



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

August 23, 1989

Docket Nos. 50-445  
and 50-446

Mr. William J. Cahill, Jr.  
Executive Vice President, Nuclear  
Texas Utilities Electric Company  
400 North Olive Street, L. B. 81  
Dallas, Texas 75201

Dear Mr. Cahill:

SUBJECT: NOTICE OF ENVIRONMENTAL ASSESSMENT RELATED  
TO COMANCHE PEAK CONSTRUCTION PERMITS

Enclosed is a copy of a "Notice of Environmental Assessment and Finding of No Significant Impact." This notice relates to your May 4, 1989 request for amendment of the Comanche Peak construction permits authorizing the transfer of 2-1/6% ownership interest in Comanche Peak from Tex-La Electric Cooperative of Texas, Inc. to TU Electric.

This notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

*CI Grimes*

Christopher I. Grimes, Director  
Comanche Peak Project Division  
Office of Nuclear Reactor Regulation

Enclosure:  
Federal Register Notice

cc w/encl: See next page

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Mr. William J. Cahill, Jr.

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cc:

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Honorable George Crump  
County Judge  
Glen Rose, Texas 76043

August 23, 1989

Mr. W. J. Cahill, Jr.

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Docket File ✓

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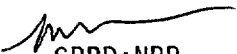
W. Lambe

J. Petersen

J. Gilliland (RIV/PA)

GPA/PA

ACRS (10)


  
CPPD:NRR  
MMalloy  
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~~CPPD:NRR~~  
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JWilson  
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DD:CPPD:NRR  
PMcKee for  
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OGC  
JMoore  
8/22/89  
by telephone

  
D:CPPD:NRR  
CGrimes  
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Note: PTSB Concurrence (C. Thomas) obtained on the memorandum to D. Meyer from C. Grimes forwarding the EA for FR publication, same date as this letter to TU Electric.

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UNITED STATES NUCLEAR REGULATORY COMMISSION  
TEXAS UTILITIES ELECTRIC COMPANY, ET AL\*  
DOCKET NOS. 50-445 AND 50-446  
NOTICE OF ENVIRONMENTAL ASSESSMENT AND FINDING OF  
NO SIGNIFICANT IMPACT

The U. S. Nuclear Regulatory Commission (the Commission) is considering the issuance of Amendment No. 11 to Construction Permit No. CPPR-126 and Amendment No. 10 to Construction Permit No. CPPR-127 which would authorize the transfer of a 2-1/6% ownership interest in the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, from Tex-La to TU Electric. The proposed amendments would delete Tex-La as an owner on the construction permits and increase TU Electric's aggregate ownership to 100%.\*\*

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action: The proposed action would reflect a transfer of ownership interest in CPSES, Units 1 and 2, from Tex-La to

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\* The current owners of the Comanche Peak Steam Electric Station are: Texas Utilities Electric Company (TU Electric), Tex-La Electric Cooperative of Texas, Inc. (Tex-La), and Texas Municipal Power Agency (TMPA). Transfer of ownership from TMPA to TU Electric was previously authorized by Amendment Nos. 9 and 8 to Construction Permits CPPR-126 and CPPR-127, respectively, for Comanche Peak, Units 1 and 2, on August 25, 1988 to take place in 10 installments as set forth in the agreement attached to the application for amendment dated March 4, 1988. At the completion thereof, TMPA will no longer retain any ownership interest.

\*\* The aggregate ownership amount takes into consideration the presently incomplete transfer of 6.2% ownership interest from the TMPA to TU Electric.

TU Electric. This transfer will in no way affect the design or construction of CPSES nor will it affect the responsibility for operation and control of the facility.

The deletion of Tex-La from the Comanche Peak construction permits and reallocation of Tex-La's 2-1/6% ownership interest to TU Electric are in accordance with the agreement between Tex-La and TU Electric dated March 23, 1989, as described in TU Electric's request dated May 4, 1989.

The Need for the Proposed Action: The license conditions attached to the CPSES construction permit required TU Electric to offer ownership access to entities in a specified area of the state of Texas. As a result of the conditions, several smaller power systems purchased shares in the plant, including Tex-La. For a number of reasons, Tex-La now wishes to sell its 2-1/6% interest in the CPSES back to TU Electric. On March 23, 1989, TU Electric and Tex-La

entered into a settlement agreement that provides for the purchase by TU Electric of all of Tex-La's ownership interest in the CPSES and also terminates all pending litigation between the two parties in various District Court proceedings in Texas originating from Tex-La's participation in the CPSES.

The requests for amendment were submitted pursuant to 10 CFR 50.30 and 10 CFR 50.90 to properly reflect the change of ownership from Tex-La to TU Electric.

Environmental Impacts of Proposed Action: The proposed action is administrative in nature and involves only the transfer of an ownership interest from one entity to another entity which is already an owner and an applicant. This transfer will in no way affect the design or construction of CPSES, nor will it affect the responsibility for operation and control of the facility. The proposed action will not affect the principal architectural and engineering criteria and environmental protection commitments set forth in the construction permit application, as amended, nor will it change the impact associated with the construction or operation of the CPSES. It will only result in the reallocation of ownership interest from one owner to another. Therefore, the Commission has concluded that there is no environmental impact associated with the proposed action.

Alternative to the Proposed Action: The Commission has concluded that there are no measurable environmental impacts associated with the proposed action. The principal alternative would be for the Commission to deny the requested amendments. This would not reduce the environmental impacts of plant construction or operation.

Alternative Use of Resources: This action does not involve the use of resources not previously considered in connection with the Final Environmental Statement related to the proposed Comanche Peak Steam Electric Station Units 1 and 2, dated June 1974 or the Final Environmental Statement related to the operation of Comanche Peak Steam Electric Station, Units 1 and 2 (NUREG-0775), dated September 1981.

Agencies and Persons Consulted: The NRC staff reviewed the applicant's request and applicable documents referenced therein that support the proposed amendments. The NRC did not consult other agencies or persons in preparing this assessment.

#### FINDING OF NO SIGNIFICANT IMPACT

The staff has reviewed the proposed action relative to the requirements set forth in 10 CFR Part 51. Based upon the foregoing environmental assessment, the Commission concludes that there are no significant environmental impacts associated with the proposed action and that issuance of the proposed amendments will not have a significant effect on the quality of the human environment. Therefore, pursuant to 10 CFR 51.31, an environmental impact statement need not be prepared for this action.

For further details with respect to this action, see the applicant's request for amendments dated May 4, 1989. This document is available for public inspection at the Commission's Public Document Room, 2120 L Street, N. W., Washington, D. C. 20555, and at the local public document room at the Somervell County Public Library on the Square, P. O. Box 1417, Glen Rose,

Texas 76043. The staff's evaluation of the request will be published in a safety evaluation associated with the amendments to the construction permits for Comanche Peak Steam Electric Station, Units 1 and 2, and will be available for inspection at the locations listed above.

Dated at Rockville, Maryland this *23rd* day of *August*, 1989.

FOR THE NUCLEAR REGULATORY COMMISSION

*Christopher I. Grimes*  
Christopher I. Grimes, Director  
Comanche Peak Project Division  
Office of Nuclear Reactor Regulation