

December 23, 2008

Mr. Lawrence Oaks, Executive Director
Texas State Historic Preservation Officer
P.O. Box 12276
Austin, Texas 78711-2276

SUBJECT: NOTIFICATION AND REQUEST FOR CONSULTATION AND PARTICIPATION
IN THE SCOPING PROCESS FOR THE COMANCHE PEAK NUCLEAR
POWER PLANT, UNITS 3 AND 4 COMBINED LICENSE APPLICATION
REVIEW

Dear Mr. Oaks:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Luminant Generation Company LLC (Luminant) for two combined license (COLs) for construction and operation of two new nuclear power plants at its Comanche Peak Nuclear Power Plant (CPNPP) site near Glen Rose, Texas. As part of the review of this COL application, the NRC is preparing an Environmental Impact Statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC regulations that implement the National Environmental Policy Act of 1969, as amended (NEPA). The NRC staff is currently seeking information from consulting parties and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area to identify issues relating to the proposed undertaking's potential effects on historic properties. The area of potential effect for this COL review is the area at the CPNPP Site and its immediate environs, which may be impacted by land-disturbing activities associated with the construction and operation of the new unit.

Luminant submitted the application for two COLS on September 19, 2008, pursuant to NRC requirements in 10 CFR Part 52. The NRC staff accepted the application for docketing on December 2, 2008. It is available through the web-based version of the NRC's Agencywide Documents Access and Management System (ADAMS), which can be found at <http://www.nrc.gov/reading-rm/adams.html>. The environmental report portion of the application is listed under the accession number ML083240374. The Comanche Peak COL application is also available on the Internet at <http://www.nrc.gov/reactors/new-reactors/coll/comanche-peak.html>.

The CPNPP site consists of approximately 7,950 acres in rural Hood and Somervell Counties, Texas approximately 5.2 miles north of Glen Rose, Texas on the southern banks of the Squaw Creek Reservoir. The CPNPP site currently has two Westinghouse four-loop pressurized water reactor reactors, CPNPP, Units 1 and 2 which have the capacity to generate 2300 megawatts of electricity combined. Luminant proposes to construct two U.S. Advanced Pressurized Water Reactors (US-APWR) adjacent to the existing site in areas of previous construction activity (such as laydown yards and parking) along with previously undisturbed areas of land. Each unit is design to produce approximately 1600 megawatts electric. Luminant has identified the need for proposed and expanded transmission line corridors. The siting area for a proposed 17-mile transmission line is in Hood County, Texas, and a proposed 45-mile line would go through

Somervell and Bosque Counties. For three existing transmission line right-of-ways with lengths of 41.6, 22.4, and 22.4 miles, Luminant has stated that no land-use impacts are anticipated since transmission lines would be added to vacant circuit positions on existing steel towers and vegetative maintenance is already performed on those right-of-ways.

The NRC staff hereby provides notice that in accordance with 36 CFR 800.8(c), the NRC staff is using the process required by NEPA for the preparation of the EIS to comply with the obligations imposed under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Accordingly, the NRC staff is identifying parties who may wish to consult with our staff on the proposed action and is inviting them to consult with the staff on this matter. Consultation will include participation in the scoping process; identification of historic properties on the CPNPP Site; assessment of the effects of the proposed action on any historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The EIS will include analyses of potential impacts to historic properties that reflect consultation and will document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of two new nuclear plants. Luminant has also identified three alternative sites that will be evaluated in the EIS. The first site is located near the border of Victoria and Calhoun Counties. The second alternative site is located near the border of San Augustine and Sabine Counties. The third site is located near the border of McLennan and Limestone Counties.

Through this letter, the NRC staff is initiating consultation under Section 106 of the NHPA with the Texas Historical Commission (THC) and you, in your position as State Historic Preservation Officer, regarding the Luminant COL application. To complete consultation under 36 CFR 800.8(c), the NRC staff will forward the draft EIS to consulting parties for review and comment and will address the comments in the final EIS. Your office will receive a copy of the draft EIS along with a request for comments after it is issued. This draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is December 2009.

The NRC staff plans to hold two public NEPA scoping meetings on January 6, 2009, at the Glen Rose Expo Center, 202 Bo Gibbs Blvd., Glen Rose, Texas 76043. The first meeting will convene at 1:00 p.m. and will continue until approximately 4:00 p.m. The second meeting will convene at 7:00 p.m., with a repetition of the overview portions of the first meeting and will continue until approximately 10:00 p.m. Each meeting will be preceded by an open house from 12:00 p.m. to 1:00 p.m., and 6:00 p.m. to 7:00 p.m., respectively, during which members of the public may meet and talk with NRC staff members on an informal basis. In addition, NRC staff and contractors plan to be onsite February 23 – 27, 2009 for a site audit to discuss with Luminant the detailed information that is the basis for the preparation of the environmental report, to perform a tour of the site and its environs, and to review documentation.

Please provide any information, comments, or concerns you feel are appropriate on the scope of the proposed action during the scoping comment period which ends on February 13, 2009. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to Comanche.COLEIS@nrc.gov.

If you have any questions concerning the NRC staff's environmental review of this COL application, please contact Mr. Michael Willingham, Environmental Project Manager, at 301-415-3924 or by e-mail at michael.willingham@nrc.gov. In his absence, please direct your inquiries to Mr. John Fringer at 301-415-6208 or by email at john.fringer@nrc.gov.

Sincerely,

/RA/ BClayton for

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-034 and 52-035

cc: See next page

L. Oaks

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If you have any questions concerning the NRC staff's environmental review of this COL application, please contact Mr. Michael Willingham, Environmental Project Manager, at 301-415-3924 or by e-mail at michael.willingham@nrc.gov. In his absence, please direct your inquiries to Mr. John Fringer at 301-415-6208 or by email at john.fringer@nrc.gov

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William Burton, Branch Chief
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Office of New Reactors

Docket Nos.: 52-034 and 52-035

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(Revised 08/25/2008)

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