



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

August 21, 2014

**LICENSEE:** FirstEnergy Nuclear Operating Company and FirstEnergy Nuclear Generation, LLC

**FACILITY:** Davis-Besse Nuclear Power Station, Unit 1

**SUBJECT:** SUMMARY OF TELEPHONE CONFERENCE CALL HELD ON JULY 18, 2014, BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION, U.S. FISH AND WILDLIFE SERVICE, AND FIRSTENERGY NUCLEAR OPERATING COMPANY CONCERNING ENDANGERED SPECIES ACT SECTION 7 CONSULTATION FOR THE DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1, LICENSE RENEWAL

On July 18, 2014, U.S. Nuclear Regulatory Commission (NRC) staff, U.S. Fish and Wildlife (FWS) staff, and representatives of FirstEnergy Nuclear Operating Company (FENOC or the applicant) held a telephone conference call to discuss the ongoing consultation between the NRC and FWS pursuant to section 7 of the Endangered Species Act of 1973, as amended associated with the NRC's license renewal application review for the Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse).

Enclosure 1 provides a listing of the participants, Enclosure 2 contains the meeting agenda, and Enclosure 3 contains a summary of the discussion.

The applicant and the FWS have had an opportunity to comment on this summary.

**/RA/**

Briana Grange, Biologist  
Environmental Review and Guidance  
Update Branch  
Division of License Renewal  
Office of Nuclear Reactor Regulation

Docket No. 50-346

Enclosures:

1. List of Participants
2. Meeting Agenda
3. Teleconference Summary

cc w/encls: Listserv

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On July 18, 2014, U.S. Nuclear Regulatory Commission (NRC) staff, U.S. Fish and Wildlife (FWS) staff, and representatives of FirstEnergy Nuclear Operating Company (FENOC or the applicant) held a telephone conference call to discuss the ongoing consultation between the NRC and FWS pursuant to section 7 of the Endangered Species Act of 1973, as amended (ESA) associated with the NRC's license renewal application review for the Davis-Besse Nuclear Power Station, Unit No. 1 (Davis-Besse).

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**ADAMS Accession No.:** ML14213A002 \*concurring via email

OFFICE	LA:DLR	AB:RERB:DLR	PM:RPB2:DLR	BC:RERB:DLR	AB:RERB:DLR
NAME	IKing	BGrange	EKeegan	DWrona	BGrange
DATE	8/12/14	8/14/14	8/19/14	8/21/14	8/21/14

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BETWEEN THE U.S. NUCLEAR REGULATORY COMMISSION, U.S. FISH AND  
WILDLIFE SERVICE, AND FIRSTENERGY NUCLEAR OPERATING COMPANY  
CONCERNING ENDANGERED SPECIES ACT SECTION 7 CONSULTATION  
FOR THE DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1 LICENSE  
RENEWAL APPLICATION ENVIRONMENTAL REVIEW

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BGrange  
EKeegan  
DWittick  
DWrona

dorts@firstenergycorp.com  
custer@firstenergycorp.com  
jennifer\_finfera@fws.gov  
megan\_seymour@fws.gov  
keith\_lott@fws.gov

TELEPHONE CONFERENCE CALL  
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1  
LICENSE RENEWAL APPLICATION ENVIRONMENTAL REVIEW

LIST OF PARTICIPANTS  
July 18, 2014

**PARTICIPANT**

Briana Grange  
Elaine Keegan  
Jennifer Finfera  
Megan Seymour  
Keith Lott  
Cliff Custer  
Steven Dort

**AFFILIATION**

U.S. Nuclear Regulatory Commission (NRC)  
NRC  
U.S. Fish and Wildlife Service (FWS)  
FWS  
FWS  
FirstEnergy Nuclear Operating Company (FENOC)  
FENOC

**AGENDA FOR TELECONFERENCE TO DISCUSS ENDANGERED SPECIES ACT  
SECTION 7 CONSULTATION ASSOCIATED WITH THE DAVIS-BESSE LICENSE RENEWAL  
ENVIRONMENTAL REVIEW**

Friday, July 18, 2014

11:00 a.m. to 1:00 p.m. EST

**Teleconference Line: 1-888-282-9639  
Passcode: 60372**

**Participants**

U.S. Nuclear Regulatory Commission (NRC)

Elaine Keegan, Project Manager  
Briana Grange, Biologist

U.S. Fish and Wildlife Service (FWS)

Jennifer Finfera, Wildlife Biologist  
Possible other FWS biologists

First Energy Corporation

Cliff Custer, FENOC Project Manager for License Renewal  
Steve Dort, Davis-Besse License Renewal

**Agenda**

- I. Meeting Welcome (Keegan)
- II. Status of the Endangered Species Act Section 7 Consultation (Grange)
- III. Discussion of the U.S. Fish and Wildlife's Questions (All)
- IV. Question and Answer Period (All)
- V. Identification of Follow-up Actions (Keegan and Grange)
- VI. Closing (Keegan)

**Background**

As part of the license renewal review for Davis-Besse Nuclear Power Station, Unit 1 (Davis-Besse), the NRC must consult with FWS in accordance with Section 7(a)(2) of the Endangered Species Act (ESA). NRC began communicating with FWS pursuant to consultation under ESA

ENCLOSURE 2

Section 7 in 2010 when it received the Davis-Besse license renewal application. Most recently, in a letter dated February 27, 2014 (ADAMS Accession No. [ML13177A030](#)), the NRC requested the FWS's concurrence with its ESA effect determinations, which can be found in Section 4.8 of the NRC's draft supplemental environmental impact statement (SEIS) for Davis-Besse license renewal ([ML14050A290](#)). Since this request, Jennifer Finfera, Wildlife Biologist, FWS Columbus Ecological Services Office, and Briana Grange, Biologist, NRC, have been in communication. Ms. Finfera identified additional species not considered in the SEIS, and Ms. Grange sent supplemental assessments to FWS by email on May 6, 2014 ([ML14139A000](#)) and June 17, 2014 ([ML14168A616](#)) that address the additional species. In her review of the information, Ms. Finfera has requested additional information in order to determine impacts to the listed and proposed bird species (Kirtland's warbler, *Setophaga kirtlandii*, and red knot, *Calidris canutus rufa*) that may be affected by Davis-Besse operations during the license renewal term.

### **FWS's Questions**

In order to address potential impacts to birds from collisions with the cooling tower and other plant structures, FWS has requested the following information:

1. For the cooling towers and any other structures over 100 feet tall, please provide information on the color of the lights used, whether they are flashing or steady burning, the duration of pulses for any flashing lights that are used, and the intensity of the light bulbs used. We request that you also include information on any spotlights that are used at the facility.
2. The Federal Aviation Administration (FAA) has recently completed a study concerning tower lighting—Evaluation of New Obstruction Lighting to Reduce Avian Mortalities (FAA Report NO. DOT/FAA/TC-TN12/9). Results of the study showed that on communication towers, changing the steady-burning L810 lights to flashing lights significantly reduces the risk to migratory birds (50 - 71% reduction in mortality, Gehring et al. 2009), while also providing the necessary conspicuity for aircraft pilots to avoid any obstructions. The FAA has established a process by which tower operations can file for the lighting change directly on their website. Based on the information available it appears that the cooling tower is approximately 500 feet tall and therefore could be illuminated with flashing lights only. Could this be implemented as a measure to minimize collision risk to migratory birds?

SUMMARY OF TELEPHONE CONFERENCE CALL  
ON ENDANGERED SPECIES ACT SECTION 7 CONSULTATION  
FOR THE DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1  
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**Discussion**

NRC staff, FWS staff, and the applicant discussed bird mortality surveys conducted in the 1970s on the Davis-Besse site and the current and past lighting schemes of the cooling tower and other tall plant structures. FWS indicated its concern that the Federally endangered Kirtland's warbler (*Setophaga kirtlandii*) could be at risk of colliding with plant structures during the proposed license renewal term. FWS's concern is the result of several factors, including (1) the available data for the Davis-Besse site is old, (2) the fact that the Kirtland's warbler population has been increasing in recent years, and (3) information from studies conducted in Ohio that indicates that migratory birds are at a higher risk of collision with tall structures along Lake Erie than was previously thought. FWS indicated that it is not concerned that the proposed license renewal would result in more than insignificant or discountable effects to any of the other Federally listed species that NRC and FWS have addressed during its consultation.

FWS suggested that FENOC undertake bird mortality monitoring on the Davis-Besse site to better determine the potential effects of license renewal on Kirtland's warblers. FWS would want FENOC to develop a monitoring plan for its approval. Such a plan should include methods for surveying the cooling tower and other plant structures over 100 feet tall for dead bird carcasses during spring and fall migrations and for a period of several years. NRC, FWS, and FENOC discussed the methods, materials, and expertise that such a monitoring plan would require; the feasibility of such a plan; and how development of a plan would affect the ongoing section 7 consultation and license renewal review.

FWS agreed to provide NRC and FENOC with examples of other post-construction monitoring plans to assist NRC and FENOC in better understanding what FWS views as an acceptable monitoring plan. FWS also agreed to send the NRC a formal letter that includes a request for monitoring.

ENCLOSURE 3

FENOC representatives agreed to brief the appropriate FENOC management on the teleconference discussion and FWS's suggested bird mortality monitoring.

NRC staff agreed to determine the most appropriate means for NRC to facilitate FWS's information needs and to transmit the anticipated future request for monitoring from FWS to the applicant.