



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

November 8, 2018

Mr. Bradley J. Sawatzke
Chief Executive Officer
Energy Northwest
76 North Power Plant Loop
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352-0968

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT NO. 252
RE: UPDATE APPENDIX B TO RENEWED FACILITY OPERATING LICENSE
TO INCORPORATE THE 2017 BIOLOGICAL OPINION (EPID L-2017-LLA-0435)

Dear Mr. Sawatzke:

The U.S. Nuclear Regulatory Commission (Commission) has issued the enclosed Amendment No. 252 to Renewed Facility Operating License No. NPF-21 for the Columbia Generating Station. The amendment consists of changes to the renewed facility operating license in response to your application dated December 18, 2017.

The amendment revises Appendix B, "Environmental Protection Plan (Nonradiological)," of the renewed facility operating license to incorporate the terms and conditions of the Incidental Take Statement included in the Biological Opinion issued by the National Marine Fisheries Service on March 10, 2017.

A copy of the related Safety Evaluation is also enclosed. A notice of issuance will be included in the Commission's biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "L. John Klos".

L. John Klos, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures:

1. Amendment No. 252 to NPF-21
2. Safety Evaluation

cc: Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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ENERGY NORTHWEST

DOCKET NO. 50-397

COLUMBIA GENERATING STATION

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 252
License No. NPF-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Energy Northwest (the licensee), dated December 18, 2017, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Environmental Protection Plan contained in Appendix B, as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-21 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 252, are hereby incorporated in the renewed license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert J. Pascarelli, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Renewed Facility
Operating License No. NPF-21
and Environmental Protection Plan

Date of Issuance: November 8, 2018

ATTACHMENT TO LICENSE AMENDMENT NO. 252

COLUMBIA GENERATING STATION

RENEWED FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following pages of the Renewed Facility Operating License No. NPF-21 and Appendix B, "Environmental Protection Plan (Nonradiological)," with the attached revised pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

Renewed Facility Operating License

REMOVE

4

INSERT

4

Appendix B, "Environmental Protection Plan (Nonradiological)"

REMOVE

4-1

INSERT

4-1

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 252, are hereby incorporated in the renewed license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- a. For Surveillance Requirements (SRs) not previously performed by existing SRs or other plant tests, the requirement will be considered met on the implementation date and the next required test will be at the interval specified in the Technical Specifications as revised in Amendment No. 149.

(3) Deleted.

(4) Deleted.

(5) Deleted.

(6) Deleted.

(7) Deleted.

(8) Deleted.

(9) Deleted.

(10) Deleted.

(11) Shield Wall Deferral (Section 12.3.2, SSER #4, License Amendment #7)

The licensee shall complete construction of the deferred shield walls and window as identified in Attachment 3, as amended by this license amendment.

(12) Deleted.

(13) Deleted.

*The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

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 reported to the NRC within 24 hours 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 a significant, 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 Cooling Tower Drift Study

A terrestrial monitoring program shall be conducted to verify the level of effect from cooling tower drift. Soil and vegetation samples will be collected at locations subject to drift deposition and at control stations and analyzed for relevant chemical and physical parameters. Samples will be collected once per year during the seasonal peak of plant growth commencing no later than 18 months after issuance of a full power (100%) license. This program shall be terminated when data from three growing seasons after commencement of full power operation have been collected, provided the data support hypotheses of no adverse effects. Results and interpretation shall be included as part of the Annual Environmental Operating Report (Subsection 5.4.1).

4.2.2 Aquatic Issues

In accordance with Section 7(a) of the Endangered Species Act, National Marine Fisheries Service (NMFS) issued a Biological Opinion that prescribes an Incidental Take Statement and mandatory terms and conditions.

Energy Northwest shall adhere to the specific requirements within the Incidental Take Statement in the currently applicable Biological Opinion. Changes to the Incidental Take Statement or the terms and conditions must be preceded by consultation between the NRC, as the authorizing agency, and NMFS.



UNITED STATES
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 252 TO

RENEWED FACILITY OPERATING LICENSE NO. NPF-21

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

1.0 INTRODUCTION

By letter dated December 18, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17352B255), Energy Northwest (the licensee) submitted to the U.S. Nuclear Regulatory Commission (NRC, the Commission) a request for changes to Appendix B, "Environmental Protection Plan (Nonradiological)," to Renewed Facility Operating License No. NPF-21 for the Columbia Generating Station (Columbia). The requested changes would revise the Columbia Environmental Protection Plan (Nonradiological) (EPP) to state that Energy Northwest must adhere to the specific requirements within the Incidental Take Statement in the currently applicable Biological Opinion.

2.0 REGULATORY EVALUATION

2.1 Background Related to the Proposed Amendment

Columbia is a single unit nuclear power plant with a boiling-water reactor and a closed-cycle cooling system that withdraws water from and discharges water to the Columbia River. Pursuant to Section 7 of the Endangered Species Act of 1973, as amended (ESA), the NRC has consulted with the National Marine Fisheries Service (NMFS) to ensure that the licensing of Columbia is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of critical habitat of such species. The NRC initiated ESA Section 7 consultation with the NMFS in association with Energy Northwest's application to renew the Columbia facility operating license. On August 23, 2011, the NRC transmitted its biological assessment of this agency action to the NMFS for its review (ADAMS Package Accession No. ML11165A030). Consultation between the NRC and NMFS continued until the NMFS issued a Biological Opinion on March 10, 2017 (ADAMS Accession No. ML17072A036).

The Biological Opinion dated March 10, 2017, considers the effects of the continued operation of Columbia, under the terms of Renewed Facility Operating License No. NPF-21, on Upper Columbia River spring-run Chinook salmon (*Oncorhynchus tshawytscha*) and Upper Columbia

River steelhead (*O. mykiss*). The Biological Opinion concludes that the continued operation of Columbia is not likely to jeopardize the continued existence of these species or destroy or adversely modify designated critical habitat. The NMFS issued, as part of the Biological Opinion, an Incidental Take Statement that includes Reasonable and Prudent Measures (RPMs), which the NMFS has determined to be necessary and appropriate to minimize the impact of the amount or extent of incidental take, and associated terms and conditions, which are nondiscretionary and implement the RPMs.

By letter dated March 23, 2017 (ADAMS Accession No. ML17072A265), the NRC formally transmitted the Biological Opinion to Energy Northwest. The letter states that if Energy Northwest wishes to take advantage of the protective coverage of ESA Section 7(o)(2), which compliance with the Incidental Take Statement contained in the Biological Opinion would afford, Energy Northwest should propose appropriate changes to the EPP.

2.2 Licensee's Proposed Changes

Energy Northwest proposes to modify Section 4.2 of the Columbia EPP to reflect the NMFS's issuance of the March 10, 2017, Biological Opinion. Specifically, the proposed change would add to Section 4.2. the following:

4.2.2 Aquatic Issues

In accordance with Section 7(a) of the Endangered Species Act, National Marine Fisheries Service (NMFS) issued a Biological Opinion that prescribes an Incidental Take Statement and mandatory terms and conditions.

Energy Northwest shall adhere to the specific requirements within the Incidental Take Statement in the currently applicable Biological Opinion. Changes to the Incidental Take Statement or the terms and conditions must be preceded by consultation between the NRC, as the authorizing agency, and NMFS.

By referencing the "currently applicable" Biological Opinion, this change would avoid the need for changes to the EPP if the NMFS issues new biological opinions in the future.

2.3 Regulatory Review

The EPP was established during initial plant licensing to require monitoring of environmental issues. The EPP was retained when the renewed license was issued for Columbia. The regulatory basis for the establishment of the EPP is contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36b, "Environmental conditions." This section provides that a license may include conditions to protect the environment during operation and decommissioning. Such conditions will be derived from information contained in the environmental report or the supplement to the environmental report submitted pursuant to 10 CFR 51.50, "Environmental report – construction permit, early site permit, or combined license stage," and 10 CFR 51.53, "Postconstruction environmental reports," as analyzed and evaluated in the NRC record of decision. The regulations at 10 CFR 50.36b(b) state, in part, that these conditions "will identify the obligations of the licensee in the environmental area, including, as appropriate, requirements for reporting and keeping records of environmental data, and any conditions and monitoring requirement for the protection of the nonaquatic environment." In the March 12, 1984, statements of consideration for the final rule that created

10 CFR 50.36b, the Commission stated that the NRC “may also include additional environmental conditions as appropriate” (49 FR 9352).

The regulations at 10 CFR 50.90, “Application for amendment of license, construction permit, or early site permit,” state that, whenever a holder of a license desires to amend the license, it must file an application for an amendment with the NRC. The requirements contained in 10 CFR 50.92, “Issuance of amendment,” specify that the NRC will be guided by the considerations that govern the issuance of initial licenses to the extent applicable and appropriate in determining whether an amendment to a license will be issued.

3.0 TECHNICAL EVALUATION

This evaluation considers whether the proposed changes would continue to meet the requirements of 10 CFR 50.36b and whether the proposed changes would result in any conflicts with environmental protection requirements established by other Federal, State, or local agencies.

The intent of Section 4.2 of the Columbia EPP is to ensure that Energy Northwest complies with the ESA. The March 10, 2017, Biological Opinion is the first biological opinion issued for Columbia and was the result of the NRC’s consultation with the NMFS under the ESA on the agency action of renewing the Columbia facility operating license. A new section, Section 4.2.2, would be added to the EPP to incorporate, within the EPP, the Incidental Take Statement and the terms and conditions specified within the Biological Opinion. Section 4.2.2 would refer to the “currently applicable” Biological Opinion instead of a specific Biological Opinion, to preclude the need for Energy Northwest to submit new license amendment requests in the event that the NMFS issues new biological opinions in the future.

The proposed change is administrative in nature. It does not alter the intent of Section 4.2 of the Columbia EPP and does not conflict with any NRC regulatory requirement or with any environmental protection requirements established by other Federal, State, or local agencies. Additionally, the proposed change is similar to previously approved changes to the St. Lucie Plant, Unit Nos. 1 and 2, EPPs dated December 5, 2016 (ADAMS Accession No. ML16251A128), and to the Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2, EPPs dated June 17, 2015 (ADAMS Accession No. ML15141A271). Based on the preceding evaluation, the NRC staff concludes that the proposed change to Section 4.2 of the Columbia EPP is acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission’s regulations, the Washington State official was notified of the proposed issuance of the amendment on June 6, 2018. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32 and 51.35, an environmental assessment and finding of no significant impact notice was published in the *Federal Register* on July 16, 2018 (83 FR 32916). Accordingly, based on the environmental assessment, the Commission has determined that issuance of this amendment will not have a significant effect on the quality of the human environment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Michelle Moser

Date: November 8, 2018

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 DATED NOVEMBER 8, 2018

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ADAMS Accession No.: ML18283A125

*by e-mail

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