



New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

November 25, 2005

Chief, Rules Review and Directives Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001

10/6/05
70 FR 58489
①

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2005 DEC -6 PM 3:23

RULES AND DIRECTIVES
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To Whom It May Concern:

Re: NRC: NUREG-1437, Supplement 24, draft
Nine Mile Point Nuclear Station, Units 1 & 2
Town of Scriba, Oswego County, New York
03PR00532

Thank you for requesting the comments of the New York State Historic Preservation Office (NYSHPO). The NYSHPO has reviewed the Draft Generic Environmental Impact Statement for License Renewal Report, Supplement 24, in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.

NMS-E-1 Based upon this review, the NYSHPO understands that there are no ground disturbing activities associated with the relicensing and has no further concerns with this undertaking.

NMS-E-2 However, we would like to note that the NYSHPO does not accept probability models as discussed on pages 4-33 to 4-35. It is our policy to require Phase I archaeological investigation for the entire area of potential effect (APE) and not just those areas ranked as having a moderate to high probability of containing archaeological resources.

The NYSHPO appreciates the opportunity to comment on this information. Please telephone me at ext. 3280 with any questions you may have. Please also refer to the PR# above in any future correspondences for this project.

Sincerely,

Nancy Herter
Historic Preservation Program Analyst,
Archaeology

SIS of Benar Complete

Template = ADM-03

E-RIDS = ADM-03

Att = J. Field (ICF)

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Appendix A

From: "Tom Gurdziel" <tgurdziel@twcny.rr.com>
To: <NineMilePointEIS@nrc.gov>
Date: Thu, Dec 8, 2005 12:26 AM
Subject: Comments on NUREG-1437, Supplement 24, Draft

Good morning,

I have these comments.

page x

NMS-F-1 Change "Table 2-12. Mayor Employers.." to "Table 2-12. Major Employers.."

page 8-45, Section 8.2.5.10 Delayed Retirement

NMS-F-2 It is my recollection that fossil plants are designed with a life of either 60 or 65 years, not the 40 years mentioned here.

pages A-25 and A-25

NMS-F-3 Can the presently existing 115 kV offsite power support an accident in one unit and orderly shutdown and cooldown of the remaining two units? Apparently this is required by General Design Criteria 5, according to this comment. I note that "these comments have been referred to the NRC operating plant project manager for disposition."

Until these comments have been completely addressed, I do not feel it is appropriate to extend the license of these plants.

page G-21

NMS-F-4 I see a note 2 but am not able to identify what item(s) it refers to. In any event, why aren't the compensatory measures already in procedures, and when will they be?

Thank you for the opportunity to make these comments.

Tom Gurdziel

CC: "Leonard Cline" <LMC1@nrc.gov>, "James M. Trapp" <jmt1@nrc.gov>, "David Lochbaum" <dlochbaum@ucsusa.org>, <rif2@nrc.gov>, <rdh1@nrc.gov>, <nbl@nrc.gov>, <mtl1@nrc.gov>



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
408 Atlantic Avenue – Room 142
Boston, Massachusetts 02210-3334



December 13, 2005

ER-05/0848

Pao-Tsin Kuo, Program Director
License Renewal & Environmental Impacts Program
Div. of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Mr. Kuo:

The Department of the Interior (Department) has reviewed the “Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Power Plants” (NUREG-1437, Supplement 24), dated September 2005, regarding the relicensing of Ninemile Point Nuclear Station, Units 1 and 2. The Nuclear Regulatory Commission (NRC) has requested comments on the GEIS which evaluates potential impacts from the relicensing of the Ninemile Point Power Plants for an additional 20-year period.

This report of the Department is submitted for project planning purposes under the National Environmental Policy Act. Comments pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) were previously submitted in a letter dated November 3, 2004. Additional comments may be provided pursuant to, and in accordance with, provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) in the future, if applicable, as well as other legislation.

GENERAL COMMENTS

NMS-G-1

Both Ninemile 1 and Ninemile 2 have the potential to entrain and impinge fish and other organisms. For example, during the period of 1973 – 1997, an average of approximately 700,000 fish were impinged annually at Ninemile 1. In 1997, an estimated 86.8 million ichthyoplankton were entrained at Ninemile 1 between April and August. We disagree that these impingement and entrainment losses can be characterized as “small”, as concluded in the GEIS. We also disagree with the analysis presented in the GEIS that minimizes the significance of these losses by expressing them as a percentage of the total fish in Lake Ontario. The GEIS indicates that measures in place at Ninemile 1 provide mitigation for impacts related to entrainment and impingement, but the mitigative measures are not presented. We recommend that the Final GEIS present the specific mitigative measures employed, with an analysis of how these measures serve to minimize and compensate for entrainment and impingement losses.

The NRC has determined that entrainment and impingement impacts are “small” for all plants using closed cycle cooling systems (such as Ninemile 2) and do not require site-specific analyses

NMS-G-2 for purposes of license renewal. Ninemile 2 has an intake flow of about 77 million gallons per day (based on 53,600 gpm), compared to 418 million gallons per day at Ninemile 1. Although the volume of water is considerably less at Ninemile 2 than Ninemile 1, the water velocity at the intake of Ninemile 2 is 3 feet/second, compared with the 2 feet/second at Ninemile 1. This high water velocity at the intake may contribute to greater entrainment and impingement than may be anticipated with the flows at Ninemile 2. We recommend that data be collected to demonstrate actual entrainment and impingement losses at Ninemile 2, and that measures be taken to mitigate for impacts.

NMS-G-3 The GEIS indicates in section 4.1.1. that the U.S. Environmental Protection Agency (EPA) published a final rule in 2004 addressing cooling water intake structures at existing power plants whose flow levels exceed a minimum threshold of 50 million gallons per day (Phase II of EPA 316(b) regulations). Therefore, Ninemile 2 may have to comply with these EPA guidelines to further reduce entrainment and impingement. This point should be clarified in the Final GEIS.

NMS-G-4 There is the potential for heated return water to adversely affect biota at the site of discharge. Heat shock surveys from 1969 – 1974 demonstrated that no aspect of the biotic community was impacted by the heated discharge of Unit 1. Due to changes in the biotic community in the past 30 years, we recommend that additional studies be performed in the vicinity of the heated discharge to support the preliminary conclusion of the GEIS that the potential impacts to fish and shellfish due to heat shock are “small”.

NMS-G-5 A filter boom, such as the Gunderboom System, may prevent fish larvae and eggs from entering the water intake pipes. Fish larvae, eggs, and debris are removed and released downstream of the boom with small bursts of air along the length of the filter. This system is currently being used at three other major power plants in New York and has been determined to be the Best Technology Available, where its use is feasible. It is recommended that this type of technology be considered as a means to reduce fish entrainment and impingement.

SPECIFIC COMMENTS

Page 2-22, Section 2.2.2 Water use, lines 13-22

NMS-G-6 It may be appropriate to do periodic water-quality analyses of the discharge from the dewatering activity to ensure that pumping of the groundwater does not draw contaminated water from the petroleum contaminant plume. This may not be necessary if the text included technical discussion as to the fate and transport of the petroleum contaminant plume. The discussion should include information about whether the cone of depression has reached equilibrium or is still expanding; and distance from the former vehicle maintenance area to the dewatering pumps. (Figure 2-4 on page 2-6 is too blurry to determine this information).

Page 2-23, Section 2.2.3 Water Quality, lines 30-32

NMS-G-7 This section describes the sources of water for Lake Ontario, but only describes surface water sources. As much as 42 percent of the water supply for the lake may be groundwater entering by direct and indirect pathways, which has implications for impacts of human activities on the quantity and quality of lake water. Information about the interaction of groundwater and surface water in the Great Lakes can be found on the internet at:
<http://mi.water.usgs.gov/splan8/sp08400/intljoint.php>

3

The Department appreciates the opportunity to comment on the GEIS. We hope these comments are useful during your project review. Please contact Anne L. Secord at the Service's New York Field Office, 607-753-9334, if there are any questions regarding this letter.

Sincerely,

Andrew L. Raddant /s/
Regional Environmental Officer



Constellation Energy

Nine Mile Point Nuclear Station

P.O. Box 63
Lycoming, NY 13093

December 15, 2005
NMPE 0587

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2005 DEC 23 AM 9:47

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USNRC

Chief, Rules Review and Directives Branch
U.S. Nuclear Regulatory Commission
Division of Administrative Services
Office of Administration
Mail Stop T-6D59
Washington, DC 20555-0001

10/16/05
70 FR 58489
(2)

Subject: Comments regarding the Draft Plant-Specific Supplement 24 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants regarding Nine Mile Point Nuclear Station, Units 1 and 2, Docket Nos. 50-220 and 50-410 (TAC Nos. MC3274 and MC3275)

Dear Sir:

Constellation Energy has reviewed the subject document and is providing the attached comments for your consideration when developing the Final Supplemental Environmental Impact Statement for the Nine Mile Point Nuclear Station, Units 1 and 2, License Renewal Application. Our review focused on technical content, and the majority of our comments identify corrections.

Sincerely,

James A. Spina
James A. Spina
Vice President Nine Mile Point

JAS/KES/sac
Attachment

- cc: Ms. L.C. Fields, NRC Environmental Project Manager
- Mr. L.M. Cline, NRC Senior Resident Inspector
- Mr. J. Zappieri, Coastal Resources, NY Dept. of State
- Mr. J. Feltman, Regional Permit Administrator NYSDEC Region 7
- Mr. J.A. Nasca, Environmental Permits, NYSDEC
- Mr. P.D. Eddy, Electric Division, NYS Dept. of Public Service

E-REDS = ADM-03

SISF Review Complete
Template = ADM-013

Call = L. Fields (LEF)

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-1	1	Page xxi, Line 1	Acronym 'NMP' should refer to Nine Mile Point Units 1 and 2. It is used once in Draft Supplement Environmental Impact Statement (DSEIS) on page 5-5, Line 31 and is in context of Nine Mile Point.
NMS-H-2	2	Page 1-7, Line 23	NMP Units 1 and 2 produce enough electricity to power 2 million homes.
NMS-H-3	3	Page 1-7, Line 25	Change reference citation (NMPNS 2000) to (NMPNS 2004) to reflect cited reference in DSEIS.
NMS-H-4	4	Page 2-14, Line 34	Value for particulates should be 2.71×10^{-2} Ci and 1003 MBq, as documented in Attachment 2 of the following references: NMPNS 2001b and c, NMPNS 2002b and c, NMPNS 2003d and e, NMPNS 2004a and b, and NMPNS 2005a and b.
NMS-H-5	5	Page 2-15, Line 5	Unit 2 value for particulates should be 2.29×10^{-3} and 84.7 MBq, as documented in Attachment 2 of the following references: NMPNS 2001b and c, NMPNS 2002b and c, NMPNS 2003d and e, NMPNS 2004a and b, and NMPNS 2005a and b.
NMS-H-6	6	Page 2-16, Line 39 Page 2-17, Line 1	Revise "... which can handle up to $454 \text{m}^3/\text{d}$ (120,000 gpd)" to read "... which is permitted for $454 \text{m}^3/\text{d}$ (120,000 gpd) as a 30-day average. Daily flows range from $132\text{-}908 \text{m}^3/\text{d}$ (35,000-240,000 gpd)." to be consistent with information in NMPNS 2004e.
NMS-H-7	7	Page 2-31, Lines 13-23	Reference NMPNS 2004e does not support the information presented and should be removed and/or replaced.
NMS-H-8	8	Page 2-33, Lines 2-3	The text states the Oswego River is <u>the</u> spawning area for lake sturgeon. While it has been identified in the past as a spawning area based on 1982 observations as documented in NYSDEC 2004b, it is not certain if it is still a viable spawning area. More recently, NYSDEC has identified four areas where distinct and reproducing populations remain (St. Lawrence River downstream of Massena, Niagara River above and downstream of the Falls and the Grasse River in St. Lawrence County as indicated in a NYSDEC 2003 press release [http://www.dec.state.ny.us/website/reg6/press/2003/6ro322.html]).
NMS-H-9	9	Page 2-34, Line 23	The date 1070 should be changed to 1970 as documented in reference NMPNS 2004e. Also, Provence should be changed to Province.

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-10	10	Page 2-35, Line 11	Dreussena should be Dreissena as documented in reference NMPNS 2004e.
NMS-H-11	11	Page 2-38, Lines 18-21	Reference NMPNS 2004e does not support the information presented and should be removed and/or replaced.
NMS-H-12	12	Page 2-40, Line 20	The date of the survey should be changed from 1979 to 1976 as documented in NMPC 1985.
NMS-H-13	13	Page 2-41, Line 4	'The FWS' should be changed to 'the FWS' where it occurs.
NMS-H-14	14	Page 2-43, Line 25	Suggest adding the following: 'Occurrence at the Nine Mile Point site or associated rights-of-way has not been documented.' as supported by reference NMPNS 2004e.
NMS-H-15	15	Page 2-47 Lines 38-39	The maximum organ dose is incorrect. Revise value to 0.0000073 mSv (0.00073 mrem) as documented in the references NMPNS 2005a and 2005b.
NMS-H-16	16	Page 2-48, Line 20	The range for the maximum organ dose is incorrect. Revise the values to 8.03×10^{-7} mSv and 4.0×10^{-5} mSv (8.03×10^{-5} mrem and 4.0×10^{-3} mrem) as documented in the references NMPNS 2001b and c, NMPNS 2002b and c, NMPNS 2003d and e, NMPNS 2004a and b, NMPNS 2005a and b.
NMS-H-17	17	Page 2-48, Lines 23-24	The maximum organ dose presented (0.23 mrem) is the calculated average, not the maximum organ dose, for the period 2000 to 2004 (References NMPNS 2001b and c, NMPNS 2002b and c, NMPNS 2003d and e, NMPNS 2004a and b, NMPNS 2005a and b). The text should be corrected to so note.
NMS-H-18	18	Page 2-51, Line 12	"Independence Station" should be capitalized as it is a proper name.
NMS-H-19	19	Page 2-53, Table 2-10 and Page 2-52, Line 25	Percent of total acres for Oswego County in the land use categories of "Public" and "Commercial and Industrial" are not documented in Reference NMPNS 2004e. An additional reference is needed.

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-20	20	Page 2-53 Line 32	Height of the cooling tower is 541 feet as documented in reference NMPNS 2004e.
NMS-H-21	21	Page 2-58, Line 5-14 Page 2-59, Table 2-13	Footnote should be added to Table 2-13 explaining conversion of actual dollars as found in the cited reference to '2005 dollars' used in the text and table.
NMS-H-22	22	Page 2-58, Line 12	Data for the year 2001 is not in the cited reference, NMPNS 2004e. If the 2001 data is available, add appropriate reference.
NMS-H-23	23	Page 2-63, Line 9	Fitzpatrick Nuclear Power Plant is no longer owned by the New York Power Authority. The text should be corrected to reflect ownership by Entergy.
NMS-H-24	24	Page 2-67, Lines 7-8	Information is needed to complete NOAA references 2004b and 2004c.
NMS-H-25	25	Page 2-69, Lines 11-12	Reference NMPC 1975 appears to be a duplicate of NMPC 1976 and should be deleted or corrected. Associated change will be required on page 2-27, Line 15. Also, delete 'West' from 'West Syracuse.'
NMS-H-26	26	Page 2-72, Lines 10-11	Reference RREDC 2004a appears to be incomplete. Additional information needed.
NMS-H-27	27	Page 2-73, Line 17	Reference EPA 2004 appears to be incomplete. Additional information needed.
NMS-H-28	28	Page 4-12, Lines 20-21	Clarify that the Phase II performance standards are designed to significantly reduce entrainment losses due to plant operation from a baseline condition. This fact is important because NMP already has some "credits" against the baseline condition as defined in the Phase II rule.
NMS-H-29	29	Page 4-13, Line 34	The text states that there is a discharge canal. Given that there is no discharge canal at Nine Mile Point, please revise.

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-30	30	Page 4-15, Lines 29-30	Clarify that the Phase II performance standards are designed to significantly reduce entrainment losses due to plant operation from a baseline condition. This fact is important because NMP already has "credits" against the baseline condition as defined in the Phase II rule.
NMS-H-31	31	Page 4-16, Lines 1-12	Percent of Individuals Collected values appear to be averages of percent per year. Given the variation in total numbers impinged each year, a better representation of the percentages would be to divide the total number impinged of each species by the total impinged. For example, the latter calculation results in 82% for alewife and 7% for smelt compared to 60% and 20% as stated on page 4-16.
NMS-H-32	32	Page 4-16, Line 13	"Proceeding" should be revised to "Following."
NMS-H-33	33	Page 4-16, Line 19	Over the period discussed (1972-1983), rainbow smelt were also the most abundant species impinged in 1982, in addition to 1979 as documented in reference NMPNS 2004b.
NMS-H-34	34	Page 4-16, Line 22	As documented in reference NMPNS 2004b, the highest number of fish impinged was in 1973 rather than 1976. Greater than 5 million fish were estimated to be impinged during that year. Please revise.
NMS-H-35	35	Page 4-18, Line 6	As documented in reference 2004b, large die-offs of alewife typically occur during winter, not spring. Please revise.
NMS-H-36	36	Page 4-20, Line 34	Cited reference NMPNS 2004b does not support information presented in Lines 27-32 regarding tree trimming, herbicide use, mowing, and use of buffer strips. Please revise to clarify the source of this information.
NMS-H-37	37	Page 4-24, Lines 18-24	Cited reference NMPNS 2004b does not fully support statements on Lines 20-23 indicating that field measurements demonstrated compliance with NESC and that Nine Mile Point transmission lines are below the size of concern for induced shock. Suggest revising to indicate that compliance with the NESC code was demonstrated by field measurements and computer analyses, and deleting sentence regarding size of transmission lines.

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-38	38	Page 4-32, Line 14	Text should be changed to reflect that tax payments to the City have fallen from 56 percent to 43 percent over the period from 1995 to 2000. Data was not available for the year 2001 in the cited reference, NMPNS 2004b. Or, if data available, add appropriate reference.
NMS-H-39	39	Page 4-37, Figure 4-1	Shaded areas on Figure 4-1 do not appear to correspond to areas noted in text of page 4-38 as having minority populations. No minority populations were identified in Oswego or Seneca Counties in the text and there are some depicted on the figure. Jefferson County is noted as having minority populations, yet none are apparent on the figure. The minority populations depicted on the figure in Cayuga County do not appear to correspond to those in the cited reference NMPNS 2004b.
NMS-H-40	40	Page 4-39, Figure 4-2	Shaded areas on Figure 4-2 do not appear to correspond to areas noted in text on page 4-38 as having low-income populations. The low-income populations depicted on the figure in Cayuga, Oswego, Oneida, and Jefferson Counties do not appear to correspond to those in the cited reference NMPNS 2004b.
NMS-H-41	41	Page 8-8, Line 8	Mention is made of the "Lakeview Subdivision immediately west" of NMP (also shown on Figure 2-3). This area is now occupied by the Ontario Bible Conference Camp, which is mentioned on page 2-1, Line 23 and shown on Figure 2-2 of the DSEIS. NRC may wish to revise this sentence to clarify this point.
NMS-H-42	42	Page 8-14, Lines 16-17 Page 8-10, Line 13	The DSEIS states particulate emissions estimate data as 181 tons PM ₁₀ . The correct data are 181 tons total (filterable) and 41 tons PM ₁₀ (NMPNS 2004, page 7-35).
NMS-H-43	43	Page 8-19, Line 1	The assumption of a 40-year operating life as stated here is not supported by the applicant's ER (NMPNS 2004), which is cited as the source of assumptions and numerical values in Section 8.2.2 unless otherwise indicated (page 8-18, Lines 32-33). Consider resolving the inconsistency by using the ER assumption (25 years) or citing another appropriate source.

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

	Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-44	44	Page 8-19, Line 20	The estimated land requirement for the gas-fired alternative of 1600 acres is inconsistent with the 110 acre estimate cited elsewhere in this section (page 8-23, Line 12) and NMP ER (NMPNS 2004).
NMS-H-45	45	Page 8-34, Line 25	The statement that no groundwater is currently used for NMP operation could be viewed as inconsistent with the fact that a dewatering system is employed for NMP Unit 2 (see Section 4.5.1 of the DSEIS). Acknowledgement of the dewatering system here should be considered for clarity.
NMS-H-46	46	Page 8-46, Lines 6-8	For clarity and consistency with the analysis presented in DSEIS Section 8.2.5.10 and in the NMP ER Section 7.2.3.2 (NMPNS 2004), the phrase "retirement of other Constellation Energy Group generating units" should be replaced with "retirement of other generating units directly controlled by owners of Nine Mile Point".
NMS-H-47	47	Page 8-48, Line 7, Page 8-50, Line 1	Adverse impacts for Nine Mile Point Site alternative in the Ecology and Aesthetics impact category in this table are greater than those presented in Table 8-3, yet the primary contributor to impact is a comparable but smaller capacity gas-fired combined-cycle plant. This apparent inconsistency in the DSEIS should be resolved.
NMS-H-48	48	Page 8-52	The NMP ER (NMPNS 2004) is cited in Chapter 8 (e.g., page 8-7), but is not included in the list of references in Section 8.4.
NMS-H-49	49	Page 9-8 Lines 8, 30	Adverse impacts for Combination of Alternatives Nine Mile Point Site alternative in the Ecology and Aesthetics impact categories in this table are greater than those presented in Table 8-3, yet the primary contributor to impact is a comparable but smaller capacity gas-fired combined-cycle plant. NRC may wish to consider revising to resolve this apparent inconsistency in the DSEIS.
NMS-H-50	50	Page 9-8, Line 29)	Adverse impacts for New Nuclear Generation Alternate Site in the Aesthetics impact category in this table are different than those presented in Table 8-5, page 8-33. This inconsistency in the DSEIS should be resolved.
NMS-H-51	51	Page G-1, Line 16	Revise the initial number of potential SAMA candidates from 223 to 220 to be consistent with Chapter 5 of the DSEIS.
NMS-H-52	52	Page G-5, Line 2	Correct 7.5×10^5 to 7.5×10^6 .

**Review Comments on GEIS, Supplement 24
Regarding Nine Mile Point Nuclear Station,
Units 1 & 2**

Comment No.	DSEIS Page # Line #	Comment(s)
NMS-H-53 53	Page G-17, Line 9	Revise value of CDF from 23 to 2.3 (or 2 considering significant digits) used in table to be consistent with the NMP ER (NMPNS 2004).

Appendix A

Leslie C. Fields, Project Manager
Samuel Hernandez
Environmental Section D
License Renewal and Environmental Impact Program United States
Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

Linda Bond-Clark
608 Sundown Rd.
Fulton, New York 13069

December 19, 2005

Dear Madams or Sirs,

On November 17, 2005 I attended the second session of the Nuclear Regulatory Commission's public hearing in Scriba, New York on the Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 24: Regarding Nine Mile Point Nuclear Station, Units 1 and 2: Draft Report for Comment. I commented that I had co-authored a report titled, *Nine Mile Point Nuclear Surveillance Program - A Summary* and was asked by NRC officials to forward this same report for the licensing review. Please find this report enclosed. This report consists of an investigation into the monitoring program of the New York State Health Department years of 1976 through 1988. While the report is primary an overview, it includes recommendations to improve the monitoring program.

In addition to the enclosed report, I would like to make written comments on the application for the license extension for Unit One and Two at the Nine Mile Point in Scriba, New York that currently operate under National Grid.

10/16/05
70FR58489
⑥

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2006 JAN 25 PM 12:07

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Call = L. Fields (LCP)

Information Meeting

NMS-I-1 I was extremely disheartened by the fact there were no elected officials in the audience. This reinforces the notion felt by many citizens that elected officials are not concerned about the socio implications of the nuclear plants. Rather concern lies with the economics, only. These facilities have often been referred to as the “Golden Goose” of Oswego County.

NMS-I-2 I am concerned the informal comments and concerns that were voiced are not being transcribed as comments for license renewal. The citizens asked important questions during this time. The facilitator should have stressed that no comment made during the informal meeting were going to be put into the comments for consideration or be addressed. Had this been addressed, the potential for more oral comments might have existed.

2.2.4 Air Quality

NMS-I-3 The generic impact statement indicates that the diversity of climate at Nine Mile Point is not usually encountered within such a small area. It further states that the meteorological data recorded for Ithaca, located in north central New York, are generally representative of the Nine Mile Point Area. What the report fails to communicate is that Oswego County may have notable snowfall from October to May. Snowfall, up to 3 feet have accumulated in this area overnight. The area experiences blizzard conditions during the winter and many snow advisory or warning are issued. Because this area is very unique, the meteorological data could be collected on site.

Oswego County Evacuation Plan

NMS-I-4 Oswego County’s Evacuation Plan requires revision. The safety of the local citizens should be a primary concern and this plan should be updated regularly. The evacuation information is now located on the back of a scenic Oswego County calendar. Rather than address the potential and serious consequences of a possible release of radiation, spectacular landscape now captivates citizens and weakens the importance of evacuation. Calendars may be good, if the citizens actually use these, thereby keeping the escape routes handy. However, the gravity of the information is buried. The problems that might arise from mass exodus have not been addressed. The citizens themselves have never been asked to act as volunteers, to take part in the evacuation plan, nor are they informed about contamination.

The evacuation plan has not considered the population expansion or decline in some areas. For example, there are four pick up sites for twelve homes on Lily Marsh Road and on Albright Road there is one pick up site for thirty one homes. Also in the aforementioned air quality, Oswego County experiences bleak weather conditions, which might make evacuation impossible or difficult at best.

The City of Oswego also hosts Harborfest. Upwards of 150,000 people attend this festival. I know of no brochures that are handed out to the tourists to assist in case of an evacuation. The evacuation plan should extend to the 50-mile radius around the Nine Mile Point area. At the Chernobyl nuclear accident, contamination spread as far as Europe.

Propaganda is dispersed through these calendar/evacuation brochures. It states that the release of radiation was minimum at the Three Mile Island accident, when indeed the radiation monitors were inoperative and the actual release of radiation is unknown.

2.2.7 Radiological Impact

NMS-I-5 I do not believe I received a clear and concise answer to my questions about meteorological data and highest exposure to radiation from the Nine Mile Point facilities. I was told that highest exposure occurs at the fence boundary. Does the highest exposure equate to highest deposition of particulate matter thus highest exposure, or from gamma ray exposure? If this is due to particulate matter, do sheering winds exist at the site that would cause radioactive isotope releases from the emission stacks to be directed in a downward plunge to the fence line? It would be my understanding that isotopes with greater atomic mass would settle faster and closer to the site, and that lighter, less dense isotopes would be transported by wind and be deposited further from the site. Depending on the wind speed carried miles from the site.

NMS-I-6 I asked about the maximum dose calculation and what were the gender, age and relative health of the individual for which dose is calculated. The answer I received was that a person living at the fence boundary, growing and eating vegetables, was the dose that is used. This answer does not quantify my question and is vague at best. I understand that that the releases of radiation are as low as reasonably achievable (ALARA). ALARA does not formulate a quantitative answer because of the variables of equipment and "normal" operations at the facility. ALARA aside, is this radiation exposure and calculation based on a young child who is a vegetarian and fed exclusively from the vegetables that would be grown on this fence boundary? Or, is this a healthy adult male who prefers to eat few vegetables in their diet? What type of vegetables do these hypothetical people eat? Certain vegetables would have greater uptake of specific radionuclide than others.

NMS-I-6 There are many variables in the human population. However, I would hope that the most conservative example would be used for the potential health effects of radiation exposure for local residents. Consider the infant that nurses from a mother that drinks the milk from a cow that grazes on the vegetation in the area around the nuclear plants. This mother also grows her family's vegetables on this same site? Also consider that this same cow becomes the meat the family consumes. Some of the families in Oswego County are getting radionuclide through much more than vegetables. This is the situation that exists for some of the residents around the nuclear plants in this area.

Potassium Iodide Pills

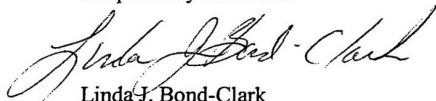
NMS-I-7 The Post Standard reported that only 20 Percent of residents in Oswego County have received potassium iodide (KI) pills. KI could help protect the thyroid gland in the case of a radiation release and exposure. With 80 percent of the population unprotected, concern should be raised about the potential health threat for the local citizens. Perhaps the KI pills could be mailed out with the batteries for the citizens in the five-mile radius that are used for the emergency alarms. Schools located out of the ten-mile radius are discouraged from acquiring KI pills even though these may be in areas of prevailing winds and potentially high deposition of radionuclide, or in areas that still may be affected by the fall out.

NMS-I-8 **2.2.9.1 Cultural Background**
Fourteen farms were noted to exist at the time of the nuclear plants construction. To date, there are only two dairy farms located near the nuclear plants. Small farms, which once supplied a number of jobs in the area, are lost. While farms are not as profitable as the nuclear facilities, these did add many jobs to the area. This area is prime farmland and has more tillable soils and a longer growing season than Jefferson County.

NMS-I-9 Oswego County's migrant population should also receive information on the evacuation plan and have a chance to receive the KI pills.

Thank you for the opportunity to comment on the relisensing of National Grid' units One and Two located at the Nine Mile Point, Scriba New York.

Respectfully submitted



Linda J. Bond-Clark



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3

Dear Sir or Madam:

In accordance with Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA), the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Generic Environmental Impact Statement for License Renewal of Nuclear Plant, Supplement 24 (draft SEIS): Nine Mile Point Nuclear Station Units 1 and 2. According to the draft SEIS, the current operating licenses for Nine Mile Point Units 1 and 2 will expire in August 2009 and October 2026, respectively. The proposed Federal action would renew the current operating licenses for an additional 20 years.

This draft SEIS was prepared as a supplement to the Nuclear Regulatory Commission's (NRC) 1996 Final Generic Environmental Impact Statement (DGEIS), which was prepared to streamline the license renewal process on the premise that in general, the environmental impacts from re-licensing nuclear power plants are similar. That GEIS proposed that NRC will develop facility-specific SEIS documents for individual plants as the facilities apply for license renewal. EPA provided comments on the GEIS during the development process in 1992 and 1996.

The Nine Mile Point Nuclear Station is located in Oswego County, New York, on the shoreline of Lake Ontario. Units 1 and 2 are boiling water reactors. The facility's Unit 1 has a power rating of 1850 megawatts of thermal energy and 615 megawatts of electrical power and Unit 2 has a power rating of 3467 megawatts of thermal and 1144 megawatts of electricity. Each unit is refueled on a 24-month cycle. Plant cooling is provided by a once-through circulating water system that draws and discharges to Lake Ontario for Unit 1 and a cooling tower for Unit 2.

Based on the review of the Nine Mile Point Nuclear Station draft SEIS, the EPA has rated the project and document "Environmental Concerns- insufficient information" (EC-2). We have concerns with the impacts due to entrainment and impingement of fish and shellfish, heat shock, and environmental justice. Also, we recommend that the final SEIS address opportunities for pollution prevention and waste recycling.

SEIS Review Complete

*E-RIDS = ADM-D3
Cdd = J. Fields (LCF)*

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Entrainment and impingement:

NMS-J-1 The EPA's new rules under Section 316(b) of the Clean Water Act (in 40 C.F.R. § 125) require Nine Mile Point Nuclear Station to reduce its entrainment of fish and shellfish in early life stages. Although the draft SEIS makes mention of the new rules that are in effect, it does not identify any measures that the facility has taken or will take to mitigate for entrainment and impingement, such as a high-frequency fish deterrent system or fish return troughs. The draft SEIS seems to imply that the main reason for the high rate of entrainment and impingement of fish is the fact that there is an abundance of fish in the water near the intake, rather than the fact that the facility draws in such a great volume of water. If specific location is the problem, then mitigation measures to reduce that abundance near the intakes should be instituted, thereby reducing the entrainment and impingement rates. Of particular concern is the fact that the important forage species, alewife and rainbow smelt, are in decline in the lake overall, and that these are the species found most entrained in the facility's flows. To be in accord with the new 316 (b) regulations, the facility will have to propose mitigation measures to minimize these impacts and we recommend that the final SEIS address which measures the Nine Mile Point station will employ. As such, we recommend the final SEIS not include the following statement: "The staff concludes that the potential impacts of entrainment of fish and shellfish in the early life stages into the cooling water intake system are SMALL, and further mitigation measures are not warranted." This conclusion is premature since mitigation will be deferred to the NYSDEC permit process. NYSDEC will determine what mitigation measures are necessary and need to be reflected in the plant's next discharge permit.

NMS-J-2 We also recommend that the final SEIS not view entrainment and impingement as mutually exclusive impacts, but instead assess the combined effects of entrainment and impingement, particularly since both impacts substantially affect a discrete number of species.

Heat shock:

NMS-J-3 The draft SEIS states that the results of biological studies demonstrated that no aspect of the biotic community was influenced or impacted by the heated discharge. However, these studies were done from 1969 to 1974, and at this point are far too old to be relied upon to determine that there continues to be no influence or impact to biota in the lake from the heated discharge. In a related matter, the study of the thermal plume and mixing zone is also too old (1975), to be a reliable determination of current effects and impacts.

NMS-J-4 Also, the draft SEIS does not contain enough information to support these conclusions and should have summarized these results in either tabular or narrative form to allow the reviewers the opportunity to come to the same conclusion. EPA Region II gave direction to NRC for choosing representative important species for the studies. We strongly

NMS-J-5 recommend that new and current studies should be done for these representative species and those results be presented in the final SEIS. The studies should also address the less

conspicuous ability of heat to preclude the use of affected areas by temperature sensitive species, attract and expose organisms to areas of elevated temperature during spawning periods, and expose eggs and larvae to water temperatures far exceeding naturally ambient levels.

NMS-J-6

The draft SEIS also contains the conclusion that the potential impacts to fish and shellfish are small. As we have stated before, we believe that these kinds of conclusions are premature, particularly in this instance where current studies to determine the significance of the impact need to be done. The final SEIS should refrain from that terminology until that has been proven to be the case.

Environmental Justice:

NMS-J-7

We are concerned that the Environmental Justice evaluation is too broad and therefore, inadequate to evaluate the impacts to environmental justice communities. The draft SEIS discussed that an examination of minority and low income populations was done for a 50 mile radius around the Nine Mile Point Station. While this is helpful to determine locations of EJ communities, it is too wide an area for an EJ impact evaluation of a specific facility. A more meaningful evaluation would be a thorough examination of the census blocks one to five miles from the facility (for example, Oswego has 8 census blocks that are considered low-income) and then a smaller scale analysis down to the neighborhoods immediately adjacent to the facility. Though the draft SEIS did identify some EJ community census blocks, the document was not specific as to their exact location. Our concern is that typically, low income and minority communities will be living near facilities such as Nine Mile Point, due to the relatively cheaper housing that is often located adjacent to large industrial facilities. Should this turn out to be the case and an EJ community is identified within these narrower bounds, the final SEIS should provide an evaluation on the communities environmental burden and Nine Mile Point's impact to those communities.

Waste recycling:

NMS-J-8

One of the Department of Energy's (DOE) goals in their 2005 budget is to identify opportunities for recycling spent fuel, and a DOE lab is testing a process to make reprocessing spent fuel more viable. However, the draft SEIS did not address the issue of spent uranium fuel recycling in its discussion of the Uranium Fuel Cycle. Since there has been significant progress in the area of recycling spent uranium fuel from commercial nuclear power plants, we believe that the final SEIS should address this issue and the likelihood that Nine Mile Point may employ some recycling technology in the future.

NMS-J-9

The draft SEIS was also silent on the issue and options for pollution prevention (P2). The final SEIS should discuss the internal and external processes and the waste streams that would be candidates for pollution prevention technologies. Some P2 opportunities can be as simple as specific landscaping and reduction of herbicides within the facility

grounds, to reduction of sanitary or hazardous (non-radioactive) wastes. We encourage consultation with the DOE's Pollution Prevention office to obtain recommendations that would fit with the processes at Nine Mile Point.

We appreciate the opportunity to comment on the draft SEIS. Upon completion of the final SEIS please send three copies to this office. My staff is available to discuss these comments and provide assistance in responding to these issues. Please feel free to contact David Carlson, at (212) 637-3502 if you have any questions.

Sincerely yours,



John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

Attachment (Rating Sheet)

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analysis, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."