

APPENDIX B

TO SUBSEQUENT RENEWED FACILITY OPERATING LICENSES NOS. DPR-31 and DPR-41

TURKEY POINT NUCLEAR GENERATING UNITS NOS. 3 AND 4

ENVIRONMENTAL PROTECTION PLAN (EPP)

(NON-RADIOLOGICAL)

1.0 Objectives of the Environmental Protection Plan

The objective of the Environmental Protection Plan (EPP) is to provide for protection of the environment at the Turkey Point Plant and immediate adjacent areas.

The principal objectives of the EPP are to:

1. Aid in determining that the plant is operated in an environmentally acceptable manner, as established by NRC environmental impact assessments.
2. Provide for review of NRC requirements to maintain consistency with other Federal and State requirements for environmental protection.
3. Keep NRC informed of any significant environmental impacts due to facility operation and of actions taken in response to any impacts.

Environmental concerns which relate to any water quality and biological monitoring matters will be regulated by EPA or the Florida Department of Environmental Protection (FDEP) as EPA's delegee through the licensee's National Pollutant Discharge Elimination System (NPDES) permit.

2.0 Environmental Protection Issues

With assumption of aquatic monitoring programs by U.S. Environmental Protection Agency (EPA) or FDEP through the NPDES program, NRC will rely on EPA for resolution of issues involving the monitoring of water quality and biological monitoring programs.

2.1 Endangered Species Act

In accordance with Section 7(a) of the Endangered Species Act, the U.S. Fish and Wildlife Service (FWS) issued a Biological Opinion related to the continued operation of Turkey Point Nuclear Generating Unit Nos. 3 and 4 as a result of subsequent renewal of the renewed licenses. The Biological Opinion includes an Incidental Take Statement pertaining to the American crocodile (*Crocodylus acutus*) and eastern indigo snake (*Drymarchon couperi*). The Biological Opinion includes a Reasonable and Prudent Measure that the FWS determined to be necessary and appropriate to reduce take and to minimize the direct and indirect effects on the listed species. The Terms and Conditions that implement the Reasonable and Prudent Measure are nondiscretionary. The currently applicable Biological Opinion concludes that continued operation of Turkey Point Nuclear Generating Unit Nos. 3 and 4, as a result of subsequent renewal of the renewed licenses, is not likely to jeopardize the continued existence of the American crocodile or eastern indigo snake or to adversely modify the designated critical habitat of the American crocodile.

The licensee shall adhere to the requirements within the Incidental Take Statement of the currently applicable Biological Opinion. Changes to the Biological Opinion, including the Incidental Take Statement, Reasonable and Prudent Measures, and Terms and Conditions contained therein, must be preceded by consultation between the NRC, as the authorizing agency, and the FWS.

3.0 Consistency Requirements

3.1 Facility Design and Operation

The licensee may make changes in facility 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 significantly affect the environment are not subject to this requirement.

Before engaging in construction or operational activities which may significantly 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 a matter which may result in 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.

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

Activities governed by Section 3.3 of this EPP are not subject to the requirements of Section 3.1.

3.2 Reporting Related to the NPDES Permit and State 401 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.
2. 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.
3. 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 facility 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 Administrative Procedures

4.1 Review and Audit

The licensee shall provide for review and audit of compliance with the Environmental Protection Plan. The audits shall be conducted independently of the individual or groups responsible for performing the specific activity. A description of the organization structure utilized to achieve the independent review and audit function and results of the audit activities shall be maintained and made available for inspection.

4.2 Records Retention

Records and logs relative to the environmental aspects of facility operation which have significant environmental impact shall be made and retained in a manner convenient for review and inspection. These records and logs shall be made available to NRC on request.

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 facility. 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.

4.3 Changes in Environmental Protection Plan

Request for change in the Environmental Protection Plan shall include an assessment of the environmental impact of the proposed change and a supporting justification. Implementation of such changes in the EPP shall not commence prior to NRC approval of the proposed changes in the form of a license amendment incorporating the appropriate revision to the Environmental Protection Plan.

5.0 Facility Reporting Requirements

- 5.1 A written report shall be submitted to the NRC within 30 days of occurrence of any event having significant environmental impact. The report shall (a) describe, analyze, and evaluate the event, including extent and magnitude of the impact and facility 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.

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 within 10 working days of the time it is submitted to the other agency.

5.2 Unusual or Important Environmental Events

Any occurrence of an unusual or important event that indicates or could result in significant environmental impact causally related to facility operation shall be recorded and promptly reported to the NRC within 5 working days followed by a written report within 30 days. No routine monitoring programs are required to implement this condition.