



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

August 12, 2019

Ms. Sonja Jahrsdoerfer
Project Leader
U.S. Fish and Wildlife Service
Pennsylvania Field Office
110 Radnor Rd., Suite 101
State College, PA 16801

SUBJECT: REQUEST FOR CONCURRENCE WITH THE U.S. NUCLEAR REGULATORY COMMISSION'S DETERMINATION THAT SUBSEQUENT LICENSE RENEWAL OF PEACH BOTTOM ATOMIC STATION, UNITS 2 AND 3, IS NOT LIKELY TO ADVERSELY AFFECT THE NORTHERN LONG-EARED BAT OR INDIANA BAT

Dear Ms. Jahrsdoerfer:

The purpose of this letter is to notify you that the U.S. Nuclear Regulatory Commission (NRC) has issued a draft supplemental environmental impact statement (SEIS) for the proposed license renewal of Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom) in York County, Pennsylvania. This letter describes the proposed action, summarizes the NRC's environmental review, and explains how the U.S. Fish and Wildlife Service (FWS) may submit public comments on the draft SEIS.

During preparation of the SEIS, the NRC staff determined that the proposed action may affect, but is not likely to adversely affect the northern long-eared bat (*Myotis septentrionalis*) and Indiana bat (*M. sodalis*). This letter also requests the FWS's concurrence with these determinations in accordance with Section 7 of the Endangered Species Act of 1973, as amended (ESA).

Proposed Action

Peach Bottom is a two-unit nuclear power plant located along the western shore of Conowingo Pond on a 769-acre site near Delta, Pennsylvania, in York County. The plant lies approximately 19 miles south of Lancaster, Pennsylvania; 30 miles to the southeast of York, Pennsylvania; and 38 miles north of Baltimore, Maryland. Exelon Generation Company, LLC (Exelon) operates and maintains the plant. The NRC issued facility operating licenses for Peach Bottom in October 1973 (Unit 2) and July 1974 (Unit 3), and commercial operations began in July 1974 (Unit 2) and December 1974 (Unit 3). In 2003, the NRC issued renewed facility operating licenses authorizing an additional 20 years of plant operation through August 2033 (Unit 2) and July 2034 (Unit 3).

The NRC's Federal action is the decision whether to issue subsequent renewed operating licenses for Peach Bottom authorizing an additional 20 years of operation. If the NRC grants Exelon renewed licenses, the company could continue to operate Peach Bottom until August 2053 (Unit 2) and July 2054 (Unit 3).

Supplemental Environmental Impact Statement

In support of its review of the proposed action, the NRC staff prepared a draft SEIS to comply with the National Environmental Policy Act of 1969, as amended (NEPA) and the NRC's environmental regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 that implement NEPA. The draft SEIS addresses the environmental impacts of the proposed action and relevant alternatives. The draft SEIS is available online at: <https://www.nrc.gov/docs/ML1921/ML19210D453.pdf>.

ESA "Not Likely to Adversely Affect" Determinations

As part of its environmental review, the NRC staff evaluated the potential impacts of Peach Bottom license renewal on four federally listed species under the FWS's jurisdiction and one species that is currently under the FWS's review for listing. These species are:

- northern long-eared bat
- Indiana bat
- bog turtle (*Clemmys muhlenbergii*)
- rufa red knot (*Calidris canutus rufa*)
- Chesapeake logperch (*Percina bimaculata*)

The NRC staff obtained this list of species from the FWS's Environmental Conservation Online Service (ECOS) Information for Planning and Conservation (IPaC) tool, and the staff confirmed the relevance of each species to its review through staff-level communications with the FWS Pennsylvania Field Office. The NRC staff did not identify any critical habitat within the action area.

The NRC's ESA analysis appears within the following sections of the draft SEIS.

- **Section 3.8.1.1** describes the ESA action area.
- **Section 3.8.1.2** describes the relevant life history characteristics, available ecological studies, and potential for each species to be present in the action area.
- **Section 4.8.1.1** evaluates the potential for the proposed action to affect each species during the proposed license renewal term.
- **Appendix C.1** describes the NRC's obligations under Section 7 of the ESA and relevant correspondence with the FWS and the National Marine Fisheries Service in connection with the NRC staff's review of the proposed action.

In Section 4.8.1.1 of the draft SEIS, the NRC staff finds that the proposed action may affect, but is not likely to adversely affect the northern long-eared bat and Indiana bat. The NRC staff evaluated the potential for bats to be affected by several stressors, all of which the staff determined would result in no more than insignificant or discountable effects. The potential stressors include: mortality or injury from collisions with plant structures and vehicles; habitat loss, degradation, disturbance, or fragmentation, and associated effects; and behavioral changes resulting from refurbishment or other site activities.

The NRC staff finds that the proposed action would have no effect on the bog turtle and rufa red knot because these species do not occur in the action area due to lack of suitable habitat.

With respect to the Chesapeake logperch, the NRC staff concludes that the proposed action may affect this species through impingement of individuals into Peach Bottom's cooling water intake system. However, because this species remains under the FWS's review for listing, Section 7 of the ESA does not require the NRC to consult with the FWS on this species at this time.

The NRC staff submits the draft SEIS for your review and requests your concurrence with its determination that Peach Bottom license renewal "may affect, but is not likely to adversely affect" the northern long-eared bat and Indiana bat within 30 days of receipt of this letter in accordance with 50 CFR 402.12(j). If you are unable to make such a determination within this timeframe, I request that you contact me to discuss an alternate review schedule. The NRC intends to report the outcome of this consultation within the final SEIS, which the NRC is scheduled to issue in April 2020.

You may address your ESA response to me by U.S. mail at the following address: Briana Grange, Division of Materials and License Renewal, Office of Nuclear Reactor Regulation, Mail Stop: OWFN-11-F01, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. If responding electronically, please address your correspondence to me at briana.grange@nrc.gov.

NEPA Comment Period and Public Meeting

In addition to the above request for ESA concurrence, the NRC staff is seeking general public comments on the draft SEIS pursuant to NEPA through September 23, 2019. You may submit NEPA comments either online or via U.S. mail.

- Online: Go to <http://www.regulations.gov> and search for Docket ID NRC-2018-0130. Address questions about NRC docket IDs to Jennifer Borges at 301-287-9127 or jennifer.borges@nrc.gov.
- U.S. mail: Address comments to Office of Administration, Mail Stop: TWFN-7-A60M, ATTN: Program Management, Announcements and Editing Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Alternately, if you wish to include both your ESA response and NEPA comments in one letter, you may address both to me at the address identified above in the previous section of this letter.

The NRC staff will also hold a public meeting prior to the close of the public comment period to present an overview of the draft SEIS and to accept public comments on the document. The meeting will be held on September 12, 2019, from 6:00 p.m. to 8:00 p.m. at the Peach Bottom Inn, 6085 Delta Road, Delta, PA 17314. The NRC staff will also host an open house one hour before the meeting for members of the public to meet with staff and sign in to speak.

Conclusion

Should you need to discuss the requests made in this letter or any other matters related to Peach Bottom and ESA Section 7 consultation, please reach out to me by phone at 301-415-1042 or email at briana.grange@nrc.gov.

Sincerely,

/RA/

Briana Grange, Conservation Biologist
Environmental Review and NEPA Branch
Division of Materials and License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-277 and 50-278

cc: Listserv

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[Richard McCorkle, FWS \(richard_mccorkle@fws.gov\)](mailto:richard_mccorkle@fws.gov)
[Sonja Jahrsdoerfer, FWS \(sonja_jahrsdoerfer@fws.gov\)](mailto:sonja_jahrsdoerfer@fws.gov)

ADAMS Accession No.: ML19211C600

*** by email**

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