



# Application for Section 401 Water Quality Certification

DEC 30 2014

Division of Surface Water 401 Water Quality Certification and Isolated Wetland Permitting Unit

PAID

12/16/2014  
12/26/2014

Section 1: Applicant and Agent Information		
	Applicant:	Agent:
Company/ Agency Name:	FirstEnergy Nuclear Operating Company	EnviroScience Inc.
Name of Contact:	Ernest J. Harkness	Emmalisa Kennedy
Title:	Vice President Perry Nuclear Power Plant	Wetland Ecologist
Technical Point of Contact:	Kristin Susick	Emmalisa Kennedy
Address:	76 South Main Street	5070 Stow Road
City, State, Zip:	Akron, Ohio 44308	Stow, Ohio 44224
Phone Number(s):	(330) 252-1468	(330) 688-0111 x 225
Email Address:	kssusick@firstenergycorp.com	ekennedy@enviroscienceinc.com

686838  
Amount \$25,000.00  
2356777

## Section 2: Project Information

**A. Project Name:** Minor Stream Project – Perry Nuclear Power Plant

**B. Has Pre-App. Coordination occurred?**  YES  NO Indicate the 401 reviewer: Loucek DATE: 5/20/2014

**C. Brief Project Description/Purpose:** The purpose of the proposed project is to comply with both Federal and the Nuclear Regulatory Commission (NRC) regulation stated in Code of Federal Regulation 10 CFR 50, Appendix A, Criterion 2 and United States NRC regulatory guides Regulation 1.59, Rev2 and Regulation 1.102, Rev 1. Additionally, the letter from the NRC dated March 12, 2012 pursuant to 10 CFR 50.54(f) requires reevaluation of flooding and seismic hazards for all nuclear plant facilities within the United States (Appendix 5.1). FirstEnergy Nuclear Operating Company (FENOC) is proposing to divert stream flow from the existing Minor Stream to a proposed new stream channel herein referred to as the new unnamed tributary (New UNT) which would contain water flow resulting from a probable maximum flood (PMF) event, routing the water away from the Perry Nuclear Power Plant (PNPP). In addition to the created stream channel, several other features are required to complete the project. This includes grading along the east and west banks of the proposed stream to meet existing grade or to create a small berm, a fill area to the southwest of the existing Minor Stream, straightening a section of the concrete barriers referred to as the vehicle barrier system (VBS), and a new outlet into Lake Erie. The New UNT would be approximately 2,780 linear feet and approximately 150 feet wide including the floodplain. The New UNT will tie-in to the existing Minor Stream at an upstream location. The New UNT will flow north and outlet into Lake Erie east of the currently protected shoreline. Both direct and indirect impacts to wetlands and streams will result from implementation of the Minor Stream Project. Direct impacts will result from the New UNT, grading, berms, fill area, straightening of the VBS, and outlet into Lake Erie. Indirect wetland and stream impacts will result from construction and maintenance of the New UNT and potential dewatering 20 feet east of the new stream channel and a portion of the existing Minor Stream (S-4). A total of 4.944 acres of wetland and 2,277 linear feet of stream channel will be either directly or indirectly impacted due to the proposed project.

**D. Construction Timeframe (Provide ~start and end dates):** March 2015 October 2016

**E. Is any portion of the activity complete now?**  YES  NO Is this an "After-The-Fact" permit application?  YES  NO  
If YES to either, describe the extent of completed portion of the activity below and the unauthorized impacts on waters of the state:  
Click here to enter text.

PERSON ID: \_\_\_\_\_  
PLACE ID: \_\_\_\_\_  
DOCUMENT ID: 24408  
ORGANIZATION ID: 12658  
REVENUE ID: 1028998

**F. Coordinates (degree, minutes, seconds):** 41°48' 3.531" N - 81° 8' 7.638" W

**G. Project Address:** Street: 10 Center Road; project east of the Perry Nuclear Plant City or Town: North Perry  
Zip Code: 44081 Township: Perry County: Lake

**H. 12 Digit HUC No.:** 041100030204 **I. Watershed Name:** McKinley Creek – Frontal Lake Erie **J. Corps District:** Buffalo

**K. Proposed impacts to "waters of the state":**  
 Beach Nourish  Levees/Berms  
 Blasting  Mine Through

**L. Other water related permits issued or required include:**  
 Individual 404 Permit – Public Notice # \*to be received from USACE  
 Nationwide Permit # Choose an item. Choose an item. Click here to enter a date.

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<input type="checkbox"/> Breakwater	<input checked="" type="checkbox"/> Revetment	<input type="checkbox"/> Section 10 Permit - Choose an item. Click here to enter a date.
<input type="checkbox"/> Bulkhead	<input checked="" type="checkbox"/> Bank Stabilization	<input type="checkbox"/> Section 9 Permit - Click here to enter text.
<input type="checkbox"/> Bridge/Culvert	<input type="checkbox"/> Stream Channeliz.	<input type="checkbox"/> Iso. Wetland Permit Choose an item. Click here to enter a date. Choose an item.
<input type="checkbox"/> Dam	<input checked="" type="checkbox"/> Stream Relocation	<input checked="" type="checkbox"/> NPDES Permit – Choose an item. Will be Submitted 1/31/2015
<input checked="" type="checkbox"/> Dredge	<input type="checkbox"/> Water Body Cross	<input type="checkbox"/> Permit to Install – Choose an item. : Click here to enter a date.
<input checked="" type="checkbox"/> Fill	<input type="checkbox"/> Weirs	<input type="checkbox"/> ODNR Choose an item. Permit - Choose an item. Click here to enter a date.
<input type="checkbox"/> Groin/Jetty	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> ODNR Coastal Permit - Date Submitted: 1/31/2015
		<input type="checkbox"/> Regional Permit - Choose an item. Click here to enter a date.

Section 3: Fees			
Are you exempt from fees? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If YES, leave fee section blank)			
<b>Application Fee =</b>			\$ 200.00
<b>Review Fee</b>			
Wetland	Acres Impacted	5.34	x \$500 = \$ 2,670.00
Ephemeral Stream	Linear Feet Impacted	0.00	x \$5.00 = \$ 0.00 (\$200.00 minimum)
Intermittent Stream	Linear Feet Impacted	2057.00	x \$10.00 = \$ 20,570.00 (\$200.00 minimum)
Perennial Stream	Linear Feet Impacted	0.00	x \$15.00 = \$ 0.00 (\$200.00 minimum)
Lake	Cubic Yards	0	x \$3.00 = \$ 0.00
			<b>Total Review Fees = \$ 23,240.00</b>
			<b>Total Fees (\$200 Application Fee + Total Review Fees) = \$ 23,440.00</b>
Standard Applicant - Is the fee cap (\$25,000) exceeded? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
If YES, \$12,500 (\$12,700) is due with application and \$12,500 (\$12,300) is due at time of 401 WQC issuance			
County, Township or Municipal Corp. – Is the fee cap (\$5,000) exceeded? <input type="checkbox"/> YES <input type="checkbox"/> NO			
If YES, \$2,500 (\$2,700) is due with application and \$2,500 (\$2,300) is due at time of 401 WQC issuance			
If fee cap is not exceeded:			
DUE AT TIME OF 401 WQC APP. SUBMITTAL – APPLICATION FEE AND ½ OF REVIEW FEE =			\$ 11,820.00
DUE AT TIME OF 401 WQC ISSUANCE – ½ OF REVIEW FEE (Invoice will be sent) =			\$ 11,620.00
<b>PLEASE MAKE FEE CHECK PAYABLE TO: "TREASURER, STATE OF OHIO"</b>			

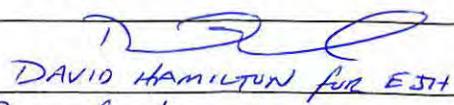
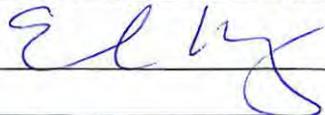
Section 4: Submitted Documentation		
Check all documents/items that have been submitted:		
<input checked="" type="checkbox"/> U.S. ACOE JD letter	<input checked="" type="checkbox"/> A specific & detailed mitigation plan	<input checked="" type="checkbox"/> US FWS & ODNR T&E Coordination
<input checked="" type="checkbox"/> 10 page ORAM forms - impacted wetlands	<input checked="" type="checkbox"/> Applicable fees	<input checked="" type="checkbox"/> Investigation report of "waters of the US"
<input checked="" type="checkbox"/> A DoEU for each undesignated stream *	<input checked="" type="checkbox"/> Site photographs	<input checked="" type="checkbox"/> US ACOE 404 Permit Public Notice
<input checked="" type="checkbox"/> Descriptions, schematics & appropriate economic information for <u>all three alternatives</u> (Preferred, Minimal Degradation and Non Degradation)		

\*DoEU – Determination of Existing Use (See pages 6 and 11 in the Instructions)

Section 5: Applicant and Agent Signature	
I hereby designate and authorize the agent/consultant identified in Section 1 to act on my behalf in the processing of this permit application, and to furnish, upon request, supplemental information in support of the application:	
Applicant Name Ernest J. Harkness	Applicant Signature 

Application for Section 401 Water Quality Certification

Application is hereby made for a Section 401 Water Quality Certification. I certify that the information provided on this form and all attachments related to this project are true and accurate to the best of my knowledge:

Applicant Name	Earnest J. Harkness	Applicant Signature	 DAVID HAMILTON for EJH
Agent Name	Emmalisa Kennedy	Agent Signature	

For Internal Ohio EPA Use	
Reviewer:	
Project ID #	
Date Received:	
CR Due:	