



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

January 13, 1981

Docket No. 50-261

Mr. J. A. Jones
Senior Vice President
Carolina Power & Light Company
336 Fayetteville Street
Raleigh, North Carolina 27602

Dear Mr. Jones:

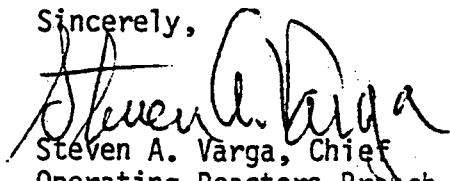
By letter dated March 17, 1980, you proposed non-radiological environmental specifications for the H. B. Robinson Steam Electric Plant, Unit No. 2.

We have reviewed your proposed specifications and considered them in developing the enclosed draft Environmental Protection Plan (EPP). The EPP, which when approved will become Appendix B to the Robinson Unit No. 2 license, is based on a format developed by an NRC Task Force on "Standardized Environmental Technical Specifications". The NRC draft EPP differs in format from your proposal although the scope and content are nearly identical, except for the use of herbicides. It is our understanding that herbicides have not been used at Robinson in the past. By including a requirement on the controlled use of herbicides, it would be unnecessary for you to request NRC review of any future use of herbicides provided that the conditions in Section 4.2.1 of the EPP are met. Since the format is different and the use of herbicides is now included, we feel you should have an opportunity to review the enclosed draft EPP.

Your letter of March 17, 1980, stated that no license fee is required because these specifications were requested by NRC in support of the Robinson power increase granted in June 1979. Requests by NRC, except by order, do not exempt you from the requirement to submit a fee. This is a Class III review and you should therefore remit a fee of \$4,000.00.

It is requested that you respond within 30 days of receipt of this letter.

Sincerely,


Steven A. Varga, Chief
Operating Reactors Branch #1
Division of Licensing

Enclosures & cc:
See next page

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Mr. J. A. Jones

-2-

Enclosure:
Draft Environmental Protection
Plan

cc w/enclosure:

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Hartsville Memorial Library
Home and Fifth Avenues
Hartsville, South Carolina 29550

Mr. McCuen Morrell, Chairman
Darlington County Board of Supervisors
County Courthouse
Darlington, South Carolina 29535

State Clearinghouse
Division of Policy Development
116 West Jones Street
Raleigh, North Carolina 27603

Attorney General
Department of Justice
Justice Building
Raleigh, North Carolina 27602

U. S. Nuclear Regulatory Commission
Resident Inspector's Office
H. B. Robinson Steam Electric Plant
Route 5, Box 266-1A
Hartsville, South Carolina 29550

Michael C. Farrar, Chairman
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Appeal Board Panel
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Richard S. Salzman
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Appeal Board Panel
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Washington, D. C. 20555

U. S. Environmental Protection
Agency
Region IV Office
ATTN: EIS COORDINATOR
345 Courtland Street, N.E.
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Appeal Board Panel
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Director, Criteria and Standards
Division
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(ANR-460)
U. S. Environmental Protection
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Washington, D. C. 20460

APPENDIX B

TO FACILITY OPERATING LICENSE NO. DPR-23
H. B. ROBINSON NUCLEAR STEAM-ELECTRIC PLANT
UNIT 2

CAROLINA POWER AND LIGHT COMPANY

DOCKET NO. 50-261

ENVIRONMENTAL PROTECTION PLAN

H. B. ROBINSON NUCLEAR STEAM-ELECTRIC PLANT

UNIT 2

ENVIRONMENTAL PROTECTION PLAN

(NON-RADIOLOGICAL)

TABLE OF CONTENTS

Section	Page
1.0 Objectives of the Environmental Protection Plan	1-1
2.0 Environmental Protection Issues	2-1
2.1 Aquatic Issues	2-1
2.2 Terrestrial Issues	2-2
3.0 Consistency Requirements	3-1
3.1 Plant Design and Operation	3-1
3.2 Reporting Related to the NPDES Permits and State Certification.	3-2
3.3 Changes Required for Compliance with Other Environmental Regulations	3-3
4.0 Environmental Conditions	4-1
4.1 Unusual or Important Environmental Events	4-1
4.2 Environmental Monitoring	4-1
5.0 Administrative Procedures	5-1
5.1 Review and Audit	5-1
5.2 Records Retention	5-1
5.3 Changes in Environmental Protection Plan	5-1
5.4 Plant Reporting Requirements	5-2

1.0 Objectives of the Environmental Protection Plan

The Environmental Protection Plan (EPP) is to provide for protection of environmental values during construction and operation of the nuclear facility. The principal objectives of the EPP are as follows:

- (1) Verify that the plant is operated in an environmentally acceptable manner, as established by the FES and other NRC environmental impact assessments.
- (2) Coordinate NRC requirements and maintain consistency with other Federal, State and local requirements for environmental protection.
- (3) Keep NRC informed of the environmental effects of facility construction and operation and of actions taken to control those effects.

Environmental concerns identified in the FES which relate to water quality matters are regulated by way of the licensee's NPDES permit.

2.0 Environmental Protection Issues

In the FES-OL dated April 1975, the staff considered the environmental impacts associated with the continued operation of the H. B. Robinson Nuclear Steam-Electric Plant, Unit 2. Certain environmental issues were identified which required study or license conditions to resolve environmental concerns and to assure adequate protection of the environment.

2.1 Aquatic Issues

In the FES-OL, the staff identified the need for an ecological monitoring program to verify that continued operation does not significantly increase the level of impacts on the ecological parameters considered by the staff in its assessments (FES-OL Section 5.5.2.5). For the above purpose, the staff found the licensee's demonstration program, as proposed to EPA pursuant to Section 316 of the Clean Water Act, to be acceptable with the following additional requirements:

- (i) Implementation of a staff-approved program for collection of fish impingement and ichthyoplankton entrainment data, and
- (ii) Continuation of the ecological monitoring program for a minimum period of two years. (FES-OL Section 6.2.3)

The licensee has conducted the EPA-approved Section 316 program which addressed both of the additional requirements recommended by the staff. The Regional Administrator of EPA Region IV has found the plant to be in

compliance with Section 316(a) and Section 316(b) based on the licensee's demonstration program.

The NRC will rely on the EPA and the State of South Carolina for the continued protection of the aquatic environment from non-radiological operational impacts via the NPDES permit and State certification.

2.2 Terrestrial Issues

With regard to terrestrial impacts, the staff concluded in the FES-OL that continued operation of the plant and its associated transmission system would result in an acceptable level of impact (FES-OL Section 5.5.1.3). Monitoring of terrestrial biota in the vicinity of Robinson Lake was included as a part of the licensee's successful demonstration program under Section 316(a) of the Clean Water Act. There were no issues raised via the study results which would necessitate further monitoring of terrestrial biota.

The staff has identified the need for controlled use of herbicides if such are used for maintenance of transmission rights-of-way. NRC requirements with regard to this terrestrial issue are specified in Subsection 4.2 of this EPP.

3.0 Consistency Requirements

3.1 Plant Design and Operation

The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question, and do not involve a change in the Environmental Protection Plan.* Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to the requirements of this EPP. Activities governed by Section 3.3 are not subject to the requirements of this section.

Before engaging in additional construction or operational activities which may affect the environment, the licensee shall prepare and record an environmental evaluation of such activity. When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide a written evaluation of such activities and obtain prior approval from the Director, Office of Nuclear Reactor Regulation. When such activity involves a change in the Environmental Protection Plan, such activity and change to the Environmental Protection Plan may be implemented only in accordance with an appropriate license amendment as set forth in Section 5.3.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated

* This provision does not relieve the licensee of the requirements of 10 CFR §50.59.

in the final environmental statement (FES) as modified by staff's testimony to the Atomic Safety and Licensing Board, supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents or power level [in accordance with 10 CFR Part 51.5(b)(2)] or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this Subsection, which may have a significant adverse environmental impact.

The licensee shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provide bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question nor constitute a decrease in the effectiveness of this EPP to meet the objectives specified in Section 1.0. The licensee shall include as part of his Annual Environmental Operating Report (per Subsection 5.4.1) brief descriptions, analyses, interpretations, and evaluations of such changes, tests and experiments.

3.2 Reporting Related to the NPDES Permits and State Certifications

Violations of the NPDES Permit or the State certification (pursuant to Section 401 of the Clean Water Act) shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit or certification. The licensee shall also provide the NRC with copies of the results of the following studies at the same time they are submitted to the permitting agency:

- i) Section 316 studies, if required for NPDES permit renewal

ii) Chlorine Minimization Study

iii) Other biological studies which are submitted to the NPDES permitting agency.

Changes and additions to the NPDES Permit or the State certification shall be reported to the NRC within 30 days following the date the change is approved. If a permit or certification, in part or in its entirety, is appealed and stayed, the NRC shall be notified within 30 days following the date the stay is granted.

The NRC shall be notified of changes to the effective NPDES Permit proposed by the licensee by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The notification of a licensee-initiated change shall include a copy of the requested revision submitted to the permitting agency. The licensee shall provide the NRC a copy of the application for renewal of the NPDES permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in plant design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

4.0 Environmental Conditions

4.1 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to plant operation shall be recorded and promptly reported to the NRC within 24 hours by telephone, telegraph, or facsimile transmissions followed by a written report per Subsection 5.4.2. The following are examples: excessive bird impaction events, onsite plant or animal disease outbreaks, mortality or unusual occurrence of any species protected by the Endangered Species Act of 1973, fish kills, increase in nuisance organisms or conditions and unanticipated or emergency discharge of waste water or chemical substances.

No routine monitoring programs are required to implement this condition.

4.2 Environmental Monitoring

4.2.1 Herbicide Application

The use of herbicides within the transmission corridor rights-of-way shall conform to the approved use of selected herbicides as registered by the Environmental Protection Agency and approved by State authorities and applied as directed by said authorities.

Records shall be maintained by the licensee concerning herbicide use. Such records shall include the following information: commercial and chemical names of materials used; concentration of active material in formulations diluted for field use; diluting substances other than water; rates of application; method and frequency of application; location; and the date of

application. Such records shall be maintained for a period of 5 years and be made readily available to the NRC upon request. There shall be no routine reporting requirement associated with this condition.

5.0 Administrative Procedures

5.1 Review and Audit

The licensee shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

5.2 Records Retention

Records and logs relative to the environmental aspects of plant operation shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to NRC on request.

Records of modifications to plant structures, systems and components determined to potentially affect the continued protection of the environment shall be retained for the life of the plant. All other records, data and logs relating to this EPP shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

5.3 Changes in Environmental Protection Plan

Request for change in the Environmental Protection Plan shall include an assessment of the environmental impact of the proposed change and a supporting justification. Implementation of such changes in the EPP shall not commence

prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the Environmental Protection Plan.

5.4 Plant Reporting Requirements

5.4.1 Routine Reports

An Annual Environmental Operating Report describing implementation of this EPP for the previous year shall be submitted to the NRC prior to May 1 of each year. The initial report shall be submitted prior to May 1 of the year following issuance of the operating license. The period of the first report shall begin with the date of issuance of the operating license.

The report shall include summaries and analyses of the results of the environmental protection activities required by Subsection 4.2 of this Environmental Protection Plan for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous non-radiological environmental monitoring reports, and an assessment of the observed impacts of the plant operation on the environment. If harmful effects or evidence of trends towards irreversible damage to the environment are observed, the licensee shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Environmental Operating Report shall also include:

- (a) A list of EPP noncompliances and the corrective actions taken to remedy them.

(b) A list of all changes in station design or operation, tests, and experiments made in accordance with Subsection 3.1 which involved a potentially significant unreviewed environmental issue.

(c) A list of nonroutine reports submitted in accordance with Subsection 5.4.2.

In the event that some results are not available by the report due date, the report shall be submitted noting and explaining the missing results. The missing data shall be submitted as soon as possible in a supplementary report.

5.4.2 Nonroutine Reports

A written report shall be submitted to the NRC within 30 days of occurrence of nonroutine event. The report shall (a) describe, analyze, and evaluate the event, including extent and magnitude of the impact and plant operating characteristics, (b) describe the probable cause of the event, (c) indicate the action taken to correct the reported event, (d) indicate the corrective action taken to preclude repetition of the event and to prevent similar occurrences involving similar components or systems, and (e) indicate the agencies notified and their preliminary responses.

Events reportable under this subsection which also require reports to other Federal, State or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this subsection. The shall be provided a copy of such report at the same time it is submitted other agency.