

**Florida
Power**

CORPORATION
Crystal River Unit 3
Docket No. 90-302
Operating License No. DPR-72

October 12, 1999

3F1099-01

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Subject: License Amendment Request #253, Revision 0
Revision of Appendix B Environmental Protection Plan (Non-Radiological)
Technical Specifications to Incorporate National Marine Fisheries Service
Biological Opinion (TAC No. MA1706)

Reference: NRC to FPC letter, 3N0799-05, dated July 15, 1999, "Crystal River Unit 3 -
Section 7 Biological Consultation, Biological Opinion (TAC No. MA1706)"

Dear Sir:

Florida Power Corporation hereby submits a request for an amendment to its Facility Operating License No. DPR-72 for Crystal River Unit 3 (CR-3) in accordance with 10 CFR 50.90. License Amendment Request (LAR) #253, Attachment A, is being submitted as requested in the above reference, proposing changes to the Appendix B Environmental Protection Plan of the CR-3 Operating License. The changes incorporate requirements from the biological opinion (BO) issued by the National Marine Fisheries Service. The BO reviews the effects of the cooling water intake system. Additionally, other administrative changes are proposed to Appendix B. An approval date of November 1, 2000, is requested for the LAR with an implementation period of thirty days.

The revised pages are provided in Attachments B (redline/strikeout format) and C (revision bar format). This letter establishes no new regulatory commitments.

If you have any questions regarding this submittal, please contact Mr. Sid Powell, Manager, Nuclear Licensing at (352) 563-4883.

Sincerely,

John J. Holden
Vice President and Site Director

JJH/dah

9910190221 991012
PDR ADOCK 09000302
P PDR

U.S. Nuclear Regulatory Commission

3F1099-01

Page 2 of 3

xc: **Regional Administrator, Region II**
NRR Project Manager
Senior Resident Inspector

Attachments:

- A. License Amendment Request #253, Revision 0; Revision of Appendix B Environmental Protection Plan (Non-Radiological) Technical Specifications to Incorporate National Marine Fisheries Service Biological Opinion**
- B. Environmental Protection Plan (Non-Radiological) Technical Specification Pages in Redline/Strikeout Format**
- C. Environmental Protection Plan (Non-Radiological) Technical Specification Pages in Revision Bar Format**

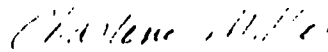
STATE OF FLORIDA
COUNTY OF CITRUS

John J. Holden states that he is the Vice President and Site Director for Florida Power Corporation; that he is authorized on the part of said company to sign and file with the Nuclear Regulatory Commission the information attached hereto; and that all such statements made and matters set forth therein are true and correct to the best of his knowledge, information, and belief.

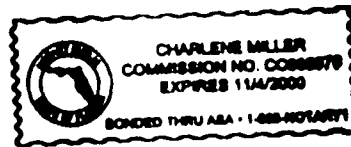


John J. Holden
Vice President and Site Director

Sworn to and subscribed before me this 12th day of October, 1999, by
John J. Holden.



Signature of Notary Public
State of Florida



(Print, type, or stamp Commissioned
Name of Notary Public)

Personally Known -OR- Produced Identification

**FLORIDA POWER CORPORATION
CRYSTAL RIVER UNIT 3
DOCKET NUMBER 50-302/LICENSE NUMBER DPR-72**

ATTACHMENT A

**LICENSE AMENDMENT REQUEST #253, REVISION 0
REVISION OF APPENDIX B ENVIRONMENTAL PROTECTION PLAN
(NON-RADIOLOGICAL) TECHNICAL SPECIFICATIONS TO INCORPORATE
NATIONAL MARINE FISHERIES SERVICE BIOLOGICAL OPINION**

**DESCRIPTION OF CHANGE
REASON FOR REQUEST
EVALUATION OF REQUEST
NO SIGNIFICANT HAZARDS CONSIDERATION
ENVIRONMENTAL IMPACT EVALUATION**

LICENSE AMENDMENT REQUEST #253, REVISION 0

LICENSE DOCUMENT INVOLVED:

Appendix B - Part II - Environmental Protection Plan (Non-Radiological) Technical Specifications to the Facility Operating License No. DPR-72

PORTIONS:

- 1.0 - "Objectives of the Environmental Protection Plan"
- 2.0 - "Environmental Protection Issues"
- 3.0 - "Consistency Requirements"
- 4.0 - "Environmental Conditions"

DESCRIPTION OF CHANGE:

Changes are being proposed to the Crystal River Unit 3 (CR-3) Environmental Protection Plan (EPP), Appendix B - Part II of the operating license, to reflect the Biological Opinion (BO) issued by the National Marine Fisheries Service (NMFS). The NMFS BO reviews the effect of the Crystal River Energy Complex (CREC) on species of sea turtles protected by the Endangered Species Act (ESA). The changes to the CR-3 EPP are being proposed as requested by the NRC in Reference 4. The proposed changes will ensure that the required information from the NMFS BO is included in the CR-3 EPP.

Other administrative changes are also being proposed to the CR-3 EPP as shown in the attached mark ups. Included in these changes is the clarification that the National Pollutant Discharge Elimination (NPDES) Permit for CR-3 is implemented by the State of Florida, Department of Environmental Protection (FDEP) through the Industrial Wastewater Facility Permit instead of through the Environment Protection Agency (EPA). Additionally, the reference to the State 401 Certification is being deleted. This was previously supplied by the state to the EPA to certify that the EPA NPDES Permit also met all state limitations on effluent discharges. This certification is no longer applicable since the state now issues the Industrial Wastewater Facility Permit. Also included is a change in Section 3.1 to replace an out-of-date reference to 10 CFR 51.5(b)(2) with 10 CFR 51.22, which currently defines the criteria for categorical exclusion from environmental review. Editorial changes have also been included to correct typographical errors and to provide formatted headers and footers.

REASON FOR REQUEST:

On July 17, 1998 (Reference 1), based on a May 13, 1998 meeting regarding the recent influx of endangered sea turtles into the CREC intake canal system, the NRC requested Florida Power Corporation (FPC) to prepare a biological assessment (BA) in accordance with the Endangered Species Act and 50 CFR Part 402, Interagency Cooperation - Endangered Species Act of 1973, as amended. FPC completed this BA and forwarded the report to the NRC on October 1, 1998 (Reference 2). The NRC subsequently requested initiation of formal

consultation regarding the taking of endangered and threatened species of sea turtles from NMFS on October 14, 1998 (Reference 3) based on the completion of the BA.

On July 15, 1999 (Reference 4), the NRC transmitted the BO prepared by NMFS to FPC. The NMFS BO was the result of the ESA consultation regarding the continued operation of the circulating water systems of the CREC. The NMFS concluded that the operation of the cooling water intake systems of the CREC is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, or Kemp's ridley sea turtles. The NMFS developed an Incidental Take Statement, which includes terms and conditions necessary to monitor and minimize the lethal take of sea turtles in the cooling water intake canal.

In Reference 4, the NRC requested FPC to submit proposed changes to the CR-3 EPP to reference the Incidental Take Statement included in the NMFS BO and provide that the reasonable and prudent measures, and the terms and conditions, as detailed in the Incidental Take Statement, will be implemented.

EVALUATION OF REQUEST:

The NMFS BO has concluded that the operation of the cooling water intake system of the CREC is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, or Kemp's ridley sea turtles. Accordingly, the NMFS has issued an Incidental Take Statement in the BO which establishes terms and conditions necessary to monitor and minimize the incidental take of these species. As requested by the NRC, this information is proposed to be added to the CR-3 EPP in order for the NRC to fulfill its responsibility under Section 7 of the *VSA*.

Reasonable and Prudent Measures

NMFS has stipulated that the following reasonable and prudent measures are necessary and appropriate to minimize impacts of incidental take of the Kemp's ridley, green, loggerhead, leatherback, and hawksbill sea turtles:

1. CREC will monitor sea turtle activities around the bar racks and rescue sea turtles stranded on the bar racks.
2. CREC will keep records of sea turtle strandings at the plants.

These measures are required to decrease the number of lethal takes caused by plant operations. The implementation of a plan to monitor the cooling water intake structures and to rescue sea turtles stranded on them before they are killed will reduce the number of lethal takes.

Terms and Conditions

NMFS has provided the following terms and conditions in the Incidental Take Statement:

1. Continue implementation of the procedures outlined in the Sea Turtle Rescue and Handling Guidelines for the CREC dated September 9, 1998. All updates of the rescue plan will be reviewed by the FDEP and NMFS.

(Note: On July 1, 1999, the Florida Marine Research Institute and the Bureau of Protected Species were moved from the FDEP to the Fish and Wildlife Conservation Commission (FWCC). Accordingly, 'FWCC' is substituted for 'FDEP' in the proposed changes to the CR-3 EPP.)

2. If any listed species are apparently injured or killed in the intake canal or on the barracks, a report, summarizing the incident, must be provided to the NMFS Southeast Regional Office's (SERO) Assistant Regional Administrator, Protected Resources Division, within 30 days of the incident.
3. All sea turtle takes at the plant will be recorded by species, size and time of year taken. These records will be made available to the SERO Assistant Regional Administrator, Protected Resources Division, 30 days after the start of each year or upon written request during other parts of the year. If within a two year period, non-lethal takes reach 40 individuals, causally related lethal takes reach 3 individuals, or if takes of non-causally related dead turtles reach 6 individuals, CREC will notify the SERO Assistant Regional Administrator, Protected Resources Division within 5 days. After these levels of take are reached, any subsequent take must be reported to the SERO Assistant Regional Administrator, Protected Resources Division within 24 hours of the take. Final disposition of all sea turtles taken at the plant (live, lethal, or non-causally related lethal) shall be in accordance with the Sea Turtle Rescue and Handling Guidelines for the CREC dated September 9, 1998.

NMFS believes that no more than 63 sea turtles will be incidentally taken every two years as a result of the proposed action. Thirteen of these takes will be lethal including eight that are non-causally related to plant operations. The reasonable and prudent measures and their implementing terms and conditions, are designed to minimize the impact of incidental take that might otherwise result from the proposed action. If during the course of this action, this level of incidental take is exceeded, such incidental take represents new information requiring re-initiation of consultation and review of the reasonable and prudent measures provided.

NO SIGNIFICANT HAZARDS CONSIDERATION:

FPC has reviewed the requirements of 10 CFR 50.92 as they apply to the proposed LAR. FPC considers that the changes do not involve a significant hazards consideration. In support of this conclusion, the following analysis is provided:

1. *Involve a significant increase in the probability or consequences of an accident previously evaluated?*

The proposed changes to the CR-3 EPP are administrative in nature and reflect the information provided in the NMFS BO. These changes do not affect the initial conditions, assumptions, or conclusions of the CR-3 accident analyses. In addition, the proposed changes do not affect the operation or performance of any equipment assumed in the accident analyses. Therefore, the proposed

changes would not significantly increase the probability or consequences of an accident previously evaluated.

2. *Create the possibility of a new or different kind of accident from previously evaluated accidents?*

The proposed changes are administrative in nature and reflect information provided by the NMFS BO regarding the incidental taking of species of sea turtles protected by the ESA. These changes do not impact or alter the configuration or operation of the facilities and do not create any new modes of operation. Therefore, the proposed changes would not create the possibility of a new or different kind of accident.

3. *Involve a significant reduction in a margin of safety?*

As indicated above, the proposed changes do not change the configuration or operation of the plant and do not affect the CR-3 accident analyses. The proposed changes are administrative in nature and do not affect any margin of safety for CR-3. Therefore, the proposed changes would not result in a significant reduction in a margin of safety.

ENVIRONMENTAL IMPACT EVALUATION:

While 10 CFR 51 requires an environmental assessment (EA) or environmental impact statement (EIS) for any "major Federal action significantly affecting the quality of the human environment," it does allow the NRC discretion in evaluating the extent to which EAs or EISs are necessary. EAs or EISs are not required for any action included in the list of "categorical exclusions" set forth in 10 CFR 51.22(c). Specifically, 10 CFR 51.22(c)(9), provides that an EA is not required for the issuance of an amendment provided that:

- (i) the amendment involves no significant hazards consideration,
- (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, and
- (iii) there is no significant increase in individual or cumulative occupational radiation exposure.

FPC considers that the provisions of 10 CFR 51.22(c)(9) are applicable to this request for changes to the CR-3 EPP. For the reasons described below and elsewhere in this submittal, FPC believes that the three criteria of 10 CFR 51.22(c)(9) are satisfied. Therefore, this LAR should be considered under the "categorical exclusions" provisions of 10 CFR 51.22(c)(9).

The basis for this determination includes the following:

1. The proposed changes to the CR-3 EPP do not involve significant hazards consideration as discussed above in the No Significant Hazards Consideration.
2. The proposed changes to the CR-3 EPP do not result in a significant change in the types or significant increase in the amounts of any effluents that may be

released offsite. The change does not result in an increase in the consequences of previously evaluated accidents. Therefore, there will be no environmental impact from the proposed CR-3 EPP changes.

3. The proposed changes to the CR-3 EPP do not result in a significant increase in individual or cumulative occupational exposure. This conclusion is based on the facts that changes to the CR-3 EPP are administrative in nature, non-radiological, do not result in any increased consequences of accidents previously evaluated, and are not initiators of a design basis accident or event.

Additionally, the effect of the continued use of the cooling water intake systems at the CREC on species of sea turtles protected by the ESA have been reviewed by the NMFS. The NMFS BO concludes that the continued operation of the circulating water systems at CREC is not likely to jeopardize the continued existence of the loggerhead, leatherback, green, hawksbill, or Kemp's ridley sea turtles. No critical habitat has been designated for these species in the action area; therefore, none will be affected. The Incidental Take Statement identifies actions that have been or will be taken by CREC to ensure the takes of endangered sea turtles are limited.

Therefore, for the reasons given in this submittal, there will be no change in offsite consequences due to this action and its impact is bounded by the impacts assumed in the existing Final Environmental Statement (FES) for CR-3 and the NMFS BO. Should the NRC choose to perform an EA, information provided in the FES, together with this submittal, would assist the NRC in making a "finding of no significant impact" in accordance with 10 CFR 51.32.

REFERENCES:

1. NRC to FPC letter, 3N0798-12, dated July 17, 1998, "Request for Preparation of Biological Assessment for Crystal River Unit 3 (TAC No. MA1706)"
2. FPC to NRC letter, 3F1098-10, dated October 1, 1998. "Biological Assessment for Crystal River Unit 3 (TAC No. MA1706)"
3. NRC to NMFS letter, 3N1098-10, dated October 14, 1998, "Biological Assessment of Impacts to Sea Turtles at Crystal River Energy Complex (TAC No. MA1706)"
4. NRC to FPC letter, 3N0799-05, dated July 15, 1999, "Crystal River Unit 3 - Section 7 Biological Consultation, Biological Opinion (TAC No. MA1706)"

FLORIDA POWER CORPORATION
CRYSTAL RIVER UNIT 3
DOCKET NUMBER 50-302/LICENSE NUMBER DPR-72

ATTACHMENT B

ENVIRONMENTAL PROTECTION PLAN (NON-RADIOLOGICAL)
TECHNICAL SPECIFICATION PAGES IN
REDLINE/STRIKEOUT FORMAT

Added text is shown as **shaded**.

Deleted text is shown as **strikeout**.

APPENDIX B - PART II

TO FACILITY OPERATING LICENSE NO. DPR-72
CRYSTAL RIVER UNIT 3

FLORIDA POWER CORPORATION
DOCKET NO. 50-302

ENVIRONMENTAL PROTECTION PLAN
(NON-RADIOLOGICAL)
TECHNICAL SPECIFICATIONS

APPENDIX B - PART II
Environmental Protection Plan (Non-Radiological)
Technical Specifications

1.0 Objectives of the Environmental Protection Plan

The Environmental Protection Plan (EPP) is to provide for protection of environmental values during operation and additional construction of the Crystal River Unit 3. The principal objectives of the EPP are as follows:

1. Verify that Crystal River Unit 3 is operated in an environmentally acceptable manner, as established by the Final Environmental Statement (FES) and other 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 Crystal River Unit 3 operation and additional construction, and of actions taken to control those effects.

Environmental concerns identified in the FES which relate to water quality matters are regulated by way of licensee's **National Pollutant Discharge Elimination System (NPDES) Permit** implemented by the State of Florida, Department of Environmental Protection (FDEP) through the **Industrial Wastewater Facility Permit** (hereafter referred to as the **NPDES Permit**).

APPENDIX B - PART II
Environmental Protection Plan (Non-Radiological)
Technical Specifications

2.0 Environmental Protection Issues

In the FES-~~Operating License~~, dated May 1973, NRC staff considered the environmental impacts associated with the operation of Crystal River Unit 3. Certain environmental issues were identified which required study or license conditions to resolve environmental concerns and to assure adequate protection of the environment. The Appendix B Environmental Technical Specifications (ETS) issued with the license included discharge restrictions and monitoring programs to resolve the issues. Prior to issuance of this EPP, the requirements remaining in the ETS were:

1. The need to control the release of heat (temperature) and chlorine within those discharge concentrations evaluated.
2. The need for aquatic monitoring programs to confirm that thermal mixing occurs as predicted, and that effects on aquatic biota and water quality due to plant operation are no greater than predicted.
3. The need for special studies to document levels of intake entrainment and impingement.

Aquatic issues are ~~were~~ addressed by the effluent limitations, monitoring requirements and the Section 316(b) demonstration requirement contained in the effective NPDES ~~Permit~~ **formerly** issued by **the Environmental Protection Agency** EPA-Region IV. **Note: The FDEP now issues the Industrial Wastewater Facility Permit under the NPDES.**

3.0 Consistency Requirements

3.1 Crystal River Unit 3 Design and Operation

The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question. Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to this requirement.

Before engaging in unauthorized construction or operational activities which may affect the environment, the licensee shall perform an environmental evaluation of such activity.* When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide a written evaluation of such activities and obtain prior approval from the NRC.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the FES, supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents

* Activities are excluded from this requirement if all measurable nonradiological effects are confined to the on-site areas previously disturbed during site preparation and construction.

APPENDIX B - PART II
Environmental Protection Plan (Non-Radiological)
Technical Specifications

~~(in accordance with 10 CFR 51.22)~~ 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 Subsection, which may have a significant adverse environmental impact.

The licensee shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provides bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question.

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.

Activities governed by Section 3.3 of this EPP are not subject to the requirements of this section.

3.2 Reporting Related to the NPDES Permit ~~and State Certification~~

1. Violations of the NPDES Permit ~~or the State 401 Certification~~ Conditions shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit ~~or State 401 Certification~~.

APPENDIX B - PART II
Environmental Protection Plan (Non-Radiological)
Technical Specifications

2. The licensee shall provide the NRC with a copy of any 316(a) or (b) studies and/or related documentation at the same time it is submitted to the permitting agency.
3. Changes and additions to the NPDES Permit ~~or the State 401 Certification~~ shall be reported to the NRC within 30 days following the date the change is approved. If a permit ~~or certification~~, 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.
4. The NRC shall be notified of changes to the effective NPDES Permit proposed by the licensee by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The licensee shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in Crystal River **Unit 3** design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

APPENDIX B - PART II
Environmental Protection Plan (Non-Radiological)
Technical Specifications

4.0 Environmental Conditions

4.1 Significant Environmental Events

Any occurrence of a significant event that indicates or could result in significant environmental impact causally related to station operation shall be recorded and promptly reported to the NRC within 24 hours* followed by a written report within 30 days. No routine monitoring programs are required to implement this condition.

The written report shall (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 reported event, (d) indicate the corrective 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 subsection which also require reports to other Federal, State or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this subsection. The NRC shall be provided a copy of such report at the same time it is submitted to the other agency.

The following are examples of significant environmental events: excessive bird impaction events; onsite plant or animal disease outbreaks; mortality or unusual occurrence of any species protected by the Endangered Species Act of 1973; unusual fish kills; and increase in nuisance organisms or conditions.

* If a significant environmental event occurs over weekends or holidays the report shall be supplied within 24 hours of the first working day following the weekend or holiday.

4.2 Endangered or Threatened Sea Turtles

Endangered or threatened sea turtles shall be protected in accordance with the Incidental Take Statement issued by the National Marine Fisheries Service (NMFS).

4.2.1 Incidental Take Statement

The NMFS has reviewed the impact of the Crystal River Energy Complex (CREC) operation on listed species of sea turtles and determined that CREC operations are not likely to result in jeopardy to the Kemp's ridley, green, loggerhead, leatherback, and hawksbill sea turtles. Numerical limits are established by NMFS on live takes, lethal takes causally related to plant operation, and lethal takes not related to plant operations.

4.2.2 NMFS Reasonable and Prudent Measures

In order to provide protection of sea turtles, the following reasonable and prudent measures are appropriate to minimize impacts to sea turtles:

- a. Monitor sea turtle activities around the CREC bar racks and rescue sea turtles stranded on the bar racks, and
- b. Keep records of sea turtle strandings.

4.2.3 NMFS Non-discretionary Terms and Conditions

The following non-discretionary terms and conditions implement the above reasonable and prudent measures:

- a. Continue implementation of the approved Sea Turtle Rescue and Handling Guidelines. Subsequent revisions shall be submitted for review to NMFS and the Florida Fish and Wildlife Conservation Commission.
- b. Report to the NMFS any injured or killed sea turtle in the intake canal or bar racks within 30 days of the incident.
- c. Record all sea turtle takes by species, size and date. Verbal notifications and written reports must be provided to the NMFS as required by the Biological Opinion.

**FLORIDA POWER CORPORATION
CRYSTAL RIVER UNIT 3
DOCKET NUMBER 50-302/LICENSE NUMBER DPR-72**

ATTACHMENT C

**ENVIRONMENTAL PROTECTION PLAN (NON-RADIOLOGICAL)
TECHNICAL SPECIFICATION PAGES IN**

REVISION BAR FORMAT

ATTACHMENT TO LICENSE AMENDMENT NO.

FACILITY OPERATING LICENSE NO. DPR-72

DOCKET NO. 50-302

Replace the following pages of the Appendix B - Part II Environmental Protection Plan (Non-Radiological) Technical Specifications with the attached pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

REMOVE

Cover
1-1
2-1
3-1
3-2
3-3
4-1
4-2

INSERT

Cover
1-1
2-1
3-1
3-2

4-1
4-2

APPENDIX B - PART II

TO FACILITY OPERATING LICENSE NO. DPR-72

CRYSTAL RIVER UNIT 3

FLORIDA POWER CORPORATION

DOCKET NO. 50-302

ENVIRONMENTAL PROTECTION PLAN

(NON-RADIOLOGICAL)

TECHNICAL SPECIFICATIONS

1.0 Objectives of the Environmental Protection Plan

The Environmental Protection Plan (EPP) is to provide for protection of environmental values during operation and additional construction of the Crystal River Unit 3. The principal objectives of the EPP are as follows:

1. Verify that Crystal River Unit 3 is operated in an environmentally acceptable manner, as established by the Final Environmental Statement (FES) and other 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 Crystal River Unit 3 operation and additional construction, and of actions taken to control those effects.

Environmental concerns identified in the FES which relate to water quality matters are regulated by way of licensee's National Pollutant Discharge Elimination System (NPDES) Permit implemented by the State of Florida, Department of Environmental Protection (FDEP) through the Industrial Wastewater Facility Permit (hereafter referred to as the NPDES Permit).

2.0 Environmental Protection Issues

In the FES-Operating License, dated May 1973, NRC staff considered the environmental impacts associated with the operation of Crystal River Unit 3. Certain environmental issues were identified which required study or license conditions to resolve environmental concerns and to assure adequate protection of the environment. The Appendix B Environmental Technical Specifications (ETS) issued with the license included discharge restrictions and monitoring programs to resolve the issues. Prior to issuance of this EPP, the requirements remaining in the ETS were:

1. The need to control the release of heat (temperature) and chlorine within those discharge concentrations evaluated.
2. The need for aquatic monitoring programs to confirm that thermal mixing occurs as predicted, and that effects on aquatic biota and water quality due to plant operation are no greater than predicted.
3. The need for special studies to document levels of intake entrainment and impingement.

Aquatic issues were addressed by the effluent limitations, monitoring requirements and the Section 316(b) demonstration requirement contained in the effective NPDES Permit formerly issued by the Environmental Protection Agency-Region IV. Note: The FDEP now issues the Industrial Wastewater Facility Permit under the NPDES.

3.0 Consistency Requirements

3.1 Crystal River Unit 3 Design and Operation

The licensee may make changes in station design or operation or perform tests or experiments affecting the environment provided such changes, tests or experiments do not involve an unreviewed environmental question. Changes in plant design or operation or performance of tests or experiments which do not affect the environment are not subject to this requirement.

Before engaging in unauthorized construction or operational activities which may affect the environment, the licensee shall perform an environmental evaluation of such activity.* When the evaluation indicates that such activity involves an unreviewed environmental question, the licensee shall provide a written evaluation of such activities and obtain prior approval from the NRC.

A proposed change, test or experiment shall be deemed to involve an unreviewed environmental question if it concerns (1) a matter which may result in a significant increase in any adverse environmental impact previously evaluated in the FES, supplements to the FES, environmental impact appraisals, or in any decisions of the Atomic Safety and Licensing Board; or (2) a significant change in effluents (in accordance with 10 CFR 51.22) or power level; or (3) a matter not previously reviewed and evaluated in the documents specified in (1) of this Subsection, which may have a significant adverse environmental impact.

The licensee shall maintain records of changes in facility design or operation and of tests and experiments carried out pursuant to this Subsection. These records shall include a written evaluation which provides bases for the determination that the change, test, or experiment does not involve an unreviewed environmental question.

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

* Activities are excluded from this requirement if all measurable nonradiological effects are confined to the on-site areas previously disturbed during site preparation and construction.

3.0 Consistency Requirements

3.1 Crystal River Unit 3 Design and Operation (continued)

shall be retained for five years or, where applicable, in accordance with the requirements of other agencies.

Activities governed by Section 3.3 of this EPP are not subject to the requirements of this section.

3.2 Reporting Related to the NPDES Permit

1. Violations of the NPDES Permit shall be reported to the NRC by submittal of copies of the reports required by the NPDES Permit.
2. The licensee shall provide the NRC with a copy of any 316(a) or (b) studies and/or related documentation at the same time it is submitted to the permitting agency.
3. Changes and additions to the NPDES Permit shall be reported to the NRC within 30 days following the date the change is approved. If a 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.
4. The NRC shall be notified of changes to the effective NPDES Permit proposed by the licensee by providing NRC with a copy of the proposed change at the same time it is submitted to the permitting agency. The licensee shall provide the NRC a copy of the application for renewal of the NPDES Permit at the same time the application is submitted to the permitting agency.

3.3 Changes Required for Compliance with Other Environmental Regulations

Changes in Crystal River Unit 3 design or operation and performance of tests or experiments which are required to achieve compliance with other Federal, State, or local environmental regulations are not subject to the requirements of Section 3.1.

4.0 Environmental Conditions

4.1 Significant Environmental Events

Any occurrence of a significant event that indicates or could result in significant environmental impact causally related to station operation shall be recorded and promptly reported to the NRC within 24 hours* followed by a written report within 30 days. No routine monitoring programs are required to implement this condition.

The written report shall (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 reported event, (d) indicate the corrective 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 subsection which also require reports to other Federal, State or local agencies shall be reported in accordance with those reporting requirements in lieu of the requirements of this subsection. The NRC shall be provided a copy of such report at the same time it is submitted to the other agency.

The following are examples of significant environmental events: excessive bird impaction events; onsite plant or animal disease outbreaks; mortality or unusual occurrence of any species protected by the Endangered Species Act of 1973; unusual fish kills; and increase in nuisance organisms or conditions.

4.2 Endangered or Threatened Sea Turtles

Endangered or threatened sea turtles shall be protected in accordance with the Incidental Take Statement issued by the National Marine Fisheries Service (NMFS).

* If a significant environmental event occurs over weekends or holidays the report shall be supplied within 24 hours of the first working day following the weekend or holiday.

4.0 Environmental Conditions

4.2.1 Incidental Take Statement

The NMFS has reviewed the impact of the Crystal River Energy Complex (CREC) operation on listed species of sea turtles and determined that CREC operations are not likely to result in jeopardy to the Kemp's ridley, green, loggerhead, leatherback, and hawksbill sea turtles. Numerical limits are established by NMFS on live takes, lethal takes causally related to plant operation, and lethal takes not related to plant operations.

4.2.2 NMFS Reasonable and Prudent Measures

In order to provide protection of sea turtles, the following reasonable and prudent measures are appropriate to minimize impacts to sea turtles:

- a. Monitor sea turtle activities around the CREC bar racks and rescue sea turtles stranded on the bar racks, and
- b. Keep records of sea turtle strandings.

4.2.3 NMFS Non-discretionary Terms and Conditions

The following non-discretionary terms and conditions implement the above reasonable and prudent measures:

- a. Continue implementation of the approved Sea Turtle Rescue and Handling Guidelines. Subsequent revisions shall be submitted for review to NMFS and the Florida Fish and Wildlife Conservation Commission.
 - b. Report to the NMFS any injured or killed sea turtle in the intake canal or bar racks within 30 days of the incident.
 - c. Record all sea turtle takes by species, size and date. Verbal notifications and written reports must be provided to the NMFS as required by the Biological Opinion.
-