Callaway2COLPEm Resource

From: Pointer, James K NWK [James.K.Pointer@usace.army.mil]
Sent: Wednesday, May 20, 2009 8:48 AM
To: Olson, Bruce
Subject: Comments on Environmental Report for AmerenUE's Callaway Unit 2 Project.
Attachments: comments on Environmental Report for AmerenUE's Callaway Unit 2.pdf

<<comments on Environmental Report for AmerenUE's Callaway Unit 2.pdf>>
Bruce,

Attached is an electronic copy of our letter commenting on the Environmental Report for AmerenUE's Callaway Unit 2 project. The original copy is in the mail.

Kenny

Hearing Identifier: CallawayPlant_Unit2_COL_Public
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Subject: Comments on Environmental Report for AmerenUE's Callaway Unit 2 Project.
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From: Pointer, James K NWK

Created By: James.K.Pointer@usace.army.mil

Recipients:
"Olson, Bruce" <Bruce.Olson@nrc.gov>
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DEPARTMENT OF THE ARMY
KANSAS CITY DISTRICT, CORPS OF ENGINEERS
STATE REGULATORY PROGRAM OFFICE - MISSOURI
221 BOLIVAR STREET, SUITE 103
JEFFERSON CITY, MISSOURI 65101
May 19, 2009

REPLY TO
ATTENTION OF:
Missouri State Regulatory Office
(2008-00893)

U.S. Nuclear Regulatory Commission
Attn: Bruce Olson
Division of Site and Environmental Reviews Office of New Reactors
Washington, DC 20555-0001

Dear Mr. Olson:

This is in response to your request for our review of the Environmental Report for AmerenUE's proposed Callaway Plant Unit 2 Project, which was provided during our meeting on March 24, 2009. We have reviewed the Environmental Report and offer the following comments:

1. Section 1.2.1.7 (page 1-11) should also reference Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The Missouri River is a navigable water of the U.S. Authorization will also be required under Section 10 of the Rivers and Harbors Act for any work or structure located in, over or under the Missouri River (including any dredging within the Missouri River, the extension of any laterals from the proposed Collector Well River Intake System underneath the Missouri River, and for any aerial transmission line crossings over the Missouri River). Wetlands are also waters of the U.S.

2. In Section 2.1 (page 2-1) the elevation of 1530 ft above mean sea level needs to be revised.

3. In Section 2.5.2.10.3 (page 2-360) it is stated that there are no plans by MoDOT or Callaway County to develop roads within 5 miles (8km) of the plant, with the exception that a one lane bridge on State Route 94 in Portland is scheduled to be replaced in the indefinite future. Please note that the Corps of Engineers participated in a scoping meeting for a potential new road project from Route 54 to AmerenUE's Callaway Plant (Callaway County Connector Project) on February 17, 2009. During the meeting we requested a written statement from whomever the applicant would be (either AmerenUE or the Missouri Department of Transportation) regarding independent utility from AmerenUE's Callaway Unit 2 Project, and informed that the proposed road may need to be included in the EIS for the Callaway Unit 2 Project if they could not demonstrate independent utility. We received a response letter from the Missouri Department of Transportation dated March 6, 2009, addressing the matter of independent utility, which we forwarded to your agency by letter dated March 10, 2009. By our March 10, 2009 letter, we requested the U.S. Nuclear Regulatory Commission (NRC) to let us

know if they did not concur with the response letter regarding independent utility for the Callaway County Connector Project and AmerenUE's Callaway Unit 2 Project. If NRC agrees with the response letter regarding independent utility then this section needs to be revised to address the potential new road project from Route 54 to AmerenUE's Callaway Plant along with including NRC's official position regarding independent utility. If NRC does not agree regarding independent utility then the potential new road project needs to be included and adequately addressed in the Environmental Impact Statement for AmerenUE's Callaway Unit 2 Project.

4. In Section 3.1 (page 3-3) it is stated that "new roads will provide direct routes to Callaway Plant Unit 2 for construction and will minimize disruption of Callaway Plant Unit 1 traffic patterns." The new roads that are being referred to should be identified in this section.

5. In Section 4.2.1.5 (page 4-17) it is stated that construction-related impacts to aquatic resources include 10,359 linear ft (3,157 m) of intermittent streams which are tributaries of Logan Creek, Mud Creek, and Auxvasse Creek that drain storm water away from the Callaway Site, and in Section 4.3.1.3 (page 4-37) it is stated that construction of the proposed facilities would not be possible without permanently filling 6,938 linear feet of intermittent streams and approximately 10.4 acres of wetlands and ponds. In Section 4.3.2.1 (page 4-43) it is stated that construction-related impacts to aquatic resources include 6,938 linear feet of intermittent streams. The stream impacts in the respective sections should be clarified or the figures should be revised if they are not correct.

6. In Section 4.3.1.5 (page 4-40) there is no mention of a Section 10 permit from the Corps of Engineers (see item number 1 above).

7. In Section 4.3.1.6 (page 4-42) it is indicated that USACE prefers and gives more credit for wetland creation. Please note that this statement is not correct and that this section needs to be revised accordingly. Restoration should generally be the first option considered because the likely hood of success is greater and the impacts to potentially ecologically important uplands are reduced compared to establishment, and the potential gains in terms of aquatic resource functions are greater, compared to enhancement and preservation. Restoration and enhancement are typically preferred over the construction of a wetland in an upland area. The amount of compensatory mitigation allowed is based on the amount of aquatic resource functions and values that will be replaced by the compensatory mitigation proposal.

8. In Section 4.3.1.6 (page 4-43) it is also stated that specific wetland mitigation efforts will be determined after the Section 404 and Section 401 permits have been issued. Please note that this statement is not correct and that this section needs to be revised accordingly. The Corps of Engineers is not able to execute an individual Section 404 Department of the Army permit until an acceptable compensatory mitigation plan has been provided for our review and approval.

9. In Section 4.4.1.5 (page 4-64) it is stated that there are no major highway development or improvement projects planned within the area to influence the capacity of the roadway

system, and that two new site access roads connecting Route 428 and Route 459 north of the plant will be built to reduce traffic impacts related to construction activities. It would be good to include a map and/or drawings in this section identifying the two proposed site access roads.

If you have any questions concerning this matter, please feel free to write or call me at 816-389-3833

Sincerely,

Kenny Pointer
Regulatory Project Manager
Missouri State Regulatory Office