Long Island Power Authority

200 Garden City Plaza
Garden City, NY 11530
(516) 742-2200

Stanley B. Klimberg
Executive Director
and General Counsel

January 17, 1991

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D.C. 20555

Attention: Dr. Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Re: Decommissioning Plan of the Long Island Power Authority for the Shoreham Nuclear Power Station (Docket No. 50-322); Consistency Certification Concerning New York State Coastal Management Program

Gentlemen:

On December 29, 1990, the Long Island Power Authority ("LIPA"), as the prospective licensee of the Shoreham Nuclear Power Station ("Shoreham"), transmitted copies of the following documents to the Nuclear Regulatory Commission ("NRC") for NRC review and approval:

: LIPA's Shoreham Decommissioning Plan; and

: LIPA's Supplement to Environmental Report (Decommissioning) ("Environmental Supplement").

LIPA now provides further information in support of NRC approval of the Decommissioning Plan.

LIPA has analyzed the proposed decommissioning of Shoreham to confirm that LIPA's decommissioning activities will be consistent with New York State's approved Coastal Management Program. LIPA hereby provides its Consistency Certification, as specified in 15 CFR § 930.57, that the proposed decommissioning of Shoreham complies with New York State's approved Coastal Management Program and will be conducted in a manner consistent with such program.

A001 1/50

Please be advised that LIPA has today transmitted to the New York State Department of State ("DOS") a request that the DOS concur with LIPA's Consistency Certification. A copy of LIPA's DOS concurrence request is attached for informational purposes.

LIPA respectfully requests that the NRC make this Consistency Certification a part of LIPA's December 29, 1990, request for NRC review and approval of the Decommissioning Plan. Since LIPA provided the NRC with 50 copies of the Decommissioning Plan and the Environmental Supplement, LIPA also provides 50 copies of the instant Certification.

Sincerely,

Stanley B. Klimberg

Enclosure

cc: Francis M. Bennett, New York State Department of State
Victor A. Staffieri, Long Island Lighting Company

NEW YORK STATE DEPARTMENT OF STATE
COASTAL MANAGEMENT PROGRAM

Federal Consistency Assessment Form

An applicant, seeking a permit, license, waiver, certification or similar type of approval from a federal agenc which is subject to the New York State Coastal Management Program (CMP), shall complete this assessment form for ar proposed activity that will occur within and/or directly affect the State's Coastal Area. This form is intended t assist an applicant in certifying that the proposed activity is consistent with New York State's CMP as required b U.S. Department of Commerce regulations (15 CFR 930.57). It should be completed at the time when the federa application is prepared. The Department of State will use the completed form and accompanying information in it review of the applicant's certification of consistency.

A. APPLICANT

1. Name: Long Island Power Authority
(please print)

2. Address: 200 Garden City Plaza, Suite 201; Garden City, New York 11530

3. Telephone: Area Code ( ) 516/742-2200

B. PROPOSED ACTIVITY

1. Brief description of activity: Decommissioning of the Shoreham Nuclear Power Station using the DECON method

2. Purpose of activity: Reduce radioactivity to allow release of the site for unrestricted use.

3. Location of activity:
Suffolk (County) Brookhaven (City, Town or Village) Shoreham Nuclear Power Station (Street or Site Descriptic

4. Type of federal permit/license required: Nuclear Regulatory Commission Approval of the Shoreham Decommissioning Plan

5. Federal application number, if known: Nuclear Regulatory Commission Docket No. 50-322

6. If a state permit/license was issued or is required for the proposed activity, identify the state agency at provide the application or permit number, if known: not applicable

C. COASTAL ASSESSMENT Check either "Yes" or "No" for each of the following questions. The numbers following eac question refer to the policies described in the CMP document (see footnote on page 2) which may be affected t the proposed activity.

	YES	NO
1. Will the proposed activity result in any of the following:		
a. Large physical change to a site within the coastal area which will require the preparation of an environmental impact statement? (11, 22, 25, 32, 37, 38, 41, 43).....	___	X
b. Physical alteration of more than two acres of land along the shoreline, land under water or coastal waters? (2, 11, 12, 20, 28, 35, 44).....	___	X
c. Revitalization/redevelopment of a deteriorated or underutilized waterfront site? (1).....	___	X
d. Reduction of existing or potential public access to or along coastal waters? (19, 20).....	___	X
e. Adverse effect upon the commercial or recreational use of coastal fish resources? (9, 10)...	___	X
f. Siting of a facility essential to the exploration, development and production of energy resources in coastal waters or on the Outer Continental Shelf? (29).....	___	X
g. Siting of a facility essential to the generation or transmission of energy? (27).....	___	X
h. Mining, excavation, or dredging activities, or the placement of dredged or fill materials in coastal waters? (15, 35).....	X	___
i. Discharge of toxics, hazardous substances or other pollutants into coastal waters? (15, 35).	___	X
j. Draining of stormwater runoff or sewer overflows into coastal waters? (33).....	X	___
k. Transport, storage, treatment, or disposal of solid wastes or hazardous materials? (36, 39).	X	___
l. Adverse effect upon land or water uses within the State's small harbors? (4).....	___	X
2. Will the proposed activity affect or be located in, on, or adjacent to any of the following:		
a. State designated freshwater or tidal wetland? (44).....	X	___
b. Federally designated flood and/or state designated erosion hazard area? (11, 12, 17).....	X	___
c. State designated significant fish and/or wildlife habitat? (7).....	X	___
d. State designated significant scenic resource or area? (24).....	___	X
e. State designated important agricultural lands? (26).....	___	X
f. Beach, dune or barrier island? (12).....	X	___
g. Major ports of Albany, Buffalo, Ogdensburg, Oswego or New York? (3).....	___	X
h. State, county, or local park? (19, 20).....	___	X
i. Historic resource listed on the National or State Register of Historic Places? (23).....	___	X

	YES	NO
3. Will the proposed activity require any of the following:		
a. Waterfront site? (2, 21, 22)	___	X
b. Provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (5)	___	X
c. Construction or reconstruction of a flood or erosion control structure? (13, 14, 16)	___	X
d. State water quality permit or certification? (30, 38, 40)	X	___
e. State air quality permit or certification? (41, 43)	___	X
4. Will the proposed activity occur within and/or affect an area covered by a State approved local waterfront revitalization program? (see policies in local program document*)	___	X

D. ADDITIONAL STEPS

1. If all of the questions in Section C are answered "No", then the applicant or agent shall complete Section E and submit the documentation required by Section F.

2. If any of the questions in Section C are answered "Yes", then the applicant or a[illegible] advised to consult the CMP or, where appropriate, the local waterfront revitalization program documer[illegible]he proposed activity must be analyzed in more detail with respect to the applicable state or local coast[illegible]olicies. In the space provided below or on a separate page(s), the applicant or agent shall: (a) identify, by their policy numbers, which coastal policies are affected by the activity, (b) briefly assess the effects of the activity upon the policy; and, (c) state how the activity is consistent with each policy. Following the completion of this written assessment, the applicant or agent shall complete Section E and submit the documentation required by Section F.

E. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with the State's CMP or the approved local waterfront revitalization program, as appropriate. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program, or with the applicable approved local waterfront revitalization program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Long Island Power Authority

Address: 200 Garden City Plaza, Suite 201; Garden City, New York 11530

Telephone: Area Code (516) 747-2200

Applicant/Agent's Signature: Stanley B. Klimberg Date: January 17, 1991

Stanley B. Klimberg, Esq.
Executive Director and General Counsel

F. SUBMISSION REQUIREMENTS

1. The applicant or agent shall submit the following documents to the New York State Department of State, Office of Local Government Services, Coastal Management Program, 162 Washington Avenue, Albany, New York 12231.

   a. Original signed form.
   b. Copy of the completed federal agency application.
   c. Other available information which would support the certification of consistancy.

2. The applicant or agent shall also submit a copy of this completed form along with his/her application to the federal agency.

3. If there are any questions regarding the submission of th[illegible] form, contact the Department of State at (518) 474-3642.

See Attachment for discussion of questions answered "Yes."

*These state and local documents are available for inspection at the offices of many federal agencies, Department of Environmental Conservation and Department of State regional offices, and the appropriate regional and county planning agencies. Local program documents are also available for inspection at the offices of the appropriate local government.

Long Island Power Authority

200 Garden City Plaza
Garden City, NY 11530
(516) 742-2200

Stanley B. Klimberg
Executive Director
and General Counsel

January 17, 1991

Francis M. Bennett
Consistency Coordinator
State of New York
Department of State
162 Washington Avenue
Albany, New York 12231

Re: Federal Consistency Assessment Form; Decommissioning of the Shoreham Nuclear Power Station; Request for Concurrence with Consistency Certification

Dear Mr. Bennett:

The Long Island Power Authority ("LIPA") was previously established as the lead agency under the State Environmental Quality Review Act ("SEQRA") for the purpose of selecting and implementing an alternative for decommissioning the Shoreham Nuclear Power Station ("Shoreham"). Shoreham is located within the State's Coastal Area on the north shore of Long Island, in the Town of Brookhaven, Suffolk County, New York.

As lead agency, LIPA on November 1, 1990, issued a Final Generic Environmental Impact Statement for the Decommissioning of the Shoreham Nuclear Power Station ("FGEIS"). The FGEIS concludes that Shoreham's decommissioning using the DECON method can be accomplished with no significant environmental impacts. Under the DECON method, the portions of the Shoreham plant and site containing radioactive contamination will be removed or decontaminated to a level that permits the Shoreham site to be released for unrestricted use in the near future. Copies of the FGEIS and the related SEQRA Findings Statement were sent to the Department of State ("DOS") on November 5, 1990, and November 28, 1990, respectively.

The FGEIS Findings Statement contains a certification that, consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR § 600.5, the DECON decommissioning of Shoreham will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations. This certification was not only supported by the FGEIS but also by a completed DOS Coastal Assessment Form, which LIPA sent to the DOS in August 1990.

On December 29, 1990, LIPA filed a Decommissioning Plan for Shoreham with the United States Nuclear Regulatory Commission ("NRC") and requested that the NRC approve the Plan. LIPA also filed with the NRC on December 29 a document entitled "Supplement to Environmental Report (Decommissioning)" (the "Environmental Report"). The Decommissioning Plan describes how LIPA proposes to carry out Shoreham's decommissioning, and the Environmental Report analyzes the likely environmental impacts resulting from the proposed decommissioning activities. Consistent with the FGEIS, LIPA concludes in the Environmental Report that Shoreham can be decommissioned using the DECON method without any significant environmental impacts. Copies of the Decommissioning Plan and Environmental Report are enclosed.

Since many of the Shoreham decommissioning activities will occur within the State's Coastal Area and since the decommissioning will require federal (i.e., NRC) approval, LIPA has completed and encloses with this letter a DOS Federal Consistency Assessment Form ("FCAF"). In the FCAF and the Attachment to the FCAF, LIPA confirms the consistency of LIPA's proposed decommissioning activities with the policies set forth in the State's Coastal Management Program ("CMP"). Thus, as set forth in the FCAF, LIPA certifies that the proposed decommissioning activities comply with the State's approved CMP and will be conducted in a manner consistent with the CMP.

In accordance with 15 CFR § 930.57, LIPA has filed a Consistency Certification with the NRC. A copy of that NRC Consistency Certification is enclosed with this letter.

LIPA respectfully requests that the DOS concur with LIPA's Consistency Certification.

If you have any questions, or if we can otherwise assist the DOS in its review of these materials, please let me know.

Sincerely,

Stanley B. Klimberg

Enclosures

1. LIPA's Shoreham Decommissioning Plan
2. LIPA's Shoreham Environmental Report
3. DOS Federal Consistency Assessment Form (including Attachment)
4. LIPA Consistency Certification filed with the NRC

Long Island Power Authority

Attachment to DOS Federal Consistency Assessment Form

The Long Island Power Authority ("LIPA") sets forth below information concerning the questions answered "Yes" on the New York State Department of State Federal Consistency Assessment Form ("FCAF") pertaining to the decommissioning of the Shoreham Nuclear Power Station ("Shoreham"). The Department of State ("DOS") will also find additional information in three documents:

- Final Generic Environmental Impact Statement for the Decommissioning of the Shoreham Nuclear Power Station ("FGEIS"), November 1990, prepared by LIPA in accordance with the New York State Environmental Quality Review Act;

- Decommissioning Plan, December 1990, prepared by LIPA in accordance with United States Nuclear Regulatory Commission ("NRC") regulations (10 CFR § 50.82); and

- Supplement to Environmental Report (Decommissioning) ("Environmental Report"), December 1990, prepared by LIPA in accordance with NRC regulations (10 CFR § 51.53(b)).

The FGEIS was sent to the DOS on November 5, 1990; copies of the Decommissioning Plan and the Environmental Report are enclosed with this FCAF.

To assist in the DOS' review, LIPA sets forth below in Section I certain general information concerning Shoreham's decommissioning. Then, in Section II, LIPA addresses the specific questions answered "Yes" on the FCAF, in accordance with the instructions in Paragraph D.2 of the FCAF.

I. General Information

A. Description of the Proposed Action

LIPA intends to decommission Shoreham using the DECON decommissioning method. Under DECON, the portions of the Shoreham plant and site containing radioactive contamination will be removed or decontaminated to a level that permits the Shoreham site to be released for unrestricted use in the near future.

As set forth in the FGEIS and the Environmental Report, the DECON decommissioning of the Shoreham plant is expected to result in no significant environmental impacts. This primarily is the result of the fact that the amount of radioactive contamination at the Shoreham plant is very limited due to the brief operating history of the plant. Thus, the decommissioning activities are expected to result in little change to the Shoreham site, minimal risk of significant exposure to radiation by decommissioning

workers, no significant impacts from radiation exposure to the public, and no significant impacts due to transportation and disposal of radioactive wastes.

It should further be noted that all of the Shoreham decommissioning activities conducted within the State's Coastal Area will take place within the previously developed areas of the Shoreham site. No new roads or new permanent structures are likely to be required to support Shoreham's decommissioning. Accordingly, it is expected that no decommissioning activities will affect any previously undisturbed areas. The relatively confined, localized nature of the decommissioning activities will help to ensure that the activities are consistent with the State's approved Coastal Management Program ("CMP"). Finally, DECON decommissioning of Shoreham will serve to further the policies of the CMP by removing radioactive contamination from the State's Coastal Area, thus releasing the Shoreham site for uses consistent with the CMP.

B. Overview of the Shoreham Plant and Planned Decommissioning Activities

The DOS is referred to the FGEIS, the Decommissioning Plan, and the Environmental Report for a detailed description of the Shoreham site, the contemplated decommissioning activities, and the potential impacts on the environment. Briefly, however, LIPA provides below certain general information.

1. Site Description and Radiological Status

The Shoreham site is located on the north shore of Long Island in the Town of Brookhaven, Suffolk County, New York. The site is approximately 50 miles east of LaGuardia Airport.

The Shoreham site comprises approximately 500 acres. The developed portion of the Shoreham site, which includes the Shoreham plant structures, occupies approximately 80 acres and is located in the northern sector of the property. This area is bounded on the north by Long Island Sound, on the south by North Country Road, on the east by the Wading River marshlands, and on the west by a parcel of approximately 420 acres known as the Shoreham West property.

The property which will be utilized by LIPA in the decommissioning of the Shoreham plant is defined as the "Project Area." The Project Area is approximately 18 acres, of which 11 acres will be transferred to LIPA by the Long Island Lighting Company ("LILCO"). The Project Area is covered primarily by structures, asphalt, or gravel. In addition, LIPA may utilize the existing Shoreham intake canal if it is decided to use an ocean-going barge for the transportation of Shoreham's spent fuel.

The Shoreham plant was tested by LILCO only briefly at low (under 5 percent) power. Due to this limited operating history,

the extent of radioactive contamination at Shoreham is quite limited. Aside from the nuclear fuel which presently is stored in the spent fuel pool, LIPA estimates that the total radioactive inventory at Shoreham is about 602 curies, almost all of which is located in the reactor pressure vessel ("RPV") and its internals. Based upon detailed surveys of the Shoreham plant and site, it is believed that there is no radioactive contamination outside of the Shoreham plant structures and systems, meaning that no decommissioning activities are expected to be required to be performed on outside areas. The relatively small and localized amount of radioactive material should facilitate expeditious and safe decommissioning of the plant in a manner which is fully consistent with the CMP.

2. Major Decommissioning Activities

The major planned Shoreham decommissioning activities have been divided into the following categories:

: System and Structure Decontamination and Dismantlement.

: Segmentation of the Reactor Pressure Vessel and Internals.

: Radwaste Management.

: Area Cleanup and Decontamination.

: Final Radiation Survey.

a. System and Structure Decontamination and Dismantlement

LIPA intends to decontaminate and dismantle Shoreham systems and structures to the extent necessary to assure the removal of the Shoreham plant irrevocably from service as a nuclear generating facility and to permit release of the site for unrestricted use. LIPA is contemplating the use of a wide range of decontamination and dismantlement techniques to achieve this objective.

Decontamination techniques to be employed by LIPA are consistent with those used routinely at operating plants throughout the nuclear industry. In-situ chemical decontamination, ultra-high pressure water lancing, abrasive grit blasting, and a variety of manual techniques are all expected to be used by LIPA during the course of Shoreham's decommissioning. In addition, LIPA is evaluating the use of various off-site decontamination services.

LIPA similarly will apply industry-accepted and field-proven processes for the dismantlement of certain plant systems and structures. Such techniques will range from simple, manually operated power bandsaws used to sever small bore piping through

more sophisticated techniques such as diamond wire saw cutting which may be used to sever the large bore piping connections to the RPV.

b. Segmentation of the Reactor Pressure Vessel and Internals

Radiological characterization of the Shoreham site has revealed that virtually all radioactive material resulting from the plant's limited period of operation is contained within the RPV and its internals. Current plans are first to decontaminate the RPV and internals to the extent possible. LIPA will then segment, package, and ship for off-site disposal those portions of the RPV and its internals that cannot meet the site release criteria.

c. Radwaste Management

LIPA has estimated that approximately 79,000 cubic feet of low level radioactive waste ("LLRW") will be generated as a result of Shoreham's decommissioning. LIPA plans to process, package, ship, and dispose of Shoreham's LLRW in accordance with applicable federal and state regulations.

Volume reduction is a key aspect of LIPA's plan for managing Shoreham's LLRW. Through an aggressive campaign of decontamination, waste segregation, and other industry-proven waste processing techniques, LIPA anticipates that Shoreham's LLRW can be consolidated so that only a small fraction of the

79,000 cubic foot estimate will require disposal at a licensed LLRW burial facility.

d. Area Cleanup and Decontamination

Special precautions will be taken to preclude the spread of contamination to the vast majority of plant and site areas which are presently clean. However, various areas which are affected by or used during the decontamination and dismantlement activities will be surveyed and decontaminated, as required, following the completion of decommissioning activities.

e. Final Radiation Survey

A final radiation survey will be conducted on all suspected and known contaminated structures, systems, components, equipment, on-site grounds, and adjacent environs upon completion of the decontamination and dismantlement activities. The final survey will demonstrate that any residual contamination is within the criteria for unrestricted release.

3. Schedule

The decommissioning is planned to commence with physical decommissioning in October 1991 (although LIPA will be prepared to begin prior to October 1991 if the NRC approves the Decommissioning Plan before October 1991) and be complete by the end of 1993, with actual termination of Shoreham's NRC license occurring upon completion of NRC review.

II. Additiona. Data Concerning FCAF Questions Answered "Yes"

A. Question 1.h: Will the proposed activity result in mining, excavation or dredging activities, or the placement of dredged or fill materials in coastal waters?

1. Coastal Management Policies Relevant to this Question

Policy 15: Mining, excavation or dredging in coastal waters shall not significantly interfere with the natural coastal processes which supply beach materials to land adjacent to such waters and shall be undertaken in a manner which will not cause an increase in erosion of such land.

Policy 35: Dredging and dredge spoil disposal in coastal waters will be undertaken in a manner that meets existing State dredging permit requirements, and protects significant fish and wild ife habitats, scenic resources, natural protective features, important agricultural lands and wetlands.

2. Effects of the Proposed Activity on these Policies

LIPA answered Question 1.h "Yes" due to the possibility that the Shoreham intake canal might need to be dredged and barge

docking facilities modified in connection with the transportation of the spent fuel via ocean-going barge.

If dredging is required, it will occur only within the intake canal. The dredging will temporarily impact fish in the canal area and any shell fish which have returned to that area since the last dredging. The dredged material will likely be placed upon the beach areas to the east of the intake canal. In addition, there may be a need to modify the existing intake canal dock facilities to facilitate loading of the spent fuel onto ocean-going barges.

3. Why the Proposed Activity is Consistent

If they occur, dock modification and dredging are expected to be consistent with coastal policies. First, the dredging will involve only the intake canal, an area which has previously been dredged by LILCO, most recently in the winter of 1988-89. Thus, no previously-undisturbed areas or wetlands or other important coastal resources will be affected. Second, any intake canal dredging or dock modification will be performed in accordance with Army Corps of Engineers ("COE") and New York State Department of Environmental Conservation ("DEC") regulations and existing or new COE and DEC permits. By complying with COE permit requirements, as well as any DEC requirements, such as those in 6 NYCRR Parts 608 and 661, LIPA will ensure that any future dock modifications and dredging will be consistent with

coastal policies. Third, the dredging itself, being confined to the intake canal, will not cause any new erosion or deprive the shoreline of its natural regenerative powers. Further, it is likely that, consistent with existing COE and DEC permits, any dredged material will be placed on beaches east of Shoreham as beach nourishment material, thus reducing the effects of erosion.

4. Additional Information

FGEIS, §§ 1.2.3, 2.0 and pages B-11, B-12, B-15, B-16, B-17, B-20; Environmental Report, §§ 1.4, 4.1.2.4, 4.2.2, 4.5, 4.9.

B. Question 1.j: Will the proposed activity result in the draining of stormwater runoff or sewer overflows into coastal waters?

1. Coastal Management Policy Relevant to This Question

Policy 33: Best management practices will be used to ensure the control of stormwater runoff and combined overflows draining into coastal waters.

2. Effects of the Proposed Activity on These Policies

The decommissioning of the Shoreham plant will occur primarily in the 18-acre Project Area, which consists of man-made structures and facilities developed during the construction of the Shoreham plant. No previously undisturbed areas will be

developed or disturbed as a result of the decommissioning activities. There will be some outdoor activity, primarily in existing parking lots and laydown areas. Stormwater runoff or sewer overflow from these outdoor areas could potentially impact coastal waters.

However, any stormwater runoff or sewer overflow, were it to occur, would not result from the proposed decommissioning activities which LIPA will carry out. Rather, they will result from the present configuration of the Shoreham site. The Shoreham plant is located on high ground extending into the marsh areas. The high ground is without streams or ponds, and surface water drains freely into the surrounding marsh, making the Project Area free from flooding by surface waters. The entire Shoreham site supports very little surface drainage, as witnessed by the absence of characteristic surface drainage patterns.

The decommissioning activities are not expected to contribute to any new or different types of water impacts. Accordingly, Question 1.j on the FCAF could have been answered "No." However, to ensure consistency with the CMP, LIPA has answered the Question "Yes" and provides the additional information described below.

3. Why the Proposed Activity is Consistent

Since decommissioning activities will occur primarily within existing buildings, laydown areas, and parking lots, there should be no adverse impacts on water resources. Other than the staging and shipping of larger quantities of LLRW, decommissioning is not expected to increase outdoor site activity significantly over its current use. LIPA will implement an Erosion and Sediment Control (E&SC) Plan and a Spill Prevention, Control and Countermeasure (SPCC) Plan to prevent any adverse impacts to the Long Island Sound waters and the Wading River Marsh.

The E&SC Plan will address mitigative measures to protect surface water quality. It will provide for regular site inspections of all work areas. Monitoring and control measures will be implemented immediately following rainstorms and other severe meteorological events which may contribute to erosion. Run-off from laydown areas will be controlled using hay bales, filter fabric, and temporary settling basins. Exposed embankments will be protected against erosion from wind and water using hay, straw, polyethylene sheeting, or other similar clean material. Water discharged from temporary settling basins will be monitored to assure compliance with the existing State Pollution Discharge Elimination System ("SPDES") permit, which will be modified, if necessary, to encompass decommissioning activities. See Response to Question 3.d below.

Also related to mitigating potential adverse effects of storm runoffs and sewer overflows is the SPCC Plan. This Plan will address the handling of materials to ensure that potentially harmful substances are not available for entry into sewers or runoffs. Thus, fuels, oils, chemicals, or other potentially harmful substances will be stored and handled in a safe and secure manner. Measures to ensure this will be detailed in the SPCC Plan. An existing bermed area dedicated to refueling and lubricating equipment is located in an area distant from the site waterbodies. During vehicle maintenance, refueling, and lubrication, special care will be exercised to prevent leaks, spills, or other contamination of the soil or marsh. Sorbent materials and oil booms will be on hand to minimize spreading of spills. The SPCC Plan will also include a monitoring program for regular inspections of all fuel and chemical storage areas and tanks.

4. Additional Information

FGEIS, §§ 2.0, 2.1.2, 2.1.4.1, 3.1.2, 3.1.3, 3.2.6, 5.1, 5.2 and pages B-16, B-17, B-18; Environmental Report, §§ 1.4, 4.1.2.4, 4.1.2.5, 4.2.2, 4.3, 4.9.

C. Question 1.k: Will the proposed activity result in the transport, storage, treatment or disposal of solid wastes or hazardous materials?

1. Coastal Management Policies Relevant to This Question

Policy 36: Activities related to the shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practicable efforts will be undertaken to expedite the cleanup of such discharges; and restitution for damages will be required when these spills occur.

Policy 39: The transport, storage, treatment and disposal of solid wastes, particularly hazardous wastes, within coastal areas will be conducted in such a manner so as to protect groundwater and surface water supplies, significant fish and wildlife habitats, recreation areas, important agricultural lands and scenic resources.

2. Effects of the Proposed Activity on These Policies

Shoreham's decommissioning will result in the generation of solid wastes (e.g., general dismantlement debris) and perhaps hazardous wastes (e.g., cleaning agents). Solid waste and hazardous waste (if generated) will be temporarily stored on-site in compliance with United States Environmental Protection Agency ("EPA") and DEC regulations and then transported off-site to a licensed disposal facility. No wastes will be disposed of or

permanently stored at the Shoreham site. Further, Shoreham's decommissioning should not increase the shipment, storage, or use of petroleum.

Some LLRW will be generated and require off-site disposal. Neither the EPA's Resource Conservation and Recovery Act ("RCRA") regulations nor the DEC's 6 NYCRR Part 364 and 371 regulations define LLRW as a solid or hazardous waste and thus such LLRW is outside of the scope of Policies 36 and 39. LLRW which has been mixed with a RCRA-listed waste, or a waste which exhibits a RCRA hazardous waste characteristic of corrosivity, reactivity, ignitability, or toxicity, is referred to as a "mixed waste." There are no mixed wastes at Shoreham and controls will be implemented to ensure that no such mixed wastes are created during Shoreham's decommissioning. Notwithstanding the foregoing, LIPA discusses below LLRW and mixed waste as well as the wastes covered by these Policies.

3. Why the Proposed Activity is Consistent

Both solid and hazardous wastes will be transported for disposal by a carrier licensed pursuant to the DEC's 6 NYCRR Part 364 waste transporter's regulations to haul that particular waste. The Part 364 license will specify what wastes the hauler is allowed to carry to the disposal facilities listed on its permit. Hazardous waste shipments must be accompanied by a manifest signed by the hazardous waste generator, transporter,

and disposal facility to ensure its proper management from "cradle to grave." All solid waste and hazardous waste disposal facilities used for Shoreham-generated wastes will be both EPA and DEC approved. Since these wastes will be managed in accordance with EPA and DEC regulations from their point of generation to their point of ultimate disposal, both groundwater and surface water supplies, as well as recreation areas, scenic resources, etc., will be protected from adverse impacts.

DECON decommissioning will result in some general dismantlement debris. However, LIPA does not expect widespread dismantlement of plant systems and structures. Accordingly, the quantity of dismantlement debris, such as concrete rubble, is expected to be quite limited.

Solid and hazardous waste treatment, storage, and disposal (TSD) facilities are required to have numerous Federal and State environmental permits. Proper training in spill prevention and response (i.e., containment, clean-up, and notification) is an integral part of a transporter's or a TSD facility's regulatory compliance. This training will help prevent spills into coastal waters; and, should spills occur, the training will minimize the adverse impacts and expedite the clean-up.

DECON decommissioning should not increase on-site petroleum usage. Petroleum storage will be managed in accordance with the previously discussed SPCC Plan and applicable DEC regulations.

Both liquid and solid LLRW will be managed to protect groundwater and surface water and the area's natural resources. LILCO currently has environmental protection and monitoring programs to ensure the safe handling of all radioactive materials, including LLRW. Shoreham's NRC-approved Technical Specifications describe the site's Radioactive Effluents Control Program ("RECP") and the Radioactive Environmental Monitoring Program ("REMP"), as well as radiological effluent and environmental reporting requirements. The RECP and REMP are both contained in Shoreham's Off-site Dose Calculation Manual ("ODCM"). The ODCM helps ensure that off-site doses to the public will be maintained as low as reasonably achievable. These programs will be maintained in effect during DECON decommissioning.

Liquid LLRW may include sludges currently stored in various collection tanks and LLRW receiving tanks at the Shoreham plant. LLRW generated during decommissioning activities will include such items as liquids and sludges resulting from decontamination activities and sludge from final clean-out of tanks, and surface decontamination cleaning solutions. During DECON

decommissioning, vendor systems will be used to collect, monitor, and process all potentially radioactive liquid wastes.

Solid LLRW is classified into two categories: compactible and non-compactible. Based upon LILCO's current processing scheme, compactible solid LLRW, such as contaminated protective clothing, plastic, rags, etc., is normally surveyed to determine contamination levels and then packaged into 55-gallon drums using a radioactive waste drum compactor. Non-compactible solid LLRW, such as piping, valves, surplus equipment, etc., is packaged in drums, or metal or wooden boxes. The process for LLRW disposal, including procedures, processes, and systems for processing and disposing of solid LLRW, is described in the Decommissioning Plan. The Decommissioning Plan also describes the volumes of LLRW expected to be generated during decommissioning and the measures LIPA will take to minimize such LLRWs.

Mixed waste will be handled similarly. If generated, it will be stored on-site in accordance with NRC, EPA, and DEC regulations, and then hauled by a licensed transporter to an approved disposal facility, when available.

4. Additional Information

FGEIS, §§ 1.1.4, 1.2.3, 3.3.1, 3.3.2, 5.4, 7 and pages B-3, B-4, B-5, B-25, B-26, B-27; Decommissioning Plan, § 3.3; Environmental Report, §§ 1.4, 2.5.3, 4.9, 5.1, 6.1, 6.2.

D. Question 2.a: Will the proposed activity affect or be located in, on, or adjacent to a State designated freshwater or tidal wetland?

1. Coastal Management Policy Relevant to This Question

Policy 44: Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas.

2. Effects of the Proposed Activity on this Policy

The Shoreham site is bounded by the Long Island Sound on the north and the Wading River Marsh on the east. LIPA checked "Yes" on the FCAF because the Shoreham site is adjacent to a tidal wetland, but is not expected to affect it. Decommissioning activities will be largely confined to the 18-acre Project Area and possibly the intake canal, which have been previously developed. No decommissioning activities will occur in the Wading River Marsh. Further, the Shoreham decommissioning activities will not reduce the public's access to any of these wetland areas. Dredging may be conducted in the intake canal. As noted in response to Question 1.h, any dredging and fill deposition will be in accordance with COE and DEC requirements.

As noted in response to Question 1.j above, stormwater runoff from outdoor activity in the Project Area could potentially impact surface water and groundwater, but its effect

should not be any greater than normal activities without decommissioning. Further, the E&SC and SPCC Plans will mitigate the effects of potential runoffs. DECON decommissioning will require significantly less pumping of groundwater than would be required to support Shoreham's operation as an electric generating facility, thus ensuring no indirect effects on wetlands from Shoreham's decommissioning.

3. Why the Proposed Activity is Consistent

The Project Area is covered primarily by structures, asphalt, or gravel. No decommissioning activities will occur in wetland areas. As described in the response to Question 1.j, an E&SC Plan and an SPCC Plan will be implemented to ensure the waters of the Long Island Sound and Wading River Marsh are protected. As described in response to Question 1.h, any dredging activities will comply with COE and DEC requirements.

4. Additional Information:

FGEIS, §§ 2.1.2, 2.1.4.1, 2.2.6, 3.1.2, 3.1.4, 3.2.5, 3.2.6, 5.1, 5.2 and pages B-10, B-17, B-18, B-21; Environmental Report, §§ 1.4, 4.1.2.4, 4.1.2.5, 4.2.2, 4.3.

E. Question 2.b: Will the proposed activity affect or be located in, on or adjacent to a Federally designated flood and/or state designated erosion hazard area?

1. Coastal Management Policies Relevant to This Question

Policy 11: Buildings and other structures will be sited in the coastal area so as to minimize damage to property and the endangering of human lives caused by flooding and erosion.

Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

Policy 17: Non-structural measures to minimize damage to natural resources and property from flooding and erosion shall be used whenever possible.

2. Effects of the Proposed Activity on These Policies

This question was marked "Yes" because the Shoreham plant is located adjacent to an erosion hazard area. That erosion hazard area is located along the North Shore of Long Island.

The Shoreham DECON decommissioning activities will not have any adverse impacts on the erosion hazard area. The decommissioning is not expected to require the erection of any

new buildings or new structures or any decommissioning activities in previously undisturbed areas. Further, decommissioning activities are not expected to impact the erosion hazard area, except in a positive manner. Any dredged sediment will likely be placed on beach areas east of Shoreham to help reduce erosion in those areas, as was required of LILCO pursuant to the existing DEC and COE permits.

3. Why the Proposed Activity is Consistent

The data described above establish that the DECON decommissioning will be consistent with Policies 11, 12, and 17. Further, adjacent natural protective features (e.g., beaches and bluffs) will not be significantly or adversely impacted by the DECON decommissioning, particularly due to the fact that no decommissioning activities will occur in such areas. Likewise, the proposed decommissioning activities will not endanger human life or property by flooding or erosion.

4. Additional Information

FGEIS, §§ 2.0, 3.1.2 and page B-16; Environmental Report, § 4.1.2.4.

F. Question 2.c: Will the proposed activity affect or be located in, on or adjacent to a state designated significant fish and/or wildlife habitat?

1. Coastal Management Policy Relevant to This Question

Policy 7: Significant coastal fish and wildlife habitats will be protected, preserved, and, where practical, restored so as to maintain their viability as habitats.

2. Effects of the Proposed Activity on This Policy

The Wading River Marsh is a state designated significant coastal fish and wildlife habitat. The DECON decommissioning of Shoreham will have no effect on the Wading River Marsh, because no activities will take place there and because the E&SC and SPCC Plans will ensure that the Marsh is not adversely affected by on-site decommissioning.

3. Why the Proposed Activity is Consistent

Policy 7 directs that Coastal Area activities not destroy or significantly impair the viability of any significant coastal fish and wildlife habitat. Since the Wading River Marsh will not be impaired or affected by Shoreham decommissioning activities, the decommissioning will be consistent with Policy 7.

4. Additional Information

FGEIS, §§ 2.0, 2.1.4.1, 2.1.4.4, 3.1.2, 3.1.4, 3.2.6, 5.1, 5.2 and pages B-16, B-17, B-18; Environmental Report, §§ 1.4, 4.1.2.4, 4.2.2, 4.3.

G. Question 2.f: Will the proposed activity affect or be located in, on or adjacent to a beach, dune or barrier island?

1. Coastal Management Policy Relevant to This Question

Policy 12: Activities or development in the coastal area will be undertaken so as to minimize damage to natural resources and property from flooding and erosion by protecting natural protective features including beaches, dunes, barrier islands and bluffs.

2. Effects of the Proposed Activity on This Policy

This Question has been answered "Yes" because the Project Area is adjacent to beach and bluff areas. However, as described below, the beach and bluff areas are not expected to be affected by decommissioning activities except in a positive manner. Thus, as noted previously, if dredging is conducted, material will likely be deposited on beach areas as beach nourishment.

The shoreline to the east and west of the Shoreham site is slightly scalloped. However, the coast is relatively straight without any bays or projections into the Sound. The coastline runs more or less in an east-west direction exposing the Shoreham site to northerly seas and weather. Sand beaches extend from the

shoreline back to 100-foot bluffs, which are covered with vegetation.

Wading River and East Shoreham both have town beaches located near the Shoreham site. Wading River Beach and the Creek Road boat ramp are located approximately 0.6 miles northeast of the site. The Shoreham beach in East Shoreham stretches east from the plant's intake canal. The waters of Long Island Sound also provide recreational opportunity for boating, fishing, and skin diving.

The Project Area is located adjacent to the foregoing beaches and bluffs. With the exception of possible dredging, decommissioning activities will be confined to the Project Area and have no effects on the natural features of the Coastal Area. Any dredging will be in a previously disturbed area and the dredged material will likely be deposited in areas to assist in prevention of erosion.

3. Why the Proposed Activity is Consistent

Since DECON decommissioning will not adversely affect natural protective features of the Coastal Area, including beaches, dunes, barrier islands, and bluffs, the proposed activity will be consistent with Policy 12.

4. Additional Information

FGEIS, §§ 2.0, 2.1.2, 2.2.6, 3.1.2, 3.1.4; Environmental Report, § 4.1.2.4.

H. Question 3.d: Will the proposed activity require a State water quality permit or certification?

1. Coastal Management Policies Relevant to This Question

Policy 30: Municipal, industrial, and commercial discharges of pollutants, including but not limited to, toxic and hazardous substances, into coastal waters will conform to State and National water quality standards.

Policy 38: The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply.

Policy 40: Effluent discharged from major steam electric generating and industrial facilities into coastal waters will not be unduly injurious to fish and wildlife and shall conform to State water quality standards.

2. Effects of the Proposed Activity on these Policies

LIPA does not expect DECON decommissioning to result in any new or different impacts on surface or groundwater. The Shoreham plant has an SPDES permit. LIPA believes that the DECON decommissioning can be performed under the terms of this SPDES permit. DECON decommissioning will require some outdoor activity (all of which will take place in previously developed areas), although most of the work will be done within the Shoreham plant. LIPA does not anticipate that the in-plant or outside activities will require an SPDES modification. However, LIPA will request DEC SPDES modifications if that proves to be necessary. Similarly, if a new COE dredging permit is required, LIPA, as appropriate, will request the DEC to issue a water quality certification pursuant to 6 NYCRR § 608.7.

3. Why the Proposed Activity is Consistent

Surface water and groundwater, including the Long Island aquifer, will be protected from potential stormwater runoff contamination from outdoor activities by implementation of the E&SC and SPCC Plans, as well as by compliance with the SPDES permit and other applicable permits. Shoreham's SPDES permit regulates effluent discharges to both surface water and groundwater. Conducting Shoreham decommissioning activities within the existing SPDES permit daily average and maximum effluent parameter discharge limitations will ensure conformance with State water quality standards. LIPA will request DEC SPDES

modifications, as necessary, during the lifetime of the project to ensure that future outdoor activities (and in-plant activities if necessary) are also in compliance with these standards.

4. Additional Information

FGEIS, §§ 3.1.2, 3.1.4, 3.2.5, 3.2.6, 5.1, 5.2 and page B-18; Environmental Report, §§ 1.4, 4.2.2.