



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

March 6, 2013  
NOC-AE-13002969  
10 CFR 54  
STI: 33659164

U. S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555-0001

South Texas Project  
Units 1 and 2  
Docket Nos. STN 50-498, STN 50-499  
Response to Requests for Additional Information  
for the Review of the South Texas Project License Renewal Application  
Concerning Wildlife Management (TAC Nos. ME5122 and ME5123)

- References:
1. STPNOC letter dated October 25, 2010, from G. T. Powell to NRC Document Control Desk, "License Renewal Application" (NOC-AE-10002607) (ML103010257)
  2. NRC letter dated February 15, 2013, "Requests for Additional Information for the Review of the South Texas Project License Renewal Application (ML13037A678)

By Reference 1, STP Nuclear Operating Company (STPNOC) submitted a License Renewal Application (LRA) for South Texas Project (STP) Units 1 and 2. By Reference 2, the NRC staff requests additional information for review of the STP LRA. STPNOC's response to the requests for additional information is provided in Enclosure 1 to this letter.

There are no regulatory commitments in this letter.

Should you have any questions regarding the information included in this response, please contact either Peggy Travis, STP Environmental Group Supervisor, at (361) 972-8573 or Ken Taplett, STP License Renewal Project regulatory point-of-contact, at (361) 972-8416.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 3/6/2013  
Date

  
D. W. Rencurrel  
Senior Vice President

KJT  
Enclosure: STPNOC Response to Requests for Additional Information

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MRR

cc:  
(paper copy)

Regional Administrator, Region IV  
U. S. Nuclear Regulatory Commission  
1600 East Lamar Boulevard  
Arlington, Texas 76011-4511

Balwant K. Singal  
Senior Project Manager  
U.S. Nuclear Regulatory Commission  
One White Flint North (MS 8B1)  
11555 Rockville Pike  
Rockville, MD 20852

Senior Resident Inspector  
U. S. Nuclear Regulatory Commission  
P. O. Box 289, Mail Code: MN116  
Wadsworth, TX 77483

C. M. Canady  
City of Austin  
Electric Utility Department  
721 Barton Springs Road  
Austin, TX 78704

John W. Daily  
License Renewal Project Manager (Safety)  
U.S. Nuclear Regulatory Commission  
One White Flint North (MS O11-F1)  
Washington, DC 20555-0001

Tam Tran  
License Renewal Project Manager  
(Environmental)  
U. S. Nuclear Regulatory Commission  
One White Flint North (MS O11F01)  
Washington, DC 20555-0001

(electronic copy)

A. H. Gutterman, Esquire  
Kathryn M. Sutton, Esquire  
Morgan, Lewis & Bockius, LLP

John Ragan  
Chris O'Hara  
Jim von Suskil  
NRG South Texas LP

Kevin Pollo  
Richard Pena  
City Public Service

Peter Nemeth  
Crain Caton & James, P.C.

C. Mele  
City of Austin

Richard A. Ratliff  
Alice Rogers  
Texas Department of State Health Services

Balwant K. Singal  
John W. Daily  
Tam Tran  
U. S. Nuclear Regulatory Commission

## STPNOC Response to Requests for Additional Information

### SOUTH TEXAS PROJECT, UNITS 1 AND 2 REQUEST FOR ADDITIONAL INFORMATION (TAC NOS. ME4936 AND ME4937)

#### **Background:**

On January 15, 2013, the U.S. Nuclear Regulatory Commission (NRC or the staff) held two public meeting sessions on the NRC's Supplement 48 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (SEIS), regarding the license renewal of South Texas Project (STP). During the evening session, a member of the public had a comment concerning wildlife management on the STP site. Consistent with 10 CFR 51.91 (a)(1) and the staff's review criteria in the Standard Review Plan, the staff requests additional information to complete its review.

#### **Issue:**

The staff does not have sufficient information to verify the accuracy of the comments concerning wildlife management at STP. The comments are reproduced below from the transcript:

*I want to thank the NRC staff for traveling all this way and giving us an opportunity to participate in this process.*

*I'm a Matagorda County native and a business person here locally and a state-licensed wildlife rehabilitator. I live on a 65-acre ranch in Blessing, about eight miles from STP, and I run an animal sanctuary there as well.*

*I really appreciate the opportunity to come and be heard during this scoping process. I believe that accountability, transparency, and the right to challenge industry are very important and that to question is every citizen's duty. I have several areas of this EIS that I would like to fundamentally disagree with and respectfully ask you to reconsider.*

*I continually see and hear that STP is lauded as beneficial to local wildlife and habitat, and that angle is accepted and incorporated into the EIS. This is not what I see as a local citizen and one of only three licensed wildlife rehabilitators here in our county.*

*I see a large corporation doing a great job of showing you and the public the good and beneficial-to-them part of the picture.*

*In reality, the contract granted by STP to deal with wildlife issues goes to the lowest bidder, currently GCA. GCA, as well as previous environmental contractors, requires its employees to destroy bird nests, eggs, and infant birds that nest on the site as part of standard housekeeping.*

*These employees receive no training in applicable laws such as the Migratory Bird Treaty Act, no training on species identification, and don't even know what kind of avian life they're destroying.*

*One year ago this week STP initiated a nuisance-bird eradication program, whereby seed was set out for several days in a row to establish feeding stations on site, and then the seed was replaced with poison.*

*This project was aimed primarily at several protected species of grackles that congregate in large numbers to overwinter on the Texas Gulf Coast. The poisons that are used are neurotoxic, and the animals that ingest them die a horrible death, often beating themselves to death on the ground.*

*Predator species such as hawks, eagles, and owls are drawn to the activity and, by ingesting the tainted birds, they ingest the poisons as well. These are biocumulative in the food chain.*

*I got calls about several raptors on and around the STP site that week that were acting abnormally. One red-tail hawk was brought to my facility but could not be saved.*

*I emailed STP authorities before this poisoning took place and asked them to consider other options. They did not reply to my email, which is attached; I'll leave my comments here.*

*There are much more humane ways to keep the site free of unwanted birds, short of killing them, though maybe none so inexpensive. These kinds of activities must be considered in the scoping process, and we must acknowledge that fact, that profit supersedes environmental concerns.*

*STP also regularly deals with mammals on site with lethal solutions, and when problem animals are relocated, employees lack the training to recognize disease which may be infectious, and they are not trained on the laws that pertain especially to our fur-bearing species.*

*Our wildlife rehabilitation group has offered training to STP personnel at no expense but were told and I quote "We are not ready to take it to that level." Additionally, STP regularly kills entire bee colonies that swarm on site. Honeybee numbers are in serious decline, and most of our food crops depend on their pollination.*

**NRC Request:**

The staff requests information that addresses the validity of the comments reproduced above in their entirety, and to include the following information:

- Provide information on how STP Nuclear Operating Company (STPNOC) ensures groundskeepers and wildlife management workers or contractors receive adequate training in applicable laws such as the Endangered Species Act, the Migratory Bird Treaty Act, and the Bald and Golden Eagle Protection Act. Include information on how STPNOC ensures

that workers or contractors are trained and knowledgeable in identification of protected species that are likely to occur on the South Texas site.

**STPNOC Response:**

STPNOC does not provide employees or contractors specific training on the Endangered Species Act, the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. STPNOC does not provide employees training on identification of protected species that are likely to occupy on the South Texas site.

STPNOC uses the services of personnel that are licensed in their field of expertise as needed. Examples include:

- Janak Alligators LLC for relocating nuisance alligators and nest stamps,
- United States Department of Agriculture (USDA) for wildlife damage management under a Non-Commercial Political Pesticide Applicators License,
- Orkin Services for bee eradication under TPCL 710GG), and
- Gulf Coast Wildlife Rescue – a permitted wildlife rehabilitator.

**NRC Request:**

- If State-or Federally protected species are identified on the site during grounds maintenance, what procedures do workers or contractors follow to ensure compliance with applicable statutes?

**STPNOC Response:**

Site procedure 0PGP03-ZO-0025, "Site Environmental Compliance," provides instructions for site workers on wildlife protection and control. The purpose of this procedure is to provide guidelines necessary for site compliance with applicable non-radiological environmental laws, regulations, procedures, and commitments at the South Texas site. This procedure prohibits site personnel other than the licensed animal controller available to the site or those individuals designated by the site Facilities Management Group from engaging in wildlife protection and control measures or taking any action that may cause harm to any wildlife found on site. STPNOC uses the services of personnel that are licensed in their field of expertise as needed. Examples of these service organizations are provided in the preceding response.

**NRC Request:**

- Does STPNOC or its contractors remove or destroy any bird nests, eggs, or infant birds as part of site maintenance? Provide a description of the procedure that STPNOC or its contractors follow for such activities. Include a description of any coordination with State or Federal agencies that would take place.

**STPNOC Response:**

Site procedure 0PGP03-ZO-0025, Site Environmental Compliance, provides instructions for site workers regarding bird's nests, eggs or infant birds. The procedure states "No site personnel shall disturb, move or destroy an active bird nest, eggs, or young." The procedure also states "If young are inadvertently dislodged from a nest or found separated from their nest, Facilities Management should be contacted and the young protected if possible until arrival of Facilities personnel." A permitted wildlife rehabilitator may be consulted on specific instances. Local permitted wildlife rehabilitators are used for the care of injured or wounded birds.

**NRC Request:**

- Clarify whether or not STPNOC has a "nuisance-bird eradication program." If such a program exists, please provide a description of the program and any information addressing the issues raised in the comments above, concerning the use of neurotoxins, targeting of protected grackle species, and indirect impacts to raptor species.

**STPNOC Response:**

STPNOC does not have a site nuisance-bird eradication program but has requested assistance from the USDA Wildlife Services for wildlife damage management activities when necessary. This includes bird depredation for the safety and protection of plant personnel and equipment. The bird depredation activities are performed on an as-needed basis by the USDA at STPNOC's request to control the overpopulation of Blackbird species, which could include the Common Grackle, that pose a health or safety hazard to site employees and equipment. The services were performed from 2001-2005 and then discontinued until 2010. The services were performed again in 2010, 2011 and February 2013. When services are requested, the USDA Animal and Plant Health Service monitor the bird activity using a pre-bait to determine the number of target and non-target species present. Once an acceptable location is determined, the USDA replaces the pre-bait with Compound DRC-1339; a slow-acting avicide registered for controlling certain species of birds that damage agricultural crops, personal property or prey upon federally-designated threatened or endangered species. DRC-1339 rapidly degrades and has no documented mortalities in raptors or scavenger mammals. STPNOC also uses Fog Force™, which is a bird repellent, during refueling outages when the personnel population onsite is at its maximum. STPNOC has used various bird deterrent measures in the past, including falcons, avian laser dispersal agents, butane cannons, deterrent bird spikes, plastic owls, bird screen netting and prey calls.

**NRC Request:**

- Provide a description of any wildlife management procedures or protocol related to mammals on site. Provide information addressing the issues raised in the comments concerning killing and relocating mammals and lack of employee training.

STPNOC Response:

Site procedure OPGP03-ZO-0025, "Site Environmental Compliance," contains a section relating to wildlife protection and control. The procedure restricts handling of wildlife onsite to the licensed animal controller or individuals designated by Facilities Management. Mammals found in areas that potentially pose a health or safety threat to employees or equipment are trapped and relocated.

NRC Request:

- Provide information addressing the issue raised in the comments concerning killing bee colonies on the South Texas site. If this activity occurs, please provide details on the species targeted, the method of targeting, and any associated monitoring.

STPNOC Response:

The site eradicates bee colonies (swarms) when they are in populated areas that may pose a health and safety threat to employees or plant equipment. These bees are eradicated by a contracted Pest Controller or individuals designated by Facilities Management. Bee colonies and swarms that do not pose a health or safety concern, such as those in non-populated areas, are left undisturbed. Specific species are not targeted.

NRC Request:

- Provide any available information on STPNOC's past or current coordination or contact with State and Federal wildlife agencies for any on-site wildlife management activities.

STPNOC Response:

STPNOC uses State or Federal licensed personnel as needed for on-site wildlife management activities. Examples include:

- Janak Alligators LLC for alligator relocation and nest stamping and egg collection,
- Orkin Services for bee eradication that pose a potential health or risk to personnel or equipment,
- USDA for bird damage control activities if needed, and
- Gulf Coast Wildlife Rescue for wildlife rehabilitation services.

The USDA Natural Resources Conservation Service and the United States Fish and Wildlife Service often participate in annual colonial water bird surveys onsite at STP. STPNOC also hosted the Texas Parks and Wildlife Department efforts in December 2010 to capture, band, and identify various bird species onsite. There are no activities ongoing currently with State and Federal agencies regarding wildlife management.