

PMLevyCOLPEm Resource

From: Hambrick, Gordon A SAJ [Gordon.A.Hambrick@usace.army.mil]
Sent: Friday, February 03, 2012 3:50 PM
To: Snead, Paul
Cc: Hunter, John J (Jamie); Bruner, Douglas; DavidA Pritchett; Gagliano.Paul@epamail.epa.gov; Collazo, Osvaldo SAJ
Subject: Letter to PEF - LEDPA/Groundwater Withdrawals for LNP Operations - SAJ-2008-00490(IP-GAH) (UNCLASSIFIED)
Attachments: LNPGroundwaterConditions Final.pdf

Classification: UNCLASSIFIED

Caveats: NONE

Paul and others:

Please find attached the Corps letter to PEF, as we have discussed in regard to parameters of the Corps's LEDPA evaluation of LNP with groundwater withdrawals for plant operations nad PEF's acceptance of such parameters.

The original will be mailed to Mr. John Elintsky, Vice President, Nuclear Plant Development for PEF.

Don

Gordon A. (Don) Hambrick, III
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Classification: UNCLASSIFIED

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From: Hambrick, Gordon A SAJ

Created By: Gordon.A.Hambrick@usace.army.mil

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LNPGroundwaterConditions Final.pdf		1058345

Options

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REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
PANAMA CITY REGULATORY OFFICE
1002 WEST 23rd STREET, SUITE 350
PANAMA CITY, FLORIDA 32405-3648

February 3, 2012

Regulatory Division
North Permits Branch
SAJ-2008-00490 (IP-GAH)

Mr. John Elnitsky
Vice President
Nuclear Plant Development
Progress Energy Florida, Inc.
Post Office Box 14042
St. Petersburg, Florida 33733

RE: Progress Energy Florida (PEF)/Levy Nuclear Plant (LNP) – SAJ-2008-00490(IP-GAH)
Groundwater Withdrawal for Plant Operations – Proposed Special Conditions

Dear Mr. Elnitsky:

The purpose of this letter is to request written confirmation that PEF accepts and will abide by certain caveats and special conditions in regard to the withdrawal of groundwater for plant operations, if the Corps issues a Department of the Army permit for the proposed LNP project. Groundwater withdrawal and the potential for adverse effects on the aquatic environment, particularly wetlands, has been the subject of recent letters from the U.S. Army Corps of Engineers (Corps) to PEF, submittals by PEF in response to these Corps's letters, and several meetings and teleconferences over the past several months. Representatives of the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Environmental Protection Agency (EPA) participated in these meetings and teleconferences along with PEF and the Corps.

In our June 23, 2011 letter to PEF the Corps stated that the use of groundwater for plant operations at the LNP site, as PEF has proposed, is problematic. Consequently, the Corps tentatively identified the LNP site with implementation of an acceptable alternative water supply plan without the use of groundwater withdrawal, as the LEDPA (subject to further analysis of wetland functions and values among the alternative sites*). However, the Corps stated in the letter, if PEF could demonstrate that operational groundwater withdrawals would not result in adverse impacts, then the LNP alternative with groundwater withdrawals could be acceptable as the LEDPA. As referenced in the first paragraph of this letter, PEF has provided to the Corps over the past several months numerous written submittals, and has participated in several meetings and teleconferences with the Corps, NRC and EPA in regard to this matter.

As a result of our evaluation of PEF's written submittals and in discussions with PEF during the referenced meetings and teleconferences, the Corps has determined that the following items

provide certain parameters within which the Corps may be able to accept the LNP site as the LEDPA; and requests that PEF acknowledge and accept in writing to us:

a. Information submitted by PEF indicates that desalination would be the least environmentally damaging practicable alternate water source for LNP service water among the alternate water sources identified by PEF, if groundwater withdrawal were found to impact wetlands. Therefore, desalination is the only alternative water source that could be the LEDPA at the LNP site, if the Corps determines that groundwater withdrawal is unacceptable.

b. Information submitted by PEF indicates that no more than one acre of additional wetland impact would be required to construct and operate a two-unit desalination facility. Thus one acre is the limit of additional wetland impact that could be allowed for either desalination or groundwater withdrawals, as the source for service water, in order for the LNP site to be considered the LEDPA.

c. A groundwater testing and monitoring plan must be submitted and approved by the Corps before a Department of the Army permit could be issued. Such a plan would be a component of special conditions of a Department of the Army permit, if issued, to assure that any wetland impacts resulting from groundwater withdrawal is limited to no more than one acre of wetland.

d. If the Corps-approved groundwater testing and monitoring plan, as required and implemented by special conditions to a Department of the Army permit, if issued, shows that triggering thresholds are exceeded, or otherwise indicates impacts to wetlands of more than one acre would result from groundwater withdrawals for plant operations, then PEF must immediately cease groundwater withdrawals upon notice by the Corps. PEF will have the option to permanently cease operations at LNP, or initiate permit modification procedures with the Corps to modify the Department of the Army permit, if issued, to allow construction of a desalination facility with up to one acre of wetland impact. Plant operations requiring service water for plant operations would be allowed to restart using desalination, assuming approval by the Corps of a permit modification to allow construction of a desalination facility.

Please note that as the Corps works with PEF in regard to groundwater withdrawal for plant operations, the Corps is continuing its evaluation of other aspects of the LNP project, including evaluation of cultural resources, the wetland compensatory mitigation plan and the National Marine Fisheries Service's Essential Fisheries Habitat recommendations.

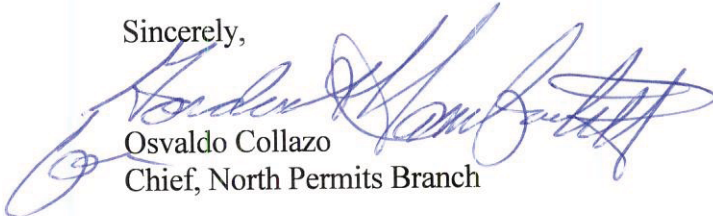
The Corps appreciates your continuing cooperation with us in providing the information we require to continue our evaluation of your Department of the Army permit application.

Questions regarding the this letter should be directed to the Corps project manager, Mr. Don Hambrick, at the letterhead address, by electronic mail at gordon.a.hambrick@usace.army.mil, or by telephone (850-763-0717 ext. 25).

*Note: Recent submittals from PEF demonstrate that inclusion of an analysis of relative wetland functions and values among the four, practicable alternative sites (LNP, Highlands,

Putman 3 and Dixie sites), does not alter the finding that LNP appears to be the LEDPA, assuming less than one acre of wetland impacts would be associated with either groundwater withdrawal or construction of a desalination facility at the LNP site to provide service water for plant operations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Osvaldo Collazo", is written over the typed name and title.

Osvaldo Collazo
Chief, North Permits Branch

Copy furnished (by electronic mail):

NRC, Douglas Bruner

EPA, David Pritchett

EPA, Paul Gagliano

PEF, Paul Snead

PEF, John Hunter