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Southcentral Regional Office

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Ms. Sarah Lopas, License Renewal Project Manager
Division of License Renewal
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Ms. Lopas:

The Pennsylvania Department of Environmental Protection (DEP) has completed its review of the Environmental Section of AmerGen's license renewal application for TMI-1 and has the following observations and comments:

Air Quality

Asbestos. As the date of construction falls within the general timeframe when the use of asbestos-containing materials (ACM) was phased out, there is some possibility that ACM may be present on-site. In the event that the project includes the disturbance of any ACM, it may be subject to the federal asbestos regulations found at 40 CFR Part 61, Subpart M, beginning at 40 CFR 61.140.

Fugitive Emissions. Construction and earthmoving activities must comply with 25 Pa. Code Sections 123.1 and 123.2. These sections generally require that: 1) reasonable measures must be taken to minimize airborne dust nuisances from construction activities, 2) any dirt drag-out onto paved streets must be promptly removed, and 3) any airborne dust generated from construction activities may not visibly cross off-property.

Drinking Water

In Section 2.91 of the Environmental Report (ER), Dauphin County is listed as having 14 public water systems. According to the Safe Drinking Water Act (SDWA) definition of a public water system, that number is incorrect. The SDWA definition of a public water supply is: *a system which provides water to the public for human consumption which has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.* The definition goes on to define a community water system as: *a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residences.* Dauphin County residents are currently served by 28 community public water supplies. The population listed for two of the largest community water supplies also appears to be incorrect; the population for United Water Pennsylvania and Pennsylvania American Water Company - Hershey should be verified with the water companies.



Table 2.9-1 of the ER lists the community public water supplies in Dauphin County that serve more than 10,000 persons. The data provided for United Water Pennsylvania should be verified because it is not correct. Also, Middletown Borough Water Authority should be included in this table. Middletown's population (including two consecutive water systems that receive all their water from Middletown) is 10,247 persons.

In sections 2.2.3 and 5.1, the report mentions an Environmental Protection Agency (EPA) drinking water standard for tritium of 20,000 pCi/L, which is used as a reference value to add perspective to the results obtained in their groundwater monitoring program. Based on the method EPA uses to calculate the maximum contaminant level (MCL) for beta particle and photon radioactivity (of which tritium is a constituent), the report should have referenced the fact that gross beta analysis is routinely conducted and tritium is the only constituent which is detected in the samples. This clarification would better explain what contaminants are analyzed for, which have been detected, and how they relate to EPA's drinking water standards.

In Sections 2.3, 4.15.1 and 4.15.2, the ER states that the plant does not use water from a public water system. The SDWA defines a nontransient noncommunity public water system as: *a public water system which is not a community water system that regularly serves at least 25 of the same persons over six months per year.* Based on this definition, the Three Mile Island facility is a public water system and provides potable water to the plant population.

Radiological

AmerGen has implemented a long-term groundwater monitoring effort at TMI-1 referred to as the Radiological Groundwater Protection Program (RGPP). Prior to AmerGen's submittal of the license application to the Nuclear Regulatory Commission (NRC), DEP had requested that the licensee provide a description of the TMI-1 RGPP. Although the inclusion of this program in the license renewal application is not required by the Nuclear Regulatory Commission (NRC), AmerGen responded favorably to DEP's request. The program description, as included in the Environmental Section of the license renewal application (Appendix E), indicates that a primary purpose of the RGPP is to provide timely detection and response to any radiological releases to groundwater. Based on the information provided in this document and DEP's independent review of the TMI-1 RGPP, it has concluded that AmerGen has taken appropriate measures to protect public health and safety and the environment, both during current and extended periods of TMI-1 operations. DEP will continue to monitor AmerGen's activities in this area. This effort includes frequent interactions with the TMI-1 Environmental Monitoring Program staff and sampling of selected on-site monitoring wells, as deemed necessary.

DEP participated in the NRC's environmental audit of TMI-1 license renewal application during the week of April 28, 2008. At the time of the audit, DEP requested additional information regarding the Solid Waste Staging Facility (SWSF) at TMI-1. This facility is a passive system for temporary staging of radioactive waste prior to shipment to a disposal facility. The information requested by DEP includes a description of the system design, a description of the facility leak collection and monitoring systems, and a document identifying on-site monitoring wells within the SWSF area. DEP has reviewed the information provided by AmerGen and has no concerns. However, DEP staff will continue to perform

on-site surveillances at the TMI site to verify the condition of the SWSF and to periodically review the sample results from the adjacent monitoring wells.

AmerGen plans to replace the TMI-1 steam generators for the purpose of license renewal. This decision satisfies DEP's expectation that the licensee should replace its steam generators prior to license renewal.

DEP has expressed interest in the transportation of the new steam generators within the Commonwealth. Considering the effort involved and the complexity associated with the transportation of these large components, DEP is requesting that AmerGen implement an effective public information program along the transportation routes, prior to the arrival of the new steam generators at the TMI site.

Solid Waste

AmerGen should consider deconstruction and salvage to reduce waste disposal to the extent possible. All construction and demolition waste that cannot be salvaged or recycled should be properly transported and disposed of at a DEP-permitted facility. Open burning of waste is not acceptable.

Water Quality

During steam generator replacement, high pressure water will be used to cut openings in the Unit 1 containment building. The containment building walls are made of concrete and are approximately three-feet thick. According to AmerGen personnel, a temporary package plant will be used to treat wastewater from cutting activities (i.e., to settle suspended concrete particles and adjust pH) before discharge to the Susquehanna River. A temporary discharge permit is required for this plant. As an alternative, wastewater from this operation can be collected and sent off-site for treatment. Under no circumstances should this wastewater stream be sent to the existing wastewater treatment plant. Also, AmerGen should notify DEP once the package plant is installed so DEP personnel can inspect it and sample the discharge.

It was observed during the site tour that soil has eroded from around and behind the headwall at Outfall 001. Backfilling around and behind the headwall may be necessary to prevent damage to the discharge line.

Water Resources

If transportation of the new generators along Pennsylvania highways or bridges requires any transportation system upgrades or other work, that work may encroach upon wetlands or waterways. Federal and state wetlands and stream encroachment permits or authorizations may be required for such encroachments. A 401 certification may also be necessary. Contrary to the statement made in the EIS, TMI's NPDES permit (i.e., discharge permit) does not carry with it a new 401 certification.

An Erosion and Sedimentation Plan, and possibly a Construction Stormwater NPDES Permit, will be required for earth disturbance associated with the new building construction.

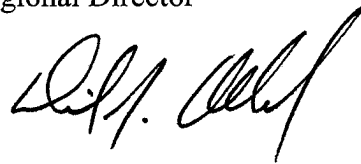
AmerGen should consider enhancement of the created open-water wetlands established on-site from the original plant excavations. Such enhancements would be used to offset any impacts to aquatic resources that may occur as the result of its intake or other project activities.

Thank you for your consideration. DEP appreciates the opportunity to provide these comments on the license renewal application for TMI-1.

Sincerely,



Rachel S. Diamond
Regional Director



David J. Allard, CHP
Director, Bureau of Radiation Protection

cc: Rich Janati, DEP, BRP
Robert Maiers, DEP, BRP