



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

APR 24 2013

Dr. Amy Hull, Acting Chief
Environmental Review and Guidance Update Branch
Office of Nuclear Reactor Regulation
Mail Stop: O-11F1
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Re: Continued Operation of Pilgrim Nuclear Power Station

Dear Dr. Hull,

Our May 17, 2012, informal consultation with you, pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended, concluded that the relicensing and continued operation of the Pilgrim Nuclear Power Station was not likely to adversely affect any NMFS-listed species and would have no effect on right whale critical habitat. On May 29, 2012, you issued a renewed operating license to Entergy, authorizing an additional 20 years of operations at Pilgrim. In our consultation letter, we noted that the license required Entergy to report any sightings of threatened or endangered species to NRC. You confirmed this understanding in your October 1, 2012 letter, in which you stated the requirement for Entergy to report the occurrence of any species protected by the ESA was found at, "Appendix B, Section 4.1" of the 2012 license. However, we have recently learned this reference was made in error and there is no requirement in the current license for Entergy to report occurrences, sightings, or interactions with listed species to NRC or NMFS.

We request that you add a requirement to Pilgrim's operating license that would require the reporting of any observations of listed species to NRC and NMFS within 24 hours. As noted in our May 2012 consultation letter, we do not anticipate the impingement or entrainment of any ESA listed species (i.e., whales, sea turtles or Atlantic sturgeon). However, NMFS should be informed of any listed species at or near the intakes and discharge points. In addition, we understand that NRC requires Entergy to visually monitor a 500-yard safety exclusion zone. We request that you require the reporting of observations of any listed species within that zone as well as any opportunistically observed whales, sea turtles or sturgeon outside of that zone, regardless of condition. Reports should include the date and time, operating status of the facility, air and water temperature, species identification and any available photographs. Reports to NMFS can be made electronically at our e-mail reporting address (incidental.take@noaa.gov). Using this e-mail address does not necessarily mean that incidental take occurred. In the event that any injured whales or sea turtles are observed, these should be reported immediately to NMFS Northeast Regional 24-hour hotline (866-755-6622).



If you have any questions regarding this request, please contact Julie Crocker in our Protected Resources Division (978-282-8480 or Julie.Crocker@noaa.gov). Please notify us once you have added this requirement to the operating license. We look forward to continuing to work with you and your staff.

Sincerely,



for John K. Bullard
Regional Administrator

EC: Williams - GCNE
Crocker - F/NER3
Balsam, Logan - NRC

File code: Sec. 7 NRC Pilgrim Power Station
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