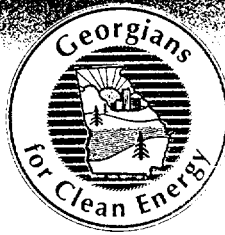


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October 12, 2001

Commander  
U.S. Army Corps of Engineers  
Savannah District  
ATTN: Regulatory Branch  
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Savannah, GA 31402-0889  
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RE: Application Number 940003873, 9/13/01, by Southern Nuclear Operating Company, Inc. to expand dredging along the Altamaha River for the Edwin I. Hatch Nuclear Plant near Baxley, GA

### COMMENTS OF GEORGIANS FOR CLEAN ENERGY

The following comments are filed by Georgians for Clean Energy in response to a Joint Public Notice dated September 13, 2001 by the Savannah District of the Army Corps of Engineers regarding application 940003873 by Southern Nuclear Operating Company, Inc. to expand their dredging activities along the Altamaha River for nuclear plant Hatch near Baxley, GA.

Georgians for Clean Energy is a non-profit conservation and energy consumer organization headquartered in Atlanta with a field office located in Savannah. We are a statewide organization with members throughout Georgia and have focused on energy and nuclear concerns for 17 years.

#### Evaluation Concerns

Georgians for Clean Energy requests the Army Corps of Engineers to reject Southern Nuclear's application request 940003873 and to grant a public hearing on the issue. Additionally, we request an extension on the public comment period of at least 30-days after the public hearing is conducted.

From the Joint Public Notice, it is very unclear as to why this expanded dredging is needed, how it will impact the highly sensitive region, and what sort of analysis has been conducted by the State of Georgia and the Army Corps to conclude that this permit will not adversely affect the surrounding environment.

### Concerns Regarding Public Notice

Georgians for Clean Energy had a very difficult time accessing the Joint Public Notice and is quite convinced that the general public is unaware of the proposed dredging expansion request. Additionally, the difficulty in receiving this "public notice" makes it even more apparent that this is not really an effective "public" notification as only people or organizations on a pre-made list receive the notices. We were not previously on the "list" so therefore, though we would of course be interested in activities involving plant Hatch, we were not notified. Further inquiries by Georgians for Clean Energy on how the public can more easily receive this information, via the internet or the Federal Register, etc., as of this date, have gone unanswered along with questions regarding this application. We feel it is imperative to extend the public comment period and to hold a public hearing prior to the Corps issuing a decision on whether to grant this permit. Additionally, we have members who are outraged at this request along with other partner organizations in Georgia.

### Need for Additional Information

From the Joint Public Notice (JPN) dated 9/13/01, it is difficult to determine the exact conditions or provisions under which Southern Nuclear is currently permitted in the existing Department of Army Permit 940003870 from 8/19/94 and what the company is actually requesting to do in the 9/13/01 application 940003873. According to the recent JPN, the 8/19/94 permit was perhaps amended later on to increase the dredging from a 375' long and 150' wide to "an 'L' shaped area that extends 614' parallel to the bank and 388' channel ward at its widest point." This would have increased the dredged material by 14,000 cubic yards or more than 66% of the original dredged amount. The recent JPN later states the 9/13/01 application requests "to expand the originally authorized area to create an 'L' shaped area 900' parallel to the bank X 388' channel ward at its widest point (an additional 8571 cubic yards)." And the 44,424 cubic yards that is being requested would result in a 112% increase from what the original 940003870 permit allowed. If the current request is to increase the dredged material from 35,000 cubic yards to 44,424 cubic yards, it constitutes a 27% increase, which we still consider significant. Additionally, is the "L-shaped area" currently in existence? The diagrams provided are difficult to decipher. More clarification on this point is needed.

From the application request, it is difficult to determine why this increase in dredging maintenance is needed. Though this dredging is apparently needed to conduct current operations, it appears that several increases have been made over the past seven years. The application mentions that this increase is needed to "assure an adequate water supply for continued operation of the plant and to prevent excessive pump wear."

Aging nuclear plant Hatch in South Georgia, near Baxley, is in the process of extending its operating license by twenty years beyond the original forty-year permit with the Nuclear Regulatory Commission (NRC) against public opposition. In June 2001 the NRC issued the final environmental impact statement that unfortunately recommended the renewal of the operating licenses for both nuclear reactors. Safety and engineering reports will need to be completed before the proposal is sent to the NRC Commissioners for final review, which may occur this December with final decisions expected in March 2002. The need for increased dredging of the Altamaha River was not discussed in the NRC's Generic Environmental Impact Statement (GEIS) nor was there a concern over preventing "excessive pump wear." The equipment is already old and degraded. Will further dredging requests be made in the future, during the "renewed license operation period" that should be evaluated in the NRC's current relicensing review process? If this permit is not granted, will the wear on the pump(s) be something that would impact the relicensing review? Again, we urge that more information is needed.

#### Area of Vital Ecological Significance

Hatch nuclear plant is located in Appling County along the banks of the Altamaha River--an area of vital ecological significance to Georgia and the region, which is also the second largest river basin in the eastern United States. The livelihood of hundreds of thousands of people depends on this river and billions of dollars of resources from fisheries, agriculture, tourism, and other coastal activities are at stake any time that radioactive exposure to humans, including plant workers, and the environment is increased. The Army Corps of Engineers must consider this cost. Georgians for Clean Energy is concerned that this application fails to address the impacts of increased dredging on the surrounding environment.

#### Aquatic Impacts / Concerns

The JPN states, "The issue of potential impacts on the shortnose sturgeon was addressed in the original permit action." Does this refer to the application for permit 940003870? If so, since this is a new permit request, shouldn't those potential impacts be reevaluated? Many concerns about the shortnose sturgeon, a federally endangered aquatic species found near the plant that has declined over the decades, have not been addressed. The Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) voiced written concerns in the GEIS for relicensing—including concerns over the freshwater mussel and the flatwoods salamander. Has FWS and the NMFS determined whether or not the increased dredging would impact the sturgeon population along with other species?

Furthermore, Georgia Environmental Protection Division (GAEPD) readings from the 1997-99 Radiation Surveillance Report show 2-10X above background levels of cobalt-60 (though cobalt-60 does not occur naturally—it is a man-made activation product from nuclear fission), zinc-65, manganese-54, and cesium-137 were found in river sediment, in some cases up to 100 miles downstream. Given that the sturgeon is a bottom feeder, stirring up contaminated sediments is

likely to be detrimental to the health of this species or others in the region and further downstream. Radiation has the ability to affect fertility and the immune system response of all species—animal, marine, and human.

The robust redhorse, a big-river fish, is currently not a federally listed species, but is threatened. How will the dredging impact this species? We are interested in hearing the concerns of the Georgia Department of Natural Resources (GADNR) Wildlife Resources Division and the Fish and Wildlife Service on this matter.

There are various species of fresh water mussels that are found along the Altamaha and several are endemic. Several species have lessened in their frequency downstream of plant Hatch. Has the continuous dredging of plant Hatch over the years been thoroughly studied to show the impacts this may have had on at least partially contributing to that decline? Furthermore, the Altamaha spiny mussel likely will be recommended to add to the state's list of concerned species and may also be a candidate for federal listing. Can the Army Corps of Engineers confidently predict that expanded dredging will not impact this species further?

The JPN is also unclear at the role of the State of Georgia regarding "Water Quality Certification." Is this certification required in order to grant this permit? Have the aforementioned questions been analyzed by the proper state agencies? If an additional request is needed for the State to grant a separate public hearing on this issue, then Georgians for Clean Energy requests such a public hearing.

#### Terrestrial Impacts / Concerns

Georgians for Clean Energy is concerned about the existing upland settling basin. Since there are radioactive contaminants in the river sediment, have studies been done to test whether or not this settling basin is contaminating the land and groundwater that lies beneath it? The application mentions that the material would be "periodically excavated and the material spoiled in an upland area south of the plant." How would this action prevent contamination of waterways since run off is likely to occur? Again, there appears to be too little information for the Corps to be able to accept this permit application. In the past, the NRC severely chastised Southern Nuclear for spreading radioactive sewage sludge under on-site power lines. Additionally, large spills that occurred in the '80s contaminated surrounding wetlands, the Altamaha, and sediments. The radioactive contaminants and other hazardous materials in these "spoil areas" from the existing settling basin may be more highly contaminated than was previously thought-- in effect creating a hazardous and radioactive waste dump. EPA should test this basin and upland spoil area according to Clean Water Act 33 USC par 1364, CERCLA 42 USC par 960, and RCRA 42 USC par 6973. This material should likely be removed and taken to a licensed radioactive waste facility.

According to NRC relicensing documents, a significant number of federally and state-listed endangered terrestrial animal and plant species are found at the Hatch site or within the transmission line rights-of-way. Species of plants, reptiles, amphibians, birds, and mammals were listed. Have these species been studied to see if increased dredging will impact their success? Was the GADNR's Non-Game/Heritage Program contacted as they have expertise in this area?

For additional detailed environmental concerns on Plant Hatch from a variety of citizens, organizations and state and federal agencies, please see the Nuclear Regulatory Commission's NUREG-1437, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 4, Regarding the Edwin I. Hatch Nuclear Plant, Units 1 and 2, Final Report, May 2001, <http://www.nrc.gov/NRC/NUREGS/SR1437/S4/index.html>.

### Conclusion

Georgians for Clean Energy believes that the permit application 940003873 by Southern Nuclear should be rejected, that a public hearing be conducted, and that the public comment period be extended. There is an incredible amount of research that needs to be done in order to properly assess this permit application.

Additionally, the public needs to be more involved in this process and be granted more time to ask questions, gather information, and file comments. The actual need for expanded dredging of the Altamaha River near nuclear plant Hatch has not been provided nor does the application appear to be clear in its purpose.

Building a safe, affordable and efficient energy supply that provides safe jobs to the area is a top priority. Georgians for Clean Energy does not believe that the relicensing of Plant Hatch will work towards those goals. Extending the life of this decrepit nuclear plant will only ensure the continued degradation of the environment and increase the already high risks to the plant workers, surrounding populations, and downstream and downwind communities. We urge the Army Corps of Engineers to thoroughly investigate our concerns and those of other organizations and individuals who have raised concerns in the public interest.

We appreciate the Army Corps of Engineers review of our request. If you have any questions or concerns, please do not hesitate to contact us.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Sara Barczak', with a long horizontal stroke extending to the right.

Sara Barczak  
Safe Energy Director

cc: GADNR/EPD Water Protection Branch  
Lonice Barrett  
Necholus Ogden  
Commander Army Corps of Engineers  
Dr. Joseph Patti  
Mark Bowers  
Jennifer Lee  
Jim Hardeman  
James McNamara  
Heinz Mueller  
✓ Andrew Kugler