

December 23, 2008

Mr. Tom Cloud, Field Supervisor
U.S. Fish & Wildlife Service
711 Stadium Dr., Ste. 252
Arlington, TX 76011

SUBJECT: REQUEST FOR CONSULTATION AND PARTICIPATION IN THE ENVIRONMENTAL SCOPING PROCESS AND A LIST OF PROTECTED SPECIES WITHIN THE AREA UNDER EVALUATION FOR THE COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4 COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Cloud:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Luminant Generation Company LLC (Luminant) for two combined licenses (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 staff is preparing an environmental impact statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC's regulations that implement the National Environmental Policy Act of 1969, as amended (NEPA). The EIS includes an analysis of pertinent environmental matters including those involving endangered or threatened species and impacts to fish and wildlife. This letter is being submitted to initiate consultation under the provisions of the Endangered Species Act of 1973, as amended (ESA), and the Fish and Wildlife Coordination Act of 1934, as amended (FWCA).

Luminant submitted the application for two COLs on September 19, 2008, pursuant to the 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 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 accession number ML083240374. The Comanche Peak COL application is also available on the Internet at <http://www.nrc.gov/reactors/new-reactors/col/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 reactors. CPNPP Units 1 and 2 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. The proposed support structures would also utilize previously developed land as well as grasslands, ashe juniper, and mixed hardwood communities. Luminant has identified the need for new 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 rights-of-way.

The proposed cooling system consists of a closed loop with mechanical draft (wet) cooling towers. Approximately 63,550 gallons per minute would be taken from Lake Granbury (via pipelines) to make up losses from evaporation, drift, and blowdown. Waste heat would be dissipated to the atmosphere through four mechanical draft (wet) cooling towers (two per unit). A portion of the blowdown from the circulating water system and cooling towers would be routed to a blowdown treatment facility then blended with remaining untreated blowdown and transported by return pipelines back to Lake Granbury. Enclosed with this letter is a copy of the site map.

The NRC staff, in its review, will evaluate the environmental impacts of construction and operation of CPNPP Units 3 and 4 and will also consider alternatives, including alternative sites. Luminant has identified three alternative sites that will be evaluated in the EIS. The first alternative 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. The NRC staff will also evaluate impacts from transmission line rights-of-way and site-preparation activities, such as land clearing and excavation, in cumulative impacts analysis. To support the preparation of the NRC EIS on the proposed action and to ensure compliance with Section 7 of the ESA, the NRC staff requests your office provide the NRC staff information on Federally listed, proposed, and candidate species and proposed and designated critical habitat that may be in the vicinity of the CPNPP site, the associated transmission line rights-of-way, and the alternative sites. In addition, please provide any information you consider appropriate under the provisions of the FWCA.

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. You and your staff are invited to attend both the public meetings and the site audit.

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. When the NRC staff completes the draft EIS on the proposed action, a copy will be sent to your office for comment. The anticipated publication date for the draft EIS is December 2009.

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

Enclosure: As Stated

cc/wo enclosure: See next page

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OFFICE	PS:RAP1 DSER:NRO	PM: RAP1: DSER:NRO	LA:RAP1: DSER:NRO	BIO: RENV: DSER:NRO	OGC	BC:RAP1/2: DSER:NRO
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DATE	12/ 12 /2008	12/12 /2008	12/ 12 /2008	12/12/2008	12/ 19 /2008	12/23 /2008

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