

December 31, 2013

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

SUBJECT: Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station
Docket No.: 50-293
License No.: DPR-35

REFERENCES:

1. Letter, D. S. Morris, United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, to A. S. Imboden, Chief, Environmental Review and Guidance Update Branch, U.S. Nuclear Regulatory Commission, *Pilgrim Nuclear Power Station*, May 17, 2012.
2. Letter, J. K. Bullard, United States Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, to A. Hull, Acting Chief, Environmental Review and Guidance Update Branch, U.S. Nuclear Regulatory Commission, *Pilgrim Nuclear Power Station*, April 24, 2013.

LETTER NUMBER: 2.13.102

Dear Sir or Madam:

On May 17, 2012, the National Marine Fisheries Service (NMFS) issued Reference 1, a consultation letter, which concluded that the continued operation of the Pilgrim Nuclear Power Station (Pilgrim) under the terms of a renewed license is not likely to adversely affect any listed species under NMFS jurisdiction. The letter further concluded that the continued operation of Pilgrim will have no effect on the right whale critical habitat.

Reference 1 further stated, erroneously, that:

“As a condition of their existing license, Entergy must report to NRC any observations of listed species.”

There are no current conditions of the Pilgrim Operating License that require reporting of such observations. Pilgrim continues to conduct environmental monitoring under its National Pollutant Discharge Elimination System (NPDES) permit, which includes impingement and entrainment monitoring. Although the current scope of monitoring does not specifically address listed species, Pilgrim recognizes the appropriateness of promptly reporting to NMFS any observed incidental taking of an endangered marine species. Any such report would then be

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reported to NRC in accordance with 10 CFR 50.72(b)(2)(xi), *News Release or Notification of Other Government Agency*.

In Reference 2, NMFS recognized the erroneous statement in its consultation letter and requested that the NRC require the reporting of observations of listed species. Pilgrim is not aware of any basis for imposing such a requirement. There is no indication of any incidental taking of an endangered species having resulted from Pilgrim's operation over the last forty years. Further, both NMFS and NRC have determined that any impact on an endangered species is unlikely.

Nevertheless, Pilgrim will be supplementing the plant's environmental monitoring to include reporting of any confirmed sightings of listed whales in the vicinity of Pilgrim Station. This would combine an opportunistic whale sighting by qualified individuals at the site with assistance from an outside organization with expertise in the identification of whale species. A representative description of this protocol, which is currently being proceduralized, is provided as Attachment 1.

This letter contains one new regulatory commitment, which is identified in Attachment 2 to this letter.

Please do not hesitate to contact Mr. Joseph R. Lynch, (508) 830-8403, if there are any questions regarding this submittal.

Sincerely,



David Noyes
Director, Regulatory and Performance Improvement

Attachment 1: Representative Description of Whale Sighting Protocol
Attachment 2: Pilgrim Nuclear Power Station List of Regulatory Commitments.

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Pilgrim Nuclear Power Station

ATTACHMENT 1

PNPS Letter 2.13.102

Pilgrim Nuclear Power Station (PNPS)

REPRESENTATIVE DESCRIPTION OF WHALE SIGHTING PROTOCOL

Initial Whale Sighting - Notify Control Room.	Security Officer or other qualified employee determines that there is a whale sighting in the vicinity of Pilgrim Station. Control Room is contacted immediately.
Control Room contacts cognizant Entergy individual.	Control Room then calls cognizant Entergy individual to permit Whale Expert's access to the site.
Whale Expert contacted to prompt site visit.	Entergy initiates immediate verbal contact with Whale Expert and arranges for priority site visit.
Whale Expert escorted into OCA to confirm whale sighting.	Whale Expert visitor escorted to the shorefront for whale observation. This independent confirmation of the whale observation is critical.
If possible, Whale Expert then identifies the whale(s) and determines if species is "Listed".	If possible, Whale Expert identifies the species of whale(s). Determination then made whether or not species is "Listed" (if on list of Endangered or Threatened species).
Whale Expert informs Control Room whether sighting was of "Listed Whale" or not.	Control Room is promptly informed of whether or not whale(s) could be identified and, if so, whether species is "Listed". If whale is found to be a "Listed" species then this observation must be reported to NRC and NMFS (National Marine Fisheries Service).
If reportable, Control Room notifies NRC.	If this whale sighting is determined to be reportable then Operations completes a 4-hour notification to NRC per 10CFR50.72(b)(2)(xi).
If reportable, Whale Expert notifies NMFS of "Listed Whale" sighting.	Whale Expert reports sighting of "Listed Whale" to NMFS.
Follow up actions and documentation performed.	Pertinent information and actions are documented in a condition report. Any appropriate internal notifications and actions are performed. Site maintains surveillance.

ATTACHMENT 2

PNPS Letter 2.13.102

Pilgrim Nuclear Power Station (PNPS)

LIST OF REGULATORY COMMITMENTS

List of Regulatory Commitments

The following table identifies those actions committed to by Entergy in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments.

COMMITMENT	TYPE (Check One)		SCHEDULED COMPLETION DATE (If Required)
	ONE- TIME ACTION	CONTINUING COMPLIANCE	
Entergy commits to supplement its existing environmental monitoring program to include any potential whale sightings in the vicinity of Pilgrim Station.		✓	March 1, 2014