

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	Docket No. 52-043-ESP
PSEG POWER, LLC AND PSEG)	
NUCLEAR, LLC)	ASLBP No. 15-943-01-ESP-BC01
)	
(Early Site Permit Application))	February 25, 2016

NRC STAFF TESTIMONY RELATED TO FEBRUARY 8, 2016 ORDER
TOPIC 7: CLASSIFICATION OF MITIGATION IN FEIS TABLE 10-1

Q1: Please state your name, occupation, employer, and professional qualifications.

A1: (AF) My name is Allen Fetter. I am a Senior Project Manager in the Environmental Projects Branch, Division of New Reactor Licensing, Office of New Reactors (NRO), U.S. Nuclear Regulatory Commission (NRC). A statement of my professional qualifications is included in Ex. NRC002.

(JC) My name is Jack Cushing. I am a Senior Project Manager in the Environmental Technical Support Branch, Division of Site Safety & Environmental Analysis (DSEA), NRO, NRC. A statement of my professional qualifications is included in Ex. NRC002.

(JD) My name is Jennifer Davis. I am a Senior Project Manager in the Environmental Technical Support Branch, DSEA, NRO, NRC. A statement of my professional qualifications is included in Ex. NRC002.

(AK) My name is Andrew Kugler. I am a Senior Project Manager in the Environmental Technical Support Branch, DSEA, NRO, NRC. A statement of my professional qualifications is included in Ex. NRC002.

Q2: Please describe your responsibilities with regard to the Staff’s review of the PSEG Site Early Site Permit (ESP) application.

A2: (AF) I am the Project Manager for the environmental review of PSEG’s application for the proposed early site permit (ESP) at the PSEG Site. I was responsible for overseeing the preparation of NUREG-2168, “Environmental Impact Statement for an Early Site Permit (ESP) at the PSEG Site; Final Report,” November 2015 (FEIS) (Ex. NRC004).

(JC) I provided technical oversight in the area of historic and cultural resources and guidance to subject matter experts for the cumulative impacts analysis. In addition to the PSEG review, I have coordinated the development of several environmental guidance documents, including COL/ESP-ISG-026, Interim Staff Guidance on Environmental Issues Associated with New Reactors.

(JD) I provided technical oversight in the area of historic and cultural resources. In addition, I have served as an environmental project manager for EIS reviews and have coordinated the development of several guidance documents.

(AK) I provided technical oversight in the area of alternatives. In addition, I have served as an environmental project manager for EIS reviews and have coordinated the development of several guidance documents.

Q3: What is the purpose of your testimony?

A3: (AF, JC, JD, AK) The purpose of our testimony is to provide information regarding the classification of unavoidable adverse impacts and mitigation in Table 10-1 of the FEIS (Ex. NRC004B).

Q4: Does the staff confirm that the mitigation actions listed will not reduce impacts to less than those listed in the second column of Table 10-1, but rather are actions required to limit impacts to those unavoidable adverse impacts listed in the second column?

A4: (AF, JC, JD, AK) The staff confirms that the impact levels in the second column of Table 10-1 will not be further reduced by the listed mitigation actions. The impact and mitigation classification format used in Table 10-1 is described in Section 10.2.1 of the FEIS (Ex. NRC004B). The Staff intended for Table 10-1 to present the potential mitigation measures for impacts described in Chapter 4 of the FEIS and then to present the resulting unavoidable adverse impacts after considering these mitigation options (i.e. “[t]hose impacts remaining after mitigation is applied (e.g., avoidance and minimization, but not compensatory mitigation) are identified in Table 10-1 as the unavoidable adverse impacts.”) (Ex. NRC004B). As discussed in our testimony on environmental Topic 6 (Ex. NRC018), these mitigation actions used by the Staff to determine impact levels are reasonably foreseeable.

Q5. Does this conclude your testimony?

A5: (AF, JC, JD, AK) Yes.

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AFFIDAVIT OF ALLEN FETTER

I, Allen Fetter, do hereby declare under penalty of perjury that my statements in the foregoing testimony and my statement of professional qualifications (Ex. NRC002) are true and correct to the best of my knowledge and belief. I attest to the accuracy of my testimony and endorse its inclusion into the record of this proceeding.

Executed in Accord with 10 CFR § 2.304(d)

Allen Fetter
Senior Project Manager
Division of New Reactor Licensing
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop T6-E55
Washington, DC 20555-0001
(301) 415-8556
Allen.Fetter@nrc.gov

Executed at Rockville, Maryland
This 25th day of February, 2016

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AFFIDAVIT OF JACK CUSHING

I, Jack Cushing, do hereby declare under penalty of perjury that my statements in the foregoing testimony and my statement of professional qualifications (Ex. NRC002) are true and correct to the best of my knowledge and belief. I attest to the accuracy of my testimony and endorse its inclusion into the record of this proceeding.

Executed in Accord with 10 CFR § 2.304(d)

Jack Cushing
Project Manager
Division of Site Safety and Environmental Analysis
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop T7- F27
Washington, DC 20555-0001
(301) 415-1424
Jack.Cushing@nrc.gov

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AFFIDAVIT OF JENNIFER DAVIS

I, Jennifer Davis, do hereby declare under penalty of perjury that my statements in the foregoing testimony and my statement of professional qualifications (Ex. NRC002) are true and correct to the best of my knowledge and belief. I attest to the accuracy of my testimony and endorse its inclusion into the record of this proceeding.

Executed in Accord with 10 CFR § 2.304(d)

Jennifer Davis
Senior Project Manager
Division of Site Safety and Environmental Analysis
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop T7-F27
Washington, DC 20555-0001
(301) 415-3835
Jennifer.Davis@nrc.gov

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AFFIDAVIT OF ANDREW KUGLER

I, Andrew Kugler, do hereby declare under penalty of perjury that my statements in the foregoing testimony and my statement of professional qualifications (Ex. NRC002) are true and correct to the best of my knowledge and belief. I attest to the accuracy of my testimony and endorse its inclusion into the record of this proceeding.

Executed in Accord with 10 CFR § 2.304(d)

Andrew Kugler
Senior Project Manager
Division of Site Safety and Environmental Analysis
Office of New Reactors
U.S. Nuclear Regulatory Commission
Mail Stop T7-F27
Washington, DC 20555-0001
(301) 415-2828
Andrew.Kugler@nrc.gov

Executed at Rockville, Maryland
This 25th day of February, 2016