

November 1, 2002

Mr. Kevin Jonathan, Chief  
Tonawanda Band of Senecas  
7027 Meadville Road  
Basom, NY 14013

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REVIEW OF THE R.E. GINNA  
NUCLEAR POWER PLANT LICENSE RENEWAL APPLICATION

Dear Mr. Jonathan:

The U.S. Nuclear Regulatory Commission (NRC) is seeking input for its environmental review of an application from Rochester Gas & Electric Corporation (RG&E) to renew its operating license for the R.E. Ginna Nuclear Power Plant (Ginna), located in Ontario, New York. Ginna is in close proximity to lands that may be of interest to the Tonawanda Band of Senecas. As described below, the NRC process includes an opportunity for public participation in the environmental review. We want to ensure that you are aware of our efforts and, pursuant to 10 CFR 51.28(b), the NRC invites the Tonawanda Band of Senecas to provide input to the scoping process relating to the NRC's environmental review of the application.

The NRC will hold public scoping meetings for the Ginna license renewal supplement to the NRC's "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS) (NUREG-1437). These scoping meetings will be held at the Betty Rissberger Community Room, Webster Public Library, 980 Ridge Road, Webster, New York, on Wednesday, November 6, 2002. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7:00 p.m., with a repeat of the overview portions of the meeting, and will continue until 10:00 p.m., as necessary. Additionally, the NRC staff will host informal discussions one hour before the start of each session at the Betty Rissberger Community Room. No comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing. The application and the environmental review process are described below.

Under NRC regulations, the original operating license for a nuclear power plant is issued for up to 40 years. The license may be renewed for up to an additional 20 years if NRC requirements are met. The current operating license for Ginna will expire in 2009. RG&E submitted an environmental report as part of its application for renewal of the Ginna operating license on July 30, 2002. The application is electronically available for inspection from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Public Electronic Reading Room (PERR) link. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). In addition, the application can be viewed on

the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/ginna.html>. A paper copy of the document can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland; at the Rochester Public Library, 115 South Avenue, Rochester, New York; and at the Ontario Public Library, 1850 Ridge Road, Ontario, New York. Also, the GEIS assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site. A copy of this document can also be found on the NRC's website or at the NRC's PDR.

The NRC is gathering information for the document that will be a Ginna-specific supplement to the GEIS. The supplement will contain the results of the review of the environmental impacts on the area surrounding the Ginna site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action.

Please submit any written comments the Tonawanda Band of Senecas may have to offer on the scope of the environmental review by December 11, 2002. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail at [GinnaEIS@nrc.gov](mailto:GinnaEIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached and will send a copy to you.

The NRC will prepare a draft supplemental environmental impact statement (SEIS) for public comment and will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final environmental statement for Ginna is planned for January 2004. If you need additional information regarding the environmental review process, please contact Robert G. Schaaf, Project Manager, at (301) 415-1312.

Sincerely,

**/RA/**

Pao-Tsin Kuo, Program Director  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No. 50-244

cc: See next page

the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/ginna.html>. A paper copy of the document can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland; at the Rochester Public Library, 115 South Avenue, Rochester, New York; and at the Ontario Public Library, 1850 Ridge Road, Ontario, New York. Also, the GEIS assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site. A copy of this document can also be found on the NRC's website or at the NRC's PDR.

The NRC is gathering information for the document that will be a Ginna-specific supplement to the GEIS. The supplement will contain the results of the review of the environmental impacts on the area surrounding the Ginna site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action.

Please submit any written comments the Tonawanda Band of Senecas may have to offer on the scope of the environmental review by December 11, 2002. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail at [GinnaEIS@nrc.gov](mailto:GinnaEIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached and will send a copy to you.

The NRC will prepare a draft supplemental environmental impact statement (SEIS) for public comment and will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final environmental statement for Ginna is planned for January 2004. If you need additional information regarding the environmental review process, please contact Robert G. Schaaf, Project Manager, at (301) 415-1312.

Sincerely,

**/RA/**

Pao-Tsin Kuo, Program Director  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No. 50-244

cc: See next page

**DISTRIBUTION**

see next page

**Accession no.: ML023190126**

\*See previous concurrence

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML023190126.wpd

OFFICE	LA:RLEP	PM:RLEP	SC:RLEP	PD:RLEP
NAME	HBerilla*	RSchaaf*	JTappert* DWheeler for	PTKuo*
DATE	10/30/02	10/30/02	10/31/02	11/01/02

OFFICIAL RECORD COPY

DISTRIBUTION: Letter to Kevin Jonathan, Dated: November 1, 2002

---

**Accession no.: ML023190126**

DMatthews/FGillespie

PTKuo

RSchaaf

BZalcman

RClark

BPlatchek, R1

NSheehan, R1

JDavis

KKolaczyk, R1

JTappert

RArrighi

OGC

DNeitzel (PNNL)

RLEP R/F

R.E. Ginna Nuclear Power Plant

cc:

Kenneth Kolaczyk, Sr. Resident Inspector  
R.E. Ginna Plant  
U.S. Nuclear Regulatory Commission  
1503 Lake Road  
Ontario, NY 14519

Regional Administrator, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Mr. William M. Flynn, President  
New York State Energy, Research,  
and Development Authority  
Corporate Plaza West  
286 Washington Avenue Extension  
Albany, NY 12203-6399

Charles Donaldson, Esquire  
Assistant Attorney General  
New York Department of Law  
120 Broadway  
New York, NY 10271

Daniel F. Stenger  
Ballard Spahr Andrews & Ingersoll, LLP  
601 13<sup>th</sup> Street, N.W., Suite 1000 South  
Washington, DC 20005

Ms. Thelma Wideman, Director  
Wayne County Emergency Management  
Office  
Wayne County Emergency Operations  
Center  
7336 Route 31  
Lyons, NY 14489

Ms. Mary Louise Meisenzahl  
Administrator, Monroe County  
Office of Emergency Preparedness  
1190 Scottsville Road, Suite 200  
Rochester, NY 14624

Dr. Robert C. Mecredy  
Vice President, Nuclear Operations  
Rochester Gas and Electric Corporation  
89 East Avenue  
Rochester, NY 14649

Mr. Paul Eddy  
New York State Department of  
Public Service  
3 Empire State Plaza, 10th Floor  
Albany, NY 12223

Mr. Alan P. Nelson  
Nuclear Energy Institute  
1776 I Street, N.W., Suite 400  
Washington, DC 20006-3708  
APN@NEI.ORG

George Wrobel  
Manager, License Renewal  
R.E.Ginna Nuclear Power Plant  
1503 Lake Rd.  
Ontario, NY 14519

Mr. Denis Wickham  
Sr. Vice President Transmission & Supply  
Energy East Management Corporation  
P.O. Box 5224  
Binghamton, NY 13902

Mr. David F. Wilson  
R.E. Ginna Nuclear Power Plant  
1503 Lake Rd.  
Ontario, NY 14519

Ms. Carolyn Johnson  
Division Head  
Business and Government Division  
Rochester Public Library  
115 South Avenue  
Rochester, NY 14604

R.E. Ginna Nuclear Power Plant

- 2 -

cc:

William G. Little, Esq.  
Division of Legal Affairs  
NYS Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233-1500

Ms. Kimberly Merchant  
Division of Environmental Permits  
NYS Department of Environmental  
Conservation  
6274 East Avon-Lima Road  
Avon, NY 14414-9519

Ms. Laura Viau  
Director  
Ontario Public Library  
1850 Ridge Road  
Ontario, NY 14519