

DEC 1 1982

Docket Nos: 50-329
and 50-330

APPLICANT: Consumers Power Company
FACILITY: Midland Plant, Units 1 and 2
SUBJECT: SUMMARY OF MEETING HELD WITH CONSUMERS
POWER ON NOVEMBER 22, 1982

On November 22, 1982, the NRC staff met in Bethesda, Maryland with Consumers Power Company to discuss the acceptability of the Midland Environmental Protection Plan (EPP). This subject relates to the Midland FES. A list of meeting attendees is attached as Enclosure 1. Enclosure 2 is a copy of the EPP which has been marked up to include the staff's comments.

SUMMARY

Consumers Power Company submitted the proposed Environmental Protection Plan on November 15, 1982, for the staff's review. The EPP replaces the draft Environmental Technical Specifications previously submitted as Appendix 6.2A of the Midland Environmental Report - Operating License Stage.

The staff stated that, overall, the EPP has been well done and complies with NRC guidance in this area. A number of minor changes were suggested by the staff to improve the clarity of the document. Those changes are indicated on Enclosure 2.

The question arose relative to whether the NPDES Permit recently issued by the State of Michigan fulfilled the 401 certification. The Midland FES (Section 1.2) makes the statement that the NPDES Permit, when issued, would fulfill those requirements. The applicant agreed to inform the staff of some correspondence which would confirm this information.

The staff requested a copy of the report on the vegetation baseline study as soon as that report is issued. The applicant agreed to provide a copy.

The applicant agreed to make appropriate changes to the EPP in response to the staff's comments.

Ronald W. Hernan, Project Manager
Licensing Branch No. 4
Division of Licensing

8212070356 821201
PDR ADDCK 05000329
D PDR

OFFICE	DL:LB.#4	DL:LB.#4					
SURNAME	RHernan/hmc	EAdensam					
DATE	11/30/82	12/1/82					

LIST OF ATTENDEES AND CONFEREES

NRC

R. Hernan
E. Pentecost
R. Samworth

CONSUMERS POWER CO.

D. Sommers
R. Green

OFFICE ▶	.....	.....	.....	.....	.....	.....	.....
SURNAME ▶	.....	.....	.....	.....	.....	.....	.....
DATE ▶	.....	.....	.....	.....	.....	.....	.....

LIST OF ATTENDEES AND CONFEREES

NRC

R. Hernan
E. Pentecost
R. Samworth

CONSUMERS POWER CO.

D. Sommers
R. Green

CP Co Draft
11/04/82

APPENDIX B

TO FACILITY LICENSE NO. _____

MIDLAND PLANT
(MIDLAND NUCLEAR COGENERATION PLANT)

UNITS 1 AND 2

CONSUMERS POWER COMPANY

DOCKETS NOS. 50-329 AND 50-330

ENVIRONMENTAL PROTECTION PLAN

MIDLAND PLANT
(MIDLAND NUCLEAR COGENERATION PLANT)
UNITS 1 AND 2

ENVIRONMENTAL PROTECTION PLAN

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1.0 OBJECTIVES OF THE ENVIRONMENTAL PROTECTION PLAN

The Environmental Protection Plan (EPP) provides for protection of environmental values during operation and modification of the nuclear facility. The principal objectives of the EPP are as follows:

1. Verify that the Plant is operated in an environmentally acceptable manner, as established by the Final Environmental Statement - Operating Licensing (FES-OL) and other Nuclear Regulatory Commission (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 operation and modification and of action taken to control those effects.

Environmental concerns identified in the FES-OL which relate to water quality matters are regulated by the Licensee's National Pollutant Discharge Elimination System (NPDES) Permit.

2.0 ENVIRONMENTAL PROTECTION ISSUES

In the FES-OL dated July 1982, the NRC Staff considered the environmental impacts associated with the operation of the two-unit Midland Plant. 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 discussed by the Staff in the FES-OL and which require monitoring were:

1. Plant wastewater discharges will be monitored as required by the NPDES Permit (FES-OL Section 5.3.2.1).
2. A measurement of impingement and entrainment losses will be made after Plant startup as required by the NPDES Permit (FES-OL Section 5.5.2.1).
3. The impact of plant operation on the aquatic ecosystem will be determined by an ecological monitoring program as required by the NPDES Permit (FES-OL Section 5.5.2.2).

Aquatic issues identified above are addressed by effluent limitations and monitoring requirements contained in the effective NPDES Permit issued by the Michigan Water Resources Commission. The NRC will rely on this agency for regulation of these matters as they involve water quality and aquatic biota.

2.2 Terrestrial Issues

Specific terrestrial issues discussed by the Staff in the FES-OL were:

1. Potential increase in fogging and icing and associated impacts from operation of the cooling pond (FES-OL Sections 5.4.1 and 5.5.1.4).
2. Potential impacts on birds as a result of collisions with transmission lines and as a result of cooling pond operation (FES-OL Section 5.5.1).

NRC monitoring requirements with regard to these terrestrial issues are specified in EPP Section 4.2.

3.0 CONSISTENCY REQUIREMENTS

3.1 Plant Design and Operation

The Licensee may make changes in Plant design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve a ~~potentially~~ significant unreviewed environmental issue, and do not involve a change in the EPP. Changes in Plant design or operation and performance of tests or experiments which do not affect the environment are not subject to the requirements of this EPP. Activities governed by EPP Section 3.3 are not subject to the requirements of this Section.

Before engaging in additional Plant modification or operational activities which may ~~significantly~~ affect the environment, the Licensee shall prepare and record an environmental evaluation of such activity. ^{Activities} ~~When~~ *are excluded from this requirement if all* the evaluation indicates that the measurable environmental effects of such activities are confined to onsite areas previously disturbed during site preparation and Plant construction, ~~the additional requirements of this Section are excluded.~~ When the evaluation indicates that such activity involves a ~~potentially~~ significant unreviewed environmental issue, the Licensee shall provide a written evaluation of such activities and obtain prior approval from the ^{Director, Office of Nuclear Reactor Regulation} ~~NRC~~. When such activity involves a change in the EPP, such activity and change to the EPP may be implemented only in accordance with an appropriate license amendment as set forth in EPP Section 5.3.

[Handwritten signature]
*This provision does not relieve the licensee of the requirements of 10 CFR 50.59.

A proposed change, test or experiment shall be deemed to involve a potentially significant unreviewed environmental issue if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the FES-OL as modified by Staff's testimony to the Atomic Safety and Licensing Board, Supplements to the FES-OL, 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 Section, which may have a significant adverse environmental impact.

The Licensee shall maintain records of changes in Plant design or operation and of tests and experiments carried out pursuant to this Section. These records shall include a written evaluation which provide bases for the determination that the change, test, or experiment does not involve a ~~potentially significant~~ unreviewed environmental issue nor constitute a decrease in the effectiveness of this EPP to meet the objectives specified in EPP Section 1.0. The Licensee shall include as part of ~~this~~ ^{the} Annual Environmental Operating Report (EPP Section 5.4.1) brief descriptions, analyses, interpretations, and evaluations of such changes, tests and experiments.

3.2 Reporting Related to the NPDES Permit

Violations of the NPDES Permit (pursuant to Section 402^{*} of the Clean Water Act) shall be reported to the NRC by providing copies of the reports submitted in accordance with the NPDES permit. The Licensee

*AS STATED IN A LETTER FROM THE MICHIGAN WATER RESOURCES COMMISSION (OWNER) TO THE NRC (REGAN) DATED MAY 17, 1979, ISSUANCE OF THE NPDES ALSO CONSTITUTES THE STATE'S CERTIFICATION OF THIS PROJECT PURSUANT TO SECTION 401(a)(1) OF THE CLEAN WATER ACT

shall also provide the NRC with copies of the results of the studies described in EPP Section 2.1 as conducted in accordance with the NPDES Permit when they are submitted to the permitting agency.

Changes ~~and additions~~ ^{or renewals of} to the NPDES Permit shall be reported to the NRC within 30 days following the date the Licensee is notified in writing of the approved change ^{or renewal}. If the Permit, 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 proposed by the Licensee to the effective NPDES Permit by providing NRC with a copy of the proposed change when 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 with a copy of its application for renewal of the NPDES Permit when the application is submitted to the permitting agency.

3.3 Changes Required for Compliance With Other Environmental Regulations

Changes in Plant design or operation or performance of tests or experiments required to achieve compliance with other Federal, State, or local environmental regulations are not subject to requirements of EPP Section 3.1.

4.0 ENVIRONMENTAL CONDITIONS

4.1 Unusual or Important Environmental Events

Any observation 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 ~~of determination and reporting to the Plant Manager, by telephone, telegraph or facsimile transmission~~ followed by a written report ~~within 30 days~~ per EPP Section 5.4.2. The following are possible examples: excessive bird impact events, onsite plant or animal disease outbreaks, mortality or unusual occurrence of any species protected by the Endangered Species Act of 1973, excessive fish kills in the river, increase in nuisance organisms or conditions, and 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 Fog and Ice Due to the Cooling Pond

The objectives of this monitoring program are to document the occurrence of fog and icing conditions at strategic locations in the Plant vicinity and to determine if there are any changes in fog and icing occurrences due to Plant operations.

The first year of the monitoring program will be initiated on October 1 following commercial operation of Unit 2. The second year of the monitoring program will be initiated on October 1 following commercial operation of Unit 1 (two years total).

The operational program employs the same procedures used in the pre-operational program but with added instrumentation. Visibility as well as air temperature and relative humidity will be recorded at four locations about the cooling pond all year long. The water temperature of the pond will be measured at several points. Appropriate wet and dry bulb temperatures will be measured at points of interest.

Trained onsite observers will conduct fog observations during the daylight hours of the fog season (October through March). In addition to fog data, these observations will include ice on roadways or on vertical surfaces, snow and clouds formed by the pond, and other special phenomena that cannot be recorded by instruments. The onsite observers also will determine whether detected fog is pond-produced, naturally occurring, or is due to other causes. The observers' daily schedule will vary to account for the changing length of the day and

*Consider describing use
of visimeters*

prevailing meteorological conditions. In general, the period covered will be from sunrise to sunset, seven days a week.

Results of this program shall be presented in the Annual Environmental Operating Report (EPP Section 5.4.1).

4.2.2 Vegetation Effects Due to Icing

The objective of this survey is to determine if icing damage affecting trees and shrubs in the vicinity of the Plant is attributable to the vapor plume from the cooling pond.

This program will be initiated and coordinated with the fog and ice monitoring program of EPP Section 4.2.1.

Color infrared aerial photographs taken in June 1981 documented existing preoperational cover and vegetation damage syndromes within 3 km of the cooling pond. Ground-truth work in 1982 confirmed the 1981 photographic baseline and updated the preoperational vegetation damage syndromes in the vicinity of the Plant. Comparison of this baseline information with visual and photographic documentation of icing conditions and vegetation damage during operational icing events will provide the basis for assessing the effect of icing attributable to Plant operation.

Results of this program shall be presented in the Annual Environmental Operating Report (EPP Section 5.4.1).

4.2.3 Effect of Cooling Pond on Avifauna

The objective of this survey is to assess the impact of Plant operation on resident and migratory waterbird populations using the cooling pond.

The monitoring program will be in effect during the first, third, and fifth years of full scale operation (both Units 1 and 2). Biennial sampling will monitor the anticipated gradual buildup of a resident and/or overwintering waterbird population since monitoring on consecutive years following operation may not provide sufficient information to assess the long term impacts of the Plant and its facilities.

Monitoring is planned for the Plant site, transmission structures in the immediate vicinity, and the cooling pond/Dow tertiary treatment pond complex. Monitoring will include population estimates by total or bounded counts, observations of waterbird activity, and observations of mortality and morbidity. Approximately 40 monitoring periods will be logged per year. During spring and fall migration and during winter months, intervals between monitoring of 7-10 days will be used. These short intervals correspond to periods of peak use and, with respect to winter months, waterfowl vulnerability. During period of low summer use, monitoring will be conducted less frequently.

Results of this program shall be presented in the Annual Environmental Operating Reports (EPP Section 5.4.1) for the years in which sampling is conducted.

add justification for use of biennial monitoring or change to 3 successive years of monitoring

add more detail to state how spring and fall migration and winter monitoring levels may change, i.e. breakdown of 40 monitoring sessions

5.0 ADMINISTRATIVE PROCEDURES

5.1 Review and Audit

The Licensee shall provide for review and audit of compliance with this EPP. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organizational structure to achieve the independent review and audit function and the 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 Environmental Protection Plan

Requests for changes in this EPP 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 this EPP.

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 license. The period of the first report shall begin with the date of issuance of the operating license for Unit 2.

The report shall include summaries and analyses of the results of the environmental protection activities required by EPP Section 4.2 for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous environmental monitoring reports. The report also shall include an assessment of the observed impacts of the Plant operation on the environment. If harmful effects or evidence of trends towards irreversible damage to the environment are observed, the Licensee shall provide a detailed analysis of the data and a proposed course of action to alleviate the problem.

The Annual Environmental Operating Report shall also include:

- a. A list of EPP noncompliances and the corrective actions taken to remedy them.

- b. A list of all changes in Plant design or operation, tests, and experiments made in accordance with EPP Section 3.1 which involved a potentially significant unreviewed environmental issue.
- c. A list of nonroutine reports submitted in accordance with EPP Section 5.4.2.

In the event that some results are not available by the report due date, the report shall be submitted noting the missing results and explaining the omission. 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 occurrence of ^{an unusual or important environmental event,} ~~a nonroutine event identified under EPP Section 4.1.~~ The report shall ~~to the extent practicable~~ (a) describe, analyze, and evaluate the event, including 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 event, (d) indicate ^{corrective} 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 Section which also require reports to other Federal, State, or local agencies shall be reported in accordance with these reporting requirements in lieu of the requirements of this Section. The NRC shall be provided with a copy of ^{such} ~~each~~ report when it is submitted to the other agency.

DEC 1 1982

MEETING SUMMARY DISTRIBUTION

Docket No(s): 50-329/330

NRC/PDR

Local PDR

NSIC

PRC System

LB #4 r/f

Attorney, OELD

E. Adensam

Project Manager R. Hernan

Licensing Assistant M. Duncan

NRC Participants:

R. Hernan

E. Pentecost

R. Samworth

bcc: Applicant & Service List