroph screens, including through visual Ristroph screen inspection by walkover, on a schedule that facilitates [] detection of [] shortnose and Atlantic sturgeon that pass through the trash bars and [] are impinged on the screens [Note: All fish that are impinged on the Ristroph screens are returned to the Hudson through a fish return system specifically designed and demonstrated, through peer-reviewed literature, to optimize impingement survival through automated, immediate release to the River];
- d. any method developed to monitor the Ristroph screens must ensure the detection and inspection of [] shortnose and Atlantic sturgeon prior to their being discharged back into the River [Note: All fish that are impinged on the Ristroph screens are returned to the Hudson through a fish return system specifically designed and demonstrated, through peer-reviewed literature, to optimize impingement survival through automated, immediate release to the River. Any additional handling, as suggested by subsection d, creates impacts to sturgeon not currently experienced. Entergy is

willing to entertain a limited duration assessment that does not entail plant modifications and requires handling of sturgeon, but otherwise objects to the unnecessary mortality associated with the proposed inspections.];

e. a handling and release plan that describes how [] live shortnose and Atlantic sturgeon that are impinged at the trash bars or the Ristroph screens will be safely removed from the water, handled for examination, and returned to the River [See comments to d];

f. handling and disposal procedures for dead shortnose and Atlantic sturgeon or body parts of shortnose and Atlantic sturgeon;

g. procedures for obtaining genetic samples from all shortnose and Atlantic sturgeon;

h. reporting forms that contain all information to be reported for all incidental takes of shortnose and Atlantic sturgeon;

i. procedures for notifying NMFS of all incidental takes;

j. [calculating] the water velocity at the trash bars (approach and through-rack velocity), between the trash bars and Ristroph screens and at the Ristroph screens (approach and through-screen velocity) at IP1, IP2 and IP3 so that this information can be reported any time a take occurs;

k. [calculating] water temperature at the trash bars and at the Ristroph screens at IP1, IP2 and IP3 so that this information can be reported any time a take occurs [];

l. monitoring operating conditions so that this information can be reported any time a take occurs;

m. coordination procedures regarding personnel who will be carrying out this monitoring. Qualifications must be submitted to NMFS for review and approval.

All monitors will need to demonstrate experience in identifying and handling sturgeon species.

and,

n. procedures for making any necessary updates or modifications to the monitoring plan.

Dara Gray, REM

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From: Logan, Dennis

Created By: Dennis.Logan@nrc.gov

Recipients:

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Tracking Status: None
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