

August 11, 2004

Ms. Bernadette Castro, Commissioner  
New York State Office of Parks, Recreation,  
and Historic Preservation  
P.O. Box 189  
Peebles Island  
Waterford, NY 12138-0189

SUBJECT: NINE MILE POINT UNITS 1 AND 2 LICENSE RENEWAL REVIEW (PROJECT  
REVIEW OPRHP NO. 03PR0532)

Dear Commissioner Castro:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing applications to renew the operating licenses for Nine Mile Point, Units 1 and 2 (NMP), which is located on the southeastern shore of Lake Ontario in the Town of Scriba, Oswego County, New York. NMP is owned by Constellation Energy Group (Constellation). The applications for renewal was submitted by Constellation on May 27, 2004, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54). The NRC has established that, as part of the staff review of any nuclear power plant license renewal action, a site-specific Supplemental Environmental Impact Statement (SEIS) to its "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), NUREG-1437, will be prepared under the provisions of 10 CFR Part 51, the NRC rules that implement the National Environmental Policy Act of 1969 (NEPA). In accordance with 36 CFR 800.8, the SEIS will include analyses of potential impacts to historic and archaeological resources.

In accordance with the National Historic Preservation Act of 1966, as amended, the NRC staff has determined that the area of potential effect (APE) for a license renewal action is the area at the power plant site and its immediate environs that may be impacted by post-license renewal land-disturbing operations or projected refurbishment activities associated with the proposed action. The APE may extend beyond the immediate environs in those instances where post-license renewal land-disturbing operations or projected refurbishment activities, specifically related to license renewal, may potentially have an effect on known or proposed historic sites. This determination is made irrespective of ownership or control of the lands of interest.

While preparing its applications, Constellation contacted your office by letters dated December 13, 2002, and February 28, 2004, requesting comments on any new and significant information regarding historic and archaeological resources. Constellation states in its environmental review (ER) that no known sites were found on site grounds or along the transmission line rights-of-way during historic and archaeological surveys conducted in the 1970s, 1980s, and early 1990s. Your office responded in a letter dated August 1, 2003, concurring that there are no known archaeological sites within the project area. However, due to the environmental setting of the project area, the SHPO considers the area to be sensitive for cultural resources.

Commissioner Castro

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On September 21, 2004, the NRC will conduct two public NEPA scoping meetings at the Town of Scriba Conference Room, 42 Creamery Road, Oswego, New York. You and your staff are invited to attend. Your office will receive a copy of the draft SEIS along with a request for comments. The anticipated publication date for the draft SEIS is April 2005. If you have any questions or require additional information, please contact Ms. Leslie C. Fields, Environmental Project Manager at 301-415-1186 or via email at [LCF@nrc.gov](mailto:LCF@nrc.gov).

Sincerely,

***/RA/***

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

Docket Nos.: 50-220, 50-410

Enclosure: As stated

cc w/o encl.: See next page

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Sincerely,

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Pao-Tsin Kuo, Program Director  
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 Division of Regulatory Improvement Programs  
 Office of Nuclear Reactor Regulation

Docket Nos.: 50-220, 50-410

cc.: See next page

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\*See previous concurrence

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Unit Nos. 1 and 2

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The Honorable Russ Johnson  
Chairman, Oswego County Legislature  
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Nine Mile Point Nuclear Station  
Unit Nos. 1 and 2

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