



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

November 19, 2015

Ms. Elizabeth Poole
NEPA Implementation Section
US EPA - Region 5
77 W Jackson Blvd Mail Code: E-19J
Chicago, IL 60604

SUBJECT: RESPONSE TO ENVIRONMENTAL PROTECTION AGENCY COMMENTS REGARDING THE FINAL PLANT-SPECIFIC SUPPLEMENT 54 TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING BYRON STATION, UNITS 1 AND 2 (TAC NOS. MF1790 AND MF1791)

Dear Ms. Poole:

On August 27, 2015, the Environmental Protection Agency (EPA), Region 5, provided comments to the Final Supplemental Environmental Impact Statement (SEIS) pertaining to the license renewal of Byron Station, Units 1 and 2 (Byron) (NUREG-1437, Supplement 54) (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15275A157). In that letter EPA acknowledged that the U.S. Nuclear Regulatory Commission (NRC) had addressed all but two of its comments. Regarding Comment #04-004, the EPA continues to recommend that the SEIS include a discussion on climate change adaptation and how it will monitor any changes to the environment as a result of climate change that may affect the operation of the facility. Regarding Comment #04-005, EPA continues to recommend that mitigation measures to further reduce environmental and human health impacts be sent to the applicant for consideration.

The NRC acknowledges EPA's concerns regarding climate change and mitigation measures to further reduce environmental and human health impacts. As discussed below, the additional matters the EPA has requested the NRC to further consider in its National Environmental Policy Act (NEPA) analysis do not present any new and significant information relevant to the environmental concerns on the proposed action or its impacts.

Comment 04-004 – Climate Change

Climate change adaptation measures of the facility were not evaluated in the SEIS as they are considered outside the scope of the environmental review for license renewal. Site-specific

environmental conditions are considered when siting nuclear power plants. This includes the consideration of meteorological and hydrologic siting criteria as set forth in Title 10 of the *Code of Federal Regulation* (CFR) Part 100 (10 CFR 100). Byron was designed and constructed in accordance with 10 CFR Part 50, Appendix A, General Design Criteria. These regulations require that plant structures, systems, and components important to safety be designed to withstand the effects of natural phenomena such as flooding from severe storms, without loss of capability to perform safety functions. Furthermore, nuclear power plants are required to operate within technical safety specifications in accordance with the NRC operating license, including coping with natural phenomena hazards. Any proposed change in operations to address changing environmental or other conditions that would conflict with the operating license and technical specifications would require NRC review and approval prior to licensees making operational changes. Additionally, the NRC evaluates nuclear power plant operating conditions and physical infrastructure to ensure ongoing safe operations through its reactor oversight program. If new information about changing environmental conditions becomes available, the NRC will evaluate the new information to determine if any safety-related changes are needed at existing nuclear power plants. This is a separate and distinct process from NRC's license renewal environmental review that is conducted in accordance with NEPA.

Comment 04-005 – Mitigation Measures

The EPA acknowledged that mitigation measures related to diesel and greenhouse gas emission reduction measures are beyond NRC's statutory authority. However, the EPA recommends that the applicant consider emission reduction measures. NRC does not have statutory authority under the Atomic Energy Act to require the applicant to implement the identified emission reduction measures. Nonetheless, the NRC has provided a copy of EPA's recommendations to the applicant in Appendix A of the final SEIS and reminded the applicant of its responsibility to comply with applicable Federal, State, and local permit requirements.

Thank you for your comments. If further information is required, please contact Ms. Lois James, Senior Project Manager, by telephone at 301-415-3306 or by e-mail at lois.james@nrc.gov.

Sincerely,

/RA/

James G. Danna, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-454 and 50-455

Enclosure:
As stated

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James G. Danna, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-454 and 50-455

Enclosure:

As stated

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ADAMS Accession Nos. ML15258A270

*concurrence via e-mail

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Letter to E. Poole from J. Danna dated November 19, 2015

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