Rev

APPENDIX B

TO FACILITY OPERATING LICENSE NO._____

NINE MILE POINT NUCLEAR STATION UNIT 2

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-410

ENVIRONMENTAL PROTECTION PLAN

(NON-RADIOLOGICAL)

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NINE MILE POINT NUCLEAR STATION UNIT 2

ENVIRONMENTAL PROTECTION PLAN

(NON-RADIOLOGICAL)

TABLE OF CONTENTS

1.0 Objectives of the Environmental Protection Plan

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

(1) Verify that the station is operated in an environmentally acceptable manner, as established by the Final Environmental Statement (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 SPDES permit.

2.0 Environmental Protection Issues

In the FES dated May 1985, the staff considered the environmental impacts associated with the operation of the Nine Mile Point Nuclear Station 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

Specific aquatic issues raised by the staff in the FES were:

(1) The need to monitor effluents for floor and equipment drains, cooling tower blowdown, and wastewater, including demineralizer regenerate wastes, filter backwash (as applicable), floor drains, and treated radioactive waste.

(2) The need to monitor the effluent from the sanitary waste treatment plant.

(3) The need to monitor lake water use and station intake/discharge temperatures.

(4) The need to submit to the state a plan of study to verify the extent of the thermal plume in Lake Ontario.

(5) The need to continue any biological studies in Lake Ontario required by regulatory agencies to monitor the effects of station operation.

Aquatic issues are addressed by the effluent limitations, monitoring requirements and the effective SPDES Permit issued and implemented by the New York State Department of Environmental Conservation. The NRC will rely on this agency for regulation of matters involving water quality and aquatic biota.

2.2 Terrestrial Issues

There are no issues requiring monitoring programs identified previously and not yet completely resolved. One reporting requirement, relative to terrestrial issues, was identified in the FES. This requirement includes the following.

(1) The applicant shall inform the NRC should damage to vegetation occur as a result of the operation of the natural draft cooling tower (refer to section 5.4).

NRC requirements with regard to remaining terrestrial issues are specified in Subsections 4.1 and 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 no 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 EPP.

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 of this EPP.

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

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 SPDES Permit

Violations of the SPDES 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 SPDES Permit or certification. The licensee shall also provide the NRC with copies of the results of any studies conducted to meet requirements of the SPDES Permit or of the state certification.

Changes, additions and violations of the SPDES Permit and state certification or studies required by the SPDES Permit and state certification shall be reported to the NRC twice per year within 30 days of July 1 and January 1 of each year. If the 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 SPDES 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 SPDES 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 reported in a 30-Day Nonroutine Report (refer to section 5.4). The applicant shall establish the criteria for the determination of a significant environmental impact. Such criteria shall be based on past historical data or experience and shall be documented by procedure.

No routine monitoring programs are required to implement this condition.

4.2 Environmental Monitoring

There are no routine environmental monitoring programs required by the FES or this EPP.

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 the 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 licenses. The period of the first report shall begin with the date of issuance of the operating license.

The Annual Environmental Operating Report shall 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 an occurrence of a nonroutine event as identified by the EPP. The report shall (a) describe, analyze, and evaluate the event, including the 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 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 NRC shall be provided a copy of such report at the same time it is submitted to the other agency.

APPENDIX B

NINE MILE POINT NUCLEAR STATION UNIT 2
ENVIRONMENTAL PROTECTION PLAN
(NON-RADIOLOGICAL)

JUSTIFICATION DOCUMENTATION

NIAGARA MOHAWK POWER CORPORATION

NOTE

The Environmental Protection Plan (EPP) for the Susquehanna Steam Electric Station, Units 1 and 2 was used as a guidance document for the generation of the EPP for the Nine Mile Point Nuclear Station Unit 2 (NMP-2). The use of the EPP for Susquehanna Steam Electric Station as a guidance document was requested by the NRC.

The following provides justification documentation for deviations from the EPP for the Susquehanna Steam Electric Station.

[illegible]

Section 1.0

1. The reference to NPDES permit was changed to SPDES permit because the appplicants' facility is in New York State. New York State has been allowed to carry out NPDES requirements through the New York State Department of Environmental Conservation.

Section 2.1

1. Aquatic issues specific to the Nine Mile Point Nuclear Station Unit 2, as presented in the Final Environmental Statement (FES), were substituted for aquatic issues specific to the Susquehanna Steam Electric Station. Aquatic issues specific to NMP-2 are presented in Section 5.14.2 of the NMP-2 FES. The NMP-2 FES was issued as NUREG 1085, dated May 1985.

2. Reference to the Pennsylvania Department of Environmental Resources, Bureau of Water Quality Management was replaced by the New York State Department of Environmental Conservation.

Section 2.2

1. There were no specific issues relative to required terrestrial monitoring noted in the NMP-2 FES. The NMP-2 FES did contain a reporting requirement in the event of vegetative damage as a result of the operation of the natural draft cooling tower. The reporting requirement was noted as item 1 of Section 2.2. Terrestrial issues are contained in Section 5.14.1 of the NMP-2 FES.

   The Susquehanna Steam Electric Station EPP contains a section on cultural resource issues. The Nine Mile Point Nuclear Station Unit 2 EPP does not contain such a section as a result of the findings in the NMP-2 FES. Section 5.7 of the NMP-2 FES concluded that the operation and maintenance of the Nine Mile Point Nuclear Station Unit 2 will have no significant impacts on sites listed or eligible for listing in the National Register of Historic Places.

Section 3.1

No change or modification was made to this section. Section 3.1 of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 3.2

1. References to the NPDES permit were changed to SPDES Permit in the Nine Mile Point Nuclear Station Unit 2 EPP.

2. The Susquehanna Steam Electric Station EPP contained a requirement to notify the NRC within 30 days following the effective date of any

Section 3.2 (Cont'd)

changes to the station's NPDES permit. Currently, the Nine Mile Point Nuclear Station Unit 1 has a similar requirement as a result of a letter of agreement between the NRC and Niagara Mohawk Power Corporation (NMPC). Unit 1 is required to notify the NRC of any changes to the station's SPDES Permit and of any violations of the permit on a semi-annual basis (every six months). Niagara Mohawk feels that it is not necessary to report changes in the SPDES Permit within 30 days because such matters are regulated by the permitting agency (New York State Department of Environmental Conservation). In this respect, it does not appear to be an urgent matter that would require a 30 day report. In addition, Niagara Mohawk would prefer to maintain Unit 1 and Unit 2 requirements as consistent as possible.

Therefore, Niagara Mohawk proposes that the NRC be informed of any changes in the station's SPDES Permit on a semi-annual basis as delineated in Section 3.2 of the Nine Mile Point Nuclear Station Unit 2 EPP.

Section 3.3

No change or modification was made to this section. Section 3.3 of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 4.1

Section 4.1 of the Susquehanna Steam Electric Station EPP was revised with regard to reporting requirements for any occurrence of an unusual or important event that indicates or could result in significant environmental impact. Niagara Mohawk feels that the urgency in which such events must be reported is not necessary. It is felt that the discovery of such an event, such as those listed in the Susquehanna Steam Electric Station EPP, would be an "after the fact" discovery and the need to report such events within 24 hours would be of no immediate benefit. In addition, such events that are of a non-radiological nature would be reported to the regional office of the New York State Department of Environmental Conservation.

Niagara Mohawk proposes, therefore, to report such events (unusual or important events) within 30 days by submitting a 30 Day Nonroutine Report. In addition, it is proposed that Niagara Mohawk establish the criteria for the determination of a significant environmental impact. Such criteria would be based on historical data or experience and would be documented by procedure.

Section 4.2

Section 4.2.1 of the Susquehanna Steam Electric Station EPP contained a monitoring requirement for bird impingement. This requirement was deleted for the Nine Mile Point Nuclear Station Unit 2 EPP because, in the NMP-2 FES, the NRC staff evaluated bird impacts at operating plants located on or along migratory flyways and found that cooling towers and meteorological towers do not present a hazard to bird populations. This analysis was summarized in Section 5.5.1.1 and Appendix G of the NMP-2 FES.

Niagara Mohawk proposes instead to substitute the wording: "There are no routine environmental monitoring programs required by the FES or this EPP.

Section 4.2.2

Section 4.2.2 of the Susquehanna Steam Electric Station EPP contains requirements for the maintenance of transmission line corridors. These requirements include the approval of herbicides by the Environmental Protection Agency and the applicable State agency.Other requirements encompass record keeping and include: commercial and chemical names, concentrations, diluting substances, rate of application, method and frequency of application, locations and the dates of application. A five year holding period for records is also required.

Niagara Mohawk proposes that this section be deleted from the Nine Mile Point Nuclear Station Unit 2 EPP. The maintenance of transmission line corridors in New York State falls under the jurisdiction of the New York State Public Service Commission and the New York State Department of Environmental Conservation. Maintenance is also controlled on a limited basis by the New York State Department of Health.

Reports to the New York State Public Service Commission are submitted prior to any maintenance of transmission line corridors. In addition, an annual report is submitted to the New York State Department of Environmental Conservation concerning the year's activities. The two state agencies are supplied with the information noted in the Susquehanna Steam Electric Station EPP as well as other required information.

It is felt that since this area of environmental concern is already regulated by the New York State Public Service Commission, as well as the Department of Environmental Conservation, inclusion of maintenance requirements for transmission line corridors in the Nine Mile Point Nuclear Station Unit 2 EPP is not necessary.

Section 4.2 (Cont'd)

Section 4.2.3 of the Susquehanna Steam Electric Station EPP contains requirements for surveys of sound levels in the environment as a result of station operation. The Nine Mile Point Nuclear Station Unit 2 EPP does not contain this requirement because of NRC staff comments found in section 5.12 and Appendix G, section 5.3.2.2 of the NMP-2 FES. The NRC staff concluded that there is no significance to the noise differentials between a once through cooling system and a natural draft cooling tower. In addition, the staff concluded that the noise levels produced by Unit 2 are not expected to exceed the proposed New York State Noise Code or HUD noise guidelines.

Section 4.2.4 of the Susquehanna Steam Electric Station EPP contains requirements relative to the eligibility of certain sites near the station for the National Register of Historic Places. The Nine Mile Point Nuclear Station Unit 2 EPP does not contain this requirement because of an NRC staff evaluation in Section 5.7 and Appendix F of the NMP-2 FES. The NRC staff evaluation concluded that the operation and maintenance of Nine Mile Point Nuclear Station Unit 2 will have no significant impacts on sites listed or eligible for listing in the National Register of Historic Places.

Section 5.1

No change or modification was made to Section 5.1. Section 5.1 of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 5.2

No change or modification was made to Section 5.2. Section 5.2 of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 5.3

No change or modification was made to Section 5.3. Section 5.3 of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 5.4.1

Section 5.4.1 of the Susquehanna Steam Electric Station EPP contains a requirement to submit an Annual Environmental Operating Report. The annual report is to fulfill several requirements, one of which includes summaries and analysis of the results of the environmental protection activities required by section 4.2 of the EPP. Niagara

Section 5.4.1 (Cont'd)

Mohawk proposes that this requirement (second paragraph of section 5.4.1 of the Susquehanna Steam Electric Station EPP) be deleted for the Nine Mile Point Nuclear Station Unit 2 EPP. This requirement is proposed to be deleted because section 4.2 of the Nine Mile Point Nuclear Station Unit 2 EPP does not contain any specific environmental monitoring requirements.

The remaining portion of section 5.4.1 was unchanged. The remaining portion of the Nine Mile Point Nuclear Station Unit 2 EPP is the same as the Susquehanna Steam Electric Station EPP.

Section 5.4.2

Section 5.4.2 of the Susquehanna Steam Electric Station EPP was not changed or modified. Section 5.4.2 of the Susquehanna Steam Electric Station EPP is the same as the corresponding section of the Nine Mile Point Nuclear Station Unit 2 EPP.

INTERNAL CORRESPONDENCE
FORM 112-2 R 02-80 55-01-013

NIAGARA MOHAWK

FROM M. T. Boyle

TO J. J. Bebko

DISTRICT Nine Mile Point Unit 2

DATE July 9, 1986 FILE CODE NMP-19511

SUBJECT App. B to NMP2 Facility Operating License - Environmental Protection Plan (Non-Radiological)

The attached draft Environmental Protection Plan (EPP) and its associated Justification Document (JD) have been reviewed by NC&V.

The EPP for the Susquehanna Steam Electric Station, Units 1 and 2 was used as a guidance document for the generation of the EPP for the Nine Mile Point Nuclear Station Unit 2 (NMP-2). The EPP from Susquehanna was supplied to Niagara Mohawk by the NRC as one of the more current EPP's.

I have verified that the NMP-2 EPP is identical to the Susquehanna EPP with same exceptions. Those exceptions are defined in the JD and have been verified by review of the following:

1. NUREG 1085, Final Environmental Statement related to the operation of Nine Mile Point Nuclear Station, Unit No. 2. (May 1985)

2. Appendix B to Facility Operating License No. NPF-14, Susquehanna Steam Electric Station, Units 1 and 2. (July 1982)

3. Letter USNRC to Mr. G. K. Rhode, NMPC, 3-11-83, transmitting Amendment 51 to Facility Operating License No. DPR-63 for Nine Mile Point No. 1.

4. Letter NMPC to Dr. Thomas Murley, USNRC, 8-23-83, concerning implementation of Amendment 51 at NMPC-1.

5. Memo NRC, Ms. Mary Haughey, 1-17-84, to NMPC, Mr. Norman Rademacher transmitting Susquehanna EPP.

6. Niagara Mohawk "Transmission Line Right of Way Management Plan".

In addition to the above, verification, has been aided by discussions with C. Foreback, Environmental Affairs and H. Flanigan, Environmental Coordinator and D. Freed, System Forrester.

No documentation is attached, but it is available upon request.

M. T. Boyle
Associate Senior NC&V Technician

MTB/cam

cc: C. H. Millian
E. W. Leach
H. Flanigan
NMP2 Project File

RECEIVED
JUL 10 1986
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