

Craver, Patti

From: Susco, Jeremy
Sent: Friday, May 25, 2012 12:49 PM
To: 'ritchie.graves@noaa.gov'
Cc: 'richard.domingue@noaa.gov'; Logan, Dennis; Balsam, Briana; 'mark.eames@noaa.gov'
Subject: Re: continuation of section 7 consultation

Ritchie,

That sounds like a good plan. Talk to you then.

Jeremy

Sent from my NRC BlackBerry

(b)(6)

From: Ritchie Graves <ritchie.graves@noaa.gov>
To: Susco, Jeremy
Cc: richard.domingue@noaa.gov <richard.domingue@noaa.gov>; Logan, Dennis; Balsam, Briana; Mark Eames <mark.eames@noaa.gov>
Sent: Fri May 25 12:35:47 2012
Subject: Re: continuation of section 7 consultation

Jeremy:

Thanks for the update. We are considering where this puts us in the ESA consultation process - which is, I'm sure you would agree, complicated by the lack of NRC authorities over the water intake structure for the plant. Once we've decided how best to proceed, I suggest we have a brief conference call to discuss our conclusions, needs for documentation, and next steps.

Best wishes,
Ritchie

Ritchie Graves
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On Thu, May 17, 2012 at 1:43 PM, Susco, Jeremy <Jeremy.Susco@nrc.gov> wrote:

Mr. Graves,

Our staffs have been interacting regarding an ongoing Endangered Species Act section 7 consultation for Columbia Generating Station, and I would like to provide you an update on our plans.

We received copies of the May 7, 2012, letters that NMFS sent to the EPA and the State of Washington regarding the pending application by Columbia Generating Station for a NPDES permit renewal, in which NMFS' acknowledges NRC's lack of authority under the Clean Water Act to set requirements for Columbia's intake and discharge structures. The letters also refer to the NRC's renewed operating license decision as occurring in June 2012. Recently, the NRC moved that schedule ahead and now intends to grant Energy Northwest (the licensee) a renewed operating license on May 22, 2012.

The issuance of the renewed operating license will not affect our ongoing consultation with NMFS. We fully intend to continue to consult with NMFS regarding the two Federally listed species until NMFS has made its effect determinations and concludes the section 7 consultation. If NMFS, as a result of consultation, suggests modifications that the NRC and Energy Northwest could implement to avoid the likelihood of adverse effects to listed species, issuing the renewed operating license would not affect the NRC's authority to implement such modifications.

Please let me know if you have any questions about this information. My staff will continue to work with Rich Domingue regarding the ongoing consultation.

Sincerely,

Jeremy Susco

Acting Branch Chief

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