



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

February 27, 2014

Mr. Tom Melius
Midwest Regional Director
U.S. Fish and Wildlife Service
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458

**SUBJECT: REQUEST FOR CONCURRENCE ON THE EFFECTS OF THE PROPOSED
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1, LICENSE RENEWAL
ON THREATENED AND ENDANGERED SPECIES**

Dear Mr. Melius:

With this letter, and in accordance with the Endangered Species Act of 1973, as amended (ESA), the U.S. Nuclear Regulatory Commission (NRC) requests your concurrence with NRC's determination that the proposed license renewal of Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse), is not likely to adversely affect any Federally listed or proposed species or critical habitats under the U.S. Fish and Wildlife Services's (FWS's) jurisdiction.

Project Summary

Davis-Besse lies in Carroll Township, Ottawa County, approximately 25 miles east of Toledo, Ohio. Davis-Besse is a one-unit nuclear-powered steam electric generating facility that uses a cooling tower-based heat-dissipation system.

The NRC's Federal action is the decision whether to renew the Davis-Besse operating license for an additional 20 years of operation. Davis-Besse's current operating license expires in 2017. If approved, the license renewal would allow Davis-Besse to operate through 2037. The NRC considered the remainder of the current operating license term as well as the renewed operating license term in its analysis of effects to Federally protected species and habitats.

The Davis-Besse site encompasses 954 acres, of which approximately 733 acres (designated as "Navarre Marsh") is leased to the FWS for management as part of the Ottawa National Wildlife Refuge. The remaining 221 acres of the site contain woodlands, low grasslands, marginal agricultural land, as well as areas developed for industrial use that contain the reactor containment building and related structures, a switchyard, administration buildings, and parking lots. The proposed license renewal would include continued operation of the site and continued lease of Navarre Marsh to the FWS. The license renewal would also include replacement of the facility's steam generators in the spring of 2014. This activity would necessitate the disturbance of less than 10 acres of previously disturbed land for construction of several temporary and permanent buildings on the site.

Davis-Besse withdraws about 21,000 gallons per minute of water from Lake Erie for cooling purposes. Water is withdrawn at a rate of about 0.25 feet per second from a point approximately 3,000 feet offshore. Heated water is discharged to the lake through a 6-foot-

diameter buried pipe located about 9 feet below the lake's surface. During normal operations, an average of 11,000 gallons per minute of water is discharged at a rate of 3.6 feet per second.

Request for Concurrence with the NRC's ESA Effect Determinations

The NRC has performed an assessment of whether the proposed license renewal of Davis-Besse has the potential to adversely affect any Federally listed or proposed species or critical habitats. This assessment is documented in the enclosed draft Supplement 52 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (SEIS), regarding the license renewal of Davis-Besse, which the NRC prepared pursuant to the National Environmental Policy Act of 1969, as amended (NEPA). In accordance with the provisions of Title 50, Part 402.06 of the *Code of Federal Regulations* (10 CFR 402.06), the NRC has included its assessment of Federally listed species in the SEIS, and the NRC considers the SEIS to fulfill the staff's requirement to prepare a biological assessment in accordance with 50 CFR 402.12.

In Sections 2.2.8 and 4.8 of the SEIS, the NRC staff concludes that continued operation of Davis-Besse during the license renewal term may affect, but is not likely to adversely affect the Indiana bat (*Myotis sodalis*). The staff also concludes that the proposed license renewal would have no effect on the piping plover (*Charadrius melodus*), the eastern prairie fringed orchid (*Platanthera leucophaea*), or the lakeside daisy (*Hymenoxys acaulis* var. *glabra*).

The staff did not identify any proposed species or proposed or designated critical habitat within the action area and, thus, conclude that the proposed license renewal would have no effect on any species or habitats with these designations.

With this letter, we are requesting FWS's concurrence with the staff's effect determinations under section 7 of the ESA. In reaching our conclusions, the NRC staff relied on information provided by the applicant, analyses performed by NRC staff, information from the FWS, the Ohio Department of Natural Resources's natural heritage database, and available scientific literature.

Request for NEPA Comments on Draft SEIS

As indicated above, the NRC is also performing a NEPA review for the proposed Davis-Besse license renewal. The NRC prepared the enclosed draft SEIS in accordance with 10 CFR Part 51, the NRC's regulation that implements NEPA, and is now seeking comments on the document through April 14, 2014. During the draft SEIS comment period, the NRC staff plans to hold two public environmental meetings at the Camp Perry Conference Center, 1000 Lawrence Road, Building 600, Port Clinton, Ohio, 43452, on Tuesday March 25, 2014, from 2:00 p.m. until 4:00 p.m. and from 7:00 p.m. until 9:00 p.m. I invite you and your staff to both attend the public meetings and to submit comments on the draft SEIS. See the enclosed *Federal Register* notice or go to <http://www.Regulations.gov> and search for documents filed under Docket ID NRC-2010-0298 for additional information on the NEPA process and on how to submit draft SEIS comments.

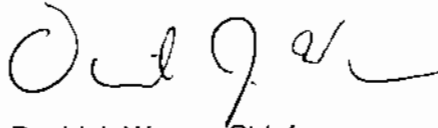
If you have any questions regarding the staff's request, please contact Ms. Briana Grange, Biologist, at 301-415-1042 or by e-mail at briana.grange@nrc.gov.

T. Melius

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I have also forwarded a copy of this letter to Ms. Mary Knapp, Field Office Supervisor, of your Ohio Ecological Services Field Office. Ms. Knapp responded to NRC's request for NEPA scoping comments on the proposed Davis-Besse license renewal in 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Wrona", with a long horizontal flourish extending to the right.

David J. Wrona, Chief
Environmental Review
and Guidance Update Branch
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosures:
As stated

T. Melius

- 3 -

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/RA/

David J. Wrona, Chief
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and Guidance Update Branch
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Docket No. 50-346

Enclosures:
As stated

DISTRIBUTION: See next page

ADAMS Accession Nos.: ML14041A392 (package), ML13177A030 (letter)
Enclosures: ML14050A290 (draft SEIS), ML14050A521 (FRN)

OFFICE	LA:DLR	AB:RERB:DLR	PM:RPB2:DLR	LA:DLR	BC:RERB:DLR
NAME	IKing	BGrange	BWittick	IKing	DWrona
DATE	6/28/13	2/20/14	2/26/14	2/27/14	2/27/14

OFFICIAL RECORD COPY

Letter to T. Melius from D. Wrona dated February 27, 2014

**SUBJECT: REQUEST FOR CONCURRENCE ON THE EFFECTS OF THE PROPOSED
 DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1, LICENSE RENEWAL
 ON THREATENED AND ENDANGERED SPECIES**

DISTRIBUTION:

HARD COPY:

Ms. Mary Knapp
Field Supervisor
U.S. Fish and Wildlife Service
Ohio Ecological Services Field Office
4625 Morse Rd., Suite 104
Columbus, OH 43230

E-MAIL:

PUBLIC
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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-346; NRC-2010-0298]

License Renewal Application for Davis-Besse Nuclear Power Station, Unit 1

AGENCY: Nuclear Regulatory Commission.

ACTION: Draft supplemental generic environmental impact statement; issuance, public meeting, and request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft plant-specific Supplement 52 to the "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants," NUREG-1437, regarding the renewal of operating license NPF-3 for an additional 20 years of operation for Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse). Davis-Besse is located in Ottawa County, Ohio. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC staff plans to hold two public meetings during the public comment period to present an overview of the draft plant-specific supplement to the GEIS and to accept public comments on the document.

DATES: Submit comments by April 21, 2014. Comments received after this date will be considered, if it is practical to do so, but the NRC staff is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2010-0298. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; e-mail: Carol.Gallagher@nrc.gov. For technical questions, contact the individual listed in the FOR FURTHER INFORMATION CONTACT section of this document.

- **Mail comments to:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch, Office of Administration, Mail Stop: 3WFN-06-44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the SUPPLEMENTARY INFORMATION section of this document.

FOR FURTHER INFORMATION CONTACT: Elaine Keegan, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-8517 or by e-mail at Elaine.Keegan@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Accessing Information and Submitting Comments.

A. Accessing Information

Please refer to Docket ID NRC-2010-0298 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2010-0298.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

You may access publicly available documents online in the NRC Library at

<http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr_resource@nrc.gov. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced. The draft plant-specific Supplement 52 to the GEIS, is available in ADAMS under Accession No. ML14050A290.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. In addition, paper copies of the draft plant specific Supplement 52 are available to the public 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, 43452.

B. Submitting Comments

Please include Docket ID NRC-2010-0298 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

II. Discussion.

The NRC is issuing for public comment a draft plant-specific Supplement 52 to the GEIS, regarding the renewal of operating license NPF-3 for an additional 20 years of operation for Davis-Besse. Supplement 52 to the GEIS includes the preliminary analysis that evaluates the environmental impacts of the proposed action and alternatives to the proposed action. The NRC's preliminary recommendation is that the adverse environmental impacts of license

renewal for Davis-Besse are not great enough to deny the option of license renewal for energy planning decisionmakers.

III. Public Meetings.

The NRC staff will hold public meetings prior to the close of the public comment period to present an overview of the draft plant-specific supplement to the GEIS and to accept public comment on the document. Two meetings will be held at the Camp Perry Conference Center, 1000 Lawrence Road, Bldg 600, Port Clinton, Ohio 43453 on Tuesday, March 25, 2014. The first session will convene at 2:00 p.m. and will continue until 4:00 p.m., as necessary. The second session will convene at 7:00 p.m. and will continue until 9:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the draft plant-specific supplement to the GEIS, and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the same location. No comments on the draft supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meeting or in writing. Persons may pre-register to attend or present oral comments at the meeting by contacting Elaine Keegan, the NRC Environmental Project Manager, at 1-800-368-5642, extension 8517, or by e-mail at Elaine.Keegan@nrc.gov no later than Wednesday, March 19, 2014. Members of the public may also register to provide oral comments 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. If special equipment or accommodations are needed to attend or present information at the public meeting, the need

should be brought to Ms. Keegan's attention no later than Monday, March 10, 2014, to provide the NRC staff adequate notice to determine whether the request can be accommodated.

Dated at Rockville, Maryland, this 24th day of February, 2014.

For the Nuclear Regulatory Commission.

/RA/

Brian D. Wittick, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation