



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

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U.S. Nuclear Regulatory Commission
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South Texas Project
Units 3 & 4
Docket No. PROJ0749
Environmental Report Acceptance Review: Outstanding Issues

Reference: Letter, M. A. McBurnett to Document Control Desk, "Combined License Application," dated September 20, 2007 (ABR-AE-07000004)

The referenced letter submitted the STP Unit 3 & 4 Combined License Application (COLA) to the NRC. The NRC has identified areas within COLA Part 3, Environmental Report (ER), where additional information or clarification has been requested. STP Nuclear Operating Company (STPNOC) is committed to providing this information to NRC in a timely manner and this letter discusses STPNOC's strategy to provide the requested information.

Subject areas within the ER with outstanding issues to be addressed in this letter include Alternative Site Evaluation, Cultural Resources, and Ecological Monitoring. In addition, NRC has requested clarification of several sections under the broader heading of "telling the story." These sections include, but are not limited to, cultural resources, aquatic and terrestrial ecology, socioeconomics, environmental justice, air quality, alternatives, and meteorology.

Alternative Site Evaluation

ER Section 9.3 contains a description of the alternative site evaluation process. NRC maintains that the discussion lacks the detail necessary to understand the decision points that resulted in the selection of the final alternative sites. In response, STPNOC is developing a revision to ER 9.3 that more fully describes the process. STPNOC is confident that the new revision will address NRC concerns regarding the process used to evaluate alternative sites. The revised section will be submitted to NRC as a supplement to the current COLA. Backup information concerning the evaluation process, including detailed results of the evaluation and comparison of sites, is contained in the ER section validation package and will be available for NRC inspection. STPNOC anticipates submitting this supplement to the NRC by November 23, 2007.

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Cultural Resources

NRC has requested that additional assessments be prepared to address the potential for the project to impact important cultural resources. To ensure that important cultural resources would not be adversely impacted by the construction and operation of STP 3 & 4, STPNOC initiated a formal consultation with the State Historic Preservation Officer (SHPO) in accordance with rules and procedures set forth by the Texas Historical Commission (THC). At the conclusion of this consultation process, the SHPO indicated that there was little concern that important cultural resources would be disturbed onsite and formally indicated that the project could proceed.

Since that initial consultation, STPNOC contacted the SHPO to verify that all THC concerns were addressed and resolved during the initial consultation. The SHPO confirmed that the original consultation was adequate and complete, and that no further action was necessary. The SHPO further confirmed that additional surveys would be unnecessary because this site had been previously disturbed. Any discovery of artifacts in these previously disturbed areas would be of little historical value because the integrity and continuity of the site had been compromised by the previous activities. Consequently, STPNOC does not propose to conduct additional cultural resource surveys for this project.

To address NRC concerns regarding the discussion of cultural resources in the ER, STPNOC will revise the sections pertaining to cultural resources to discuss the information evaluated during the SHPO consultation. This will include an overview of the cultural history of the area, descriptions of the previous cultural resource assessments, maps of previously disturbed areas and their locations relevant to the current project, and discussions of any cultural resources identified during previous surveys. In addition, STPNOC will discuss the use of offsite fill material for road bed construction and foundations. This discussion should address any concerns regarding chert, limestone, or oyster shells that are typically found associated with roadways within the project site. These revisions will be completed during the next COLA revision.

To mitigate impact during construction, STPNOC will develop procedures that will be implemented in the event that previously unknown cultural resources are encountered during the construction process. These procedures will include provisions to stop work and notify the SHPO if artifacts of a historic nature are discovered onsite during construction. The development of this procedure will be completed by April 30, 2008.

Ecological Monitoring

NRC has indicated that one year of ecological monitoring data is normally required and should include sampling at the intake and discharge structures to determine species impacts. The STPNOC approach has been to verify that the results of the original monitoring program for aquatic impacts remain adequate since conditions on the river in the vicinity of the intake and discharge structures have not changed. Data collected under this program will be used to validate previous impingement and entrainment studies done at the Reservoir Makeup Pumping Facility (RMPPF).

To accomplish this, STPNOC has initiated a monitoring program in the Colorado River. Although sampling was delayed due to high river flows, data covering a six-month period are available for review. The data will be analyzed and an interim report will be provided to the NRC as a supplement to the COLA during November 2007. The monitoring program will continue to collect data for a complete calendar year and updates to NRC will be provided at nine and twelve months. As available, updated ecological information will be incorporated into formal COLA revisions.

Should the results of this monitoring program indicate that data are not consistent with previous sampling, entrainment data will be collected for one year. Impingement sampling is not warranted at the RMPF because the data collected during the current monitoring program can be used to predict the species and numbers that could possibly be impinged on the traveling screens. In addition, the RMPF design and flow restriction on the water-use permit minimize the potential for impingement of aquatic organisms.

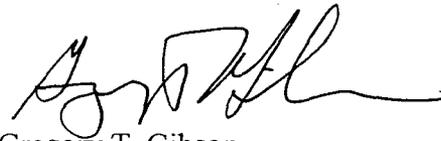
NRC has previously discussed deficiencies associated with terrestrial monitoring programs in addition to aquatic monitoring. STPNOC has reviewed the ER and has identified inconsistencies in the discussions regarding important species. STPNOC will revise these sections to be consistent. In general, important species to be considered in the ER include state or federally listed threatened and endangered species (T&E) or candidate species, designated Species of Concern, and recreationally important game species. STPNOC has previously conducted surveys for T&E species and is prepared to continue those surveys to provide the required data coverage. In addition, STPNOC will consult with the Texas Parks and Wildlife Department to determine the efficacy of monitoring game species that may inhabit the site throughout the year. These updates will be accomplished during the next COLA revision.

Telling the Story

NRC has identified sections within the ER that lack sufficient descriptions to fully understand the decision process used to arrive at stated conclusions. Specific sections identified include cultural resources, aquatic and terrestrial ecology, socioeconomics, environmental justice, air quality, alternatives, and meteorology. While some of these sections have been discussed in detail above, the general strategy for revising all sections within the ER is the same. STPNOC will evaluate the ER and provide formal revisions in the future to address specific issues identified by the NRC through the Request for Additional Information (RAI) process. Affected sections of the ER will then be formally revised to be consistent with the responses offered to address the RAIs as part of routine COLA revisions.

STPNOC appreciates the continued dialogue to resolve these outstanding issues and remains committed to providing NRC with a quality COLA submittal. Please feel free to call me at (361) 972-4626 or Bill Mookhoek at (361) 972-7274 should you have any questions regarding the strategies discussed in this letter.

The commitments in this letter are listed in the Attachment to this letter.



Gregory T. Gibson
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rwk

Attachment: List of Commitments

cc: (paper copy)

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**Attachment
List of Commitments**

The following table identifies those actions committed to by STPNOC. Any other statements in this letter are provided for information purposes and are not considered regulatory commitments.

Commitment	Scheduled Due Date or Milestone
1. Revise ER 9.3 as supplement to COLA Rev. 0	November 23, 2007
2. Revise ER sections on Cultural Resources for COLA Rev. 1	COLA Rev. 1
3. Develop procedure for cultural or historical artifact discovery during construction	April 30, 2008
4. Six-month aquatic ecology monitoring update	November 30, 2007
5. Nine-month aquatic ecology monitoring update	March 30, 2008
6. Twelve-month aquatic ecology monitoring update	June 30, 2008
7. Revise ER sections on terrestrial ecology to describe "important species" in a consistent manner	COLA Rev. 1