Jersey Central Power & Light Company

MADISON AVENUE AT PUNCH BOWL ROAD • MORRISTOWN, N. J. 07960 • 201-539-6111

MEMBER OF THE General Public Utilities Corporation SYSTEM

July 23, 1975

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Daniel R. Muller
Assistant Director for Environmental Projects
Directorate of Licensing
Office of Regulations
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Muller:

SUBJECT: OYSTER CREEK NUCLEAR GENERATING STATION
DOCKET NO. 50-219
PROPOSED ENVIRONMENTAL LICENSING CONDITIONS

In its December 1974 Final Environmental Statement concerning the issuance of a Full-Term Operating License for the Oyster Creek Nuclear Generating Station, the NRC (then the AEC) Staff recommended that the operating license when issued should be subject to certain conditions to protect the environment. The conditions originally proposed in the FES have since been modified by your staff, largely due to Jersey Central Power & Light Company's (JCP&L's) actions taken since the FES was issued. Exhibit I to this letter sets out our understanding of the modified set of environmental conditions. It is JCP&L's present intention to accept for inclusion in the Oyster Creek Station's Full-Term License the conditions contained in Exhibit 1.

Exhibit II to this letter describes JCP&L's progress to date toward fulfillment of these modified conditions and a description of our plans for future implementation. You will find, I believe, that JCP&L has already made substantial progress towards implementing these licensing conditions.

Based upon discussions between representatives of JCP&L and members of your staff, it is our understanding that JCP&L's implementation of the conditions as described in Exhibit II is satisfactory to the NRC Staff. We request that the NRC Staff advise us formally whether this understanding is correct.

Very truly yours,

Ivan R. Finfrock, Jr.
Vice President

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Attachments

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7. On the basis of the analysis and evaluation set forth in this statement, after weighing the environmental, economic, technical, and other benefits of the station against environmental and other costs, and considering available alternatives, it is concluded that the action called for under NEPA and 10 CFR Part 51 is the conversion of Provisional Operating License DPR-16 to a Full-Term Operating License subject to the following conditions for protection of the environment:

(a) The licensee will, by October 1, 1975, or as soon thereafter as practicable, take all reasonable steps necessary to complete the removal of trashwood from the Oyster Creek discharge canal between the Route 9 bridge and Barnegat Bay, and complete the removal of pilings, bulkheads, and other wood in the four marinas on Oyster Creek that now harbor a resident breeding population of marine borers.

(b) The licensee shall carry out a marine borer monitoring program which has been approved by the NRC Staff to determine whether continued operation of Oyster Creek Station results in any other resident marine borer populations which contribute significantly to the spread of marine borer damage in Barnegat Bay, and shall by September 1976 report to the NRC Staff the results of monitoring.

(c) The licensee will implement by September 1975 a program approved by the NRC Staff, of monitoring and data evaluation of sufficient scope and definition to permit an assessment of the effects of plant operation on the ecosystem of Barnegat Bay.

(d) The licensee will submit by November 1977 for review by the Staff a detailed reevaluation on a cost-benefit basis of alternative cooling systems taking account of the results of the monitoring program pursuant to condition (c). Such evaluation shall include, in addition to the present cooling system, systems that would not use Barnegat Bay water for once-through cooling, e.g., a closed cycle, helper cycle, or ocean intake-discharge cooling system. The Staff will consider this information in arriving at a determination, in conformance with the provisions of Section 511 of the Federal Water Pollution Control Act Amendments of 1972 (FWPCA), and in conformance with the applicable NPDES permit issued under Section 402 of the FWPCA or any alternative effluent limitation established pursuant to Section 316 of the FWPCA, concerning the acceptability of continued operation using the present cooling system.

(e) The licensee will install appropriate controls, and employ operating procedures and measures that will mitigate the extent of fish mortalities.

(f) The licensee will take reasonable action to accelerate the revegetation of areas denuded by plant construction.

(g) If evidence of other harmful effects or irreversible damage due to plant operation is detected the licensee will provide both an analysis of the problem and a proposed course of action to alleviate the problem.

EXHIBIT II

DESCRIPTION OF JCP&L'S IMPLEMENTATION OF NRC PROPOSED LICENSING CONDITIONS

With respect to marine borer related conditions, the Regulatory Staff in the December 1974 FES proposed that:

> The applicant will within nine months after issuance of this statement, or sooner if practicable, (i) clear the discharge canal of trashwood, pilings, bulkheads, and other wood that now harbors a resident breeding population of marine borers, and replace the pilings and bulkheads with structural materials that are not supportive of marine borers or (ii) implement another course of action that will, in the staff's judgement, reasonably be expected to minimize the impact occurring from marine borers in Oyster Creek.
>
> The applicant will, by December 1975, provide evidence to demonstrate whether station operation is contributing to the spread of marine borer activity in other areas of the Barnegat Bay system.

On March 3, 1975, JCP&L in implementation of the trashwood removal requirement expressed by the Staff in its proposed condition, requested the approval of the New Jersey Department of Environmental Protection (NJDEP) and the Corps of Engineers (Corps) to remove all submerged or partially submerged non-structural wood (primarily tree stumps) in that portion of the Oyster Creek discharge canal east of U.S. Highway Route 9. Permission was received from the Corps on March 11, and the NJDEP on March 21.

This phase of wood removal was completed on May 16, 1975. Approximately 2200 cubic yards of wood were removed from Oyster Creek and deposited in the contractor's landfill. Of this, approximately 220 cubic yards were infested with shipworms. After completion of the wood removal work, divers were employed to survey the discharge canal to determine the adequacy of wood removal. No appreciable wood debris remained.

Having removed the exposed trashwood, stabilization of some portions of the discharge canal bank is now necessary to prevent the exposure of additional wood, now buried in the banks, to the waters of Oyster Creek and the possible infestation by shipworm larvae. On May 15, JCP&L submitted an application for a revocable riparian permit from NJDEP and a permit to work in navigable waters from the Corps, to stabilize, by sloping and/or riprapping, the affected shoreline. To date, not all permits have been received. When these authorizations are received JCP&L will proceed immediately to stabilize the affected banks, completing the trashwood removal program.

JCP&L, also in implementation of this same proposed condition, and with the NRC Staff's concurrence, has contracted with all four marinas located on Oyster Creek for the sale of their waterfront properties. Transfer of title on three of the marinas has been completed; transfer of title to the fourth marina is contemplated for October 1, 1975.

JCP&L submitted on June 9, an application for a revocable riparian permit from NJDEP and a permit to work in navigable waters from the Corps to repair existing bulkheads in three of the marinas. The repair consists of replacing infested bulkhead support pilings with pilings which have been properly treated to resist future shipworm attack. At NJDEP's request, JCP&L included, as well, in its applications a description of the dock piling and dock removal work to be accomplished in the three marinas. To date, these requested authorizations have not been received. Appropriate permit applications to accommodate similar work in the fourth marina will be submitted soon.

Upon receipt of titles and necessary governmental authorizations, JCP&L plans to proceed expeditiously to accomplish repair of the bulkheads and removal of the pilings and docks in all of the marinas -- presumably during this summer in the case of three of the marinas and in the fall in the case of the fourth.

As for the proposed woodborer monitoring condition (condition (b) in Exhibit I), JCP&L representatives have discussed with members of your staff an appropriate woodborer monitoring program. It is our understanding that your staff approves our program which will be incorporated into the Environmental Technical Specifications. Mrs. Beatrice R. Richards, William F. Clapp Laboratories, Battelle Columbus Laboratories, has been retained to carry out the program which was commenced in June 1975.

In accordance with proposed licensing condition (c) of Exhibit I, JCP&L representatives have met and discussed with members of your staff the objectives for this program. It is our understanding that your staff has approved these objectives but that final approval of the plan must await our submittal of the program details. The program details which are to be incorporated into the Environmental Technical Specifications are scheduled for submittal on July 31, 1975. Ichythyological Associates, Inc. has been selected by JCP&L to carry out the Barnegat Bay ecosystem study and is expected to commence its monitoring program in August or September of this year, following approval by NRC of the program details.

In addition to the work being done in conjunction with the Bay monitoring program described above, preparation of the reevaluation of cooling system alternatives from an engineering and cost-benefit consideration standpoint has also commenced pursuant to proposed condition (d) of Exhibit I. As more cost and engineering data are developed and results of the monitoring program become available, the detailed reevaluation will be expanded and updated to allow completion and submittal by November 1977.

With respect to proposed license condition (e) of Exhibit I, JCP&L in paragraph I.A. of its response to the Draft Environmental Statement (reprinted in the FES on page A-37) described the steps which it was taking to minimize fish mortalities. These steps have been accomplished with the single exception of installation of an automatic trip feature on the dilution pumps. JCP&L anticipates that the design of this feature will be finalized shortly and this modification can be accomplished by December 31, 1975. In the meantime, instructions have been issued to operating personnel in the form of a Standing

Order which addresses the need for tripping of the dilution pumps when an automatic trip of the plant occurs. Since their inception, these instructions have been followed and one automatic station trip has occurred: a large fish mortality did not occur.

The areas denuded by plant construction which are subject to revegetation under proposed condition (f), are JCP&L's property which lies within the land area bounded on the north, west, and south by the "horseshoe" formed by the intake and discharge canals and on the east by Barnegat Bay (see Attachment 1). These areas include dredged spoil deposits as well as, possibly, denuded spots composed of the remaining naturally occurring topsoil. Additional areas requiring revegetation outside of the "horseshoe" and west of Route 9 are subject to present and future construction activities related to the Forked River Station. A description of revegetation of these areas is found in the Forked River Nuclear Generating Station Unit 1 Final Environmental Statement.

JCP&L intends to allocate up to $200,000 to accelerate revegetation under the Oyster Creek revegetation program which is being implemented in two phases. Phase 1 consists of a test plot study, wherein initially soil test samples representing the various edaphically different denuded areas are taken and analyzed for the nutrient content, pH, and any other appropriate soil testing parameters important to plant growth. Then, a number of test plots of approximately 400 square feet each are established in different soil areas as determined from the soil test results. Based upon such soil test data, specific fertilizer/seed recipes are tailored to the differing physical and chemical characteristics of the test plots and applied. Test plots yield the best assurance that a recipe(s) will be developed to successfully revegetate the areas denuded by plant construction.

During the 24 to 30 month duration of Phase 1 the test plots are periodically checked for successful fertilizer/seed combinations for each of the edaphically differing areas. The Phase 1 duration is long enough to permit an amelioration, hopefully, of any short term seasonal effects.

At the completion of the Phase 1 period, each test plot will be evaluated and the most efficacious fertilizer/seed recipe(s) will be selected to provide the Specification(s) for Phase 2, revegetation of all the remaining areas in question. Phase 2 also includes the details of cultural treatment of the growing medium and method(s) of application of the fertilizer/seed recipe.

Finally, JCP&L anticipates that there will be no specific action required at this time for implementation of proposed condition (g).

ATTACHMENT 1