PMSTPCOL PEmails

From: Muir, Jessie
Sent: Tuesday, June 16, 2009 4:04 PM
To: STPCOL
Subject: FW: STP Federal Consistency Certification Request
Attachments: Consistency Submittal Signed FINAL with attachments.pdf

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From: Kiesling, Russell W [mailto:rwkiesling@STPEGS.COM]
Sent: Wednesday, June 10, 2009 7:59 AM
To: Muir, Jessie
Subject: STP Federal Consistency Certification Request

Jessie,

As requested, attached is a copy of STPNOC's April 22, 2008 submittal to the Texas General Land Office requesting federal consistency certification of the COLA. Note that the enclosure, a DVD which included a copy of the COLA, is not submitted since that information has already been docketed.

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Hearing Identifier: SouthTexas34Public_EX
Email Number: 1358

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Subject: FW: STP Federal Consistency Certification Request
Sent Date: 6/16/2009 4:03:53 PM
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From: Muir, Jessie

Created By: Jessie.Muir@nrc.gov

Recipients:
"STPCOL" <STP.COL@nrc.gov>
Tracking Status: None

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Options
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Expiration Date:
Recipients Received:

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

April 22, 2008
ABR-TX-08018015

Mr. Benjamin Rhame
Secretary, Coastal Coordination Council
Texas General Land Office
P.O. Box 12873
Austin, TX 78711-2873

South Texas Project
Units 3 and 4
Federal Consistency Certification Request in Support the Combined
License Application for South Texas Project Units 3 & 4

References: (1) Letter, M.A. McBurnett (STPNOC) to T. Williams (GLO), "Information to be Submitted in Support of the Federal Consistency Certification for the Combined License Application for South Texas Project Units 3 & 4," dated May 22, 2007 (ABRTX07016154).

(2) Letter, N. Polk (GLO) to R.W. Kiesling (STPNOC), "Information to be Submitted for GLO and CCC Review", dated June 25, 2007.

Reference 1 committed to specific information to be provided to the Texas General Land Office (GLO) and the Coastal Coordination Council (CCC) to facilitate review of a Federal Consistency Certification Request for the construction and operation of STP Units 3 and 4. Reference 2 is the GLO concurrence that the information will be adequate for the GLO and the Coastal Coordination Council (CCC) review pursuant to the requirements of 31 TAC 506.30 and 15 CFR 930.58. This letter transmits the information referred to in Reference 1 and the items listed below correspond to those in that letter.

A. A copy of the application for the federal license as submitted to the Nuclear Regulatory Commission (NRC):

Enclosed with this letter is a DVD containing the complete Combined Operating License Application (COLA) Rev. 1.0 dated March 8, 2008. The COLA is organized into nine (9) parts. Part 3 is the Environmental Report (ER) component of the COLA.

B. A detailed description of the proposed activity and its associated facilities, which is adequate to permit an assessment of their possible effects on Coastal Natural Resource Areas (CNRAs):

Attachment 1 to this letter is a description of the proposed project which consists of the construction and operation of two new nuclear fueled power generating units at the site of the existing STP Units 1 & 2. Additional details are available in the COLA enclosed with this submittal.

C. A list identifying all federal, state, and local permits or authorizations subject to the TCMP and required for the proposed activity and its associated facilities:

Attachment 2 to this letter contains a comprehensive list of all permits and approvals anticipated from federal, state and local agencies along with the status and projected submittal dates of each.

D. A brief assessment relating to the relevant elements of the TCMP and the probable effects of the proposed activity and its associated facilities on CNRAs:

Attachment 3 to this letter contains a list of each of the CNRAs identified in the TCMP along with the probable effects from the construction and operation of STP Units 3 & 4 on these resource areas.

E. An evaluation indicating the project and its effects are consistent with TCMP goals:

Attachment 4 to this letter contains a list of the goals of the TCMP and the consistency of the effects of the construction and operation of STP Units 3 & 4 on these goals.

F. An evaluation indicating that the project and its effects are consistent with TCMP policies:

Attachment 5 to this letter contains a list of the policies of the TCMP and the consistency of the effects of the construction and operation of STP Units 3 & 4 on these policies.

G. Consistency certification:

"STPNOC certifies that the proposed activity (construction and operation of South Texas Project Units 3 & 4) complies with Texas' approved coastal management program and will be conducted in a manner consistent with such program."

Please feel free to call me at (361) 972-4626 or Russell W. Kiesling at (361) 972-4716 should you have any questions regarding this certification submittal.

Gregory T. Gibson
Regulatory Affairs Manager

sad

Enclosure: Combined Operating License Application (DVD)

Attachments:
1. Description of the Project
2. Status of Permits, Consultations and Approvals for STP Units 3 & 4
3. Probable Effects of STP Units 3 & 4 on Coastal Natural Resource Areas
4. STP Units 3 & 4 Consistency with TCMP Goals
5. STP Units 3 & 4 Consistency with TCMP Policies

cc: w/o attachment except*

cc: w/o attachment except*

(paper copy)

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CPS Energy

ATTACHMENT 1

DESCRIPTION OF THE PROJECT

The Proposed Project

Pursuant to the Atomic Energy Act of 1954, as amended, and Title 10 of the Code of Federal Regulations, STP Nuclear Operating Company (STPNOC) on behalf of itself and the owners of STP Units 3 & 4: NRG South Texas 3 LP, NRG South Texas 4 LP , and the City of San Antonio, Texas acting by and through the City Public Service Board (CPS Energy) is submitting a Combined Operating License Application (COLA) to authorize the construction and operation of two new nuclear power facilities (STP 3 & 4) on the site of South Texas Project Electric Generating Station, Units 1 & 2 (STP 1 & 2) in Matagorda County, Texas (STP site).

Purpose and Need

The proposed federal action requiring a consistency certification is the Nuclear Regulatory Commission's (NRC) issuance of a Combined Operating License (COL) to the applicants authorizing the construction and operation of two Advanced Boiling Water Reactors (ABWRs) at the STP site. The purpose of STP 3 & 4 is to provide baseload generation for use by the owners and/or for eventual sale on the wholesale market. At this time, it is planned that STP Unit 3 will be owned by NRG South Texas 3 LP and CPS Energy, and that STP Unit 4 will be owned by NRG South Texas 4 LP and CPS Energy.

Site Location

The STP site is located on approximately 12,220 acres in a rural area of Matagorda County, Texas, approximately 12 miles south-southwest of the city limits of Bay City, Texas, and 10 miles north of Matagorda Bay, along the west bank of the Colorado River (Figures 1 & 2).The plant footprint for STP Units 3 & 4 is approximately 2000 feet northwest of existing STP Units 1 & 2 and is generally the area that had been designated for two additional units when the facility was first planned. The location of STP Units 3 & 4 on the STP site is shown in Figure 3.

Reactor Information

STPNOC and the owners have selected the Advanced Boiling Water Reactor (ABWR) as the technology for two new reactors at the STP site, STP 3 & 4. The total gross thermal megawatt output is 3926 MWt and the net electrical output is approximately 1300 MWe per unit.

Cooling System Information

STP Units 3 & 4 will use a closed-loop cooling water system that would withdraw and discharge water from and to the Main Cooling Reservoir (MCR), similar to the existing cooling system for STP Units 1 & 2. Makeup water for the MCR will be withdrawn from the Colorado River using the preexisting intake structure. STP Units 3 & 4 will use mechanical draft cooling towers to dissipate waste heat from auxiliary plant systems and as a water storage basin for the safety-related cooling system (Ultimate Heat Sink). The STP Units 3 & 4 cooling tower basin makeup

water is normally provided by the plant well water system. Blowdown will discharge to the MCR. Ultimately, discharges from the MCR will be made to the Colorado River via the blowdown spillway structure in order to maintain required water quality levels in the MCR.

Transmission System Information

The STP 3 & 4 connections to the regional grid will use existing rights-of-way to minimize, to the extent feasible, new disturbances and potential adverse impacts. The onsite power transmission system for STP 3 & 4 consists of the STP Units 3 & 4 345kV switchyard, five 345kV power transmission lines, and a 345kV tie-line from the STP Units 3 & 4 345kV switchyard to the existing STP Units 1 & 2 345kV switchyard. Two of these 345kV transmission lines will be upgraded from the STP site to their connections to the Hillje substation some 20 miles northwest of the STP site. The modifications to upgrade these two transmission lines will be on an existing right-of-way. No new rights-of-way outside the STP site are required for STP Units 3 & 4.

The three interconnect transmission line rights-of-way commence from the STP Units 3 & 4 345kV switchyard and head northward less than a quarter mile to intersect the existing transmission line corridor. From the point of intersection, the additional power provided by STP Units 3 & 4 would be transmitted over upgraded circuits in an existing right-of-way.

Proposed Dates for Major Activities

NRC regulations provide for COL applicants to perform preconstruction site preparation activities before issuance of the COL. Site redress plans will be in place to return the site to pre-existing conditions if the COL is ultimately not granted. STPNOC could start preconstruction site preparation activities in January 2009 and conclude these activities in January 2010.

Construction activities for STP Unit 3 will begin following the site preparation for both STP Units 3 & 4. STPNOC expects to initiate construction of STP Unit 3 in January 2011 and STP Unit 4 in May 2011. STPNOC estimates that construction would occur over a 63-month period for both units, beginning with NRC approval of the COL application in January 2011. Commercial operation for STP Unit 3 is projected in March 2015 and March 2016 for STP Unit 4.

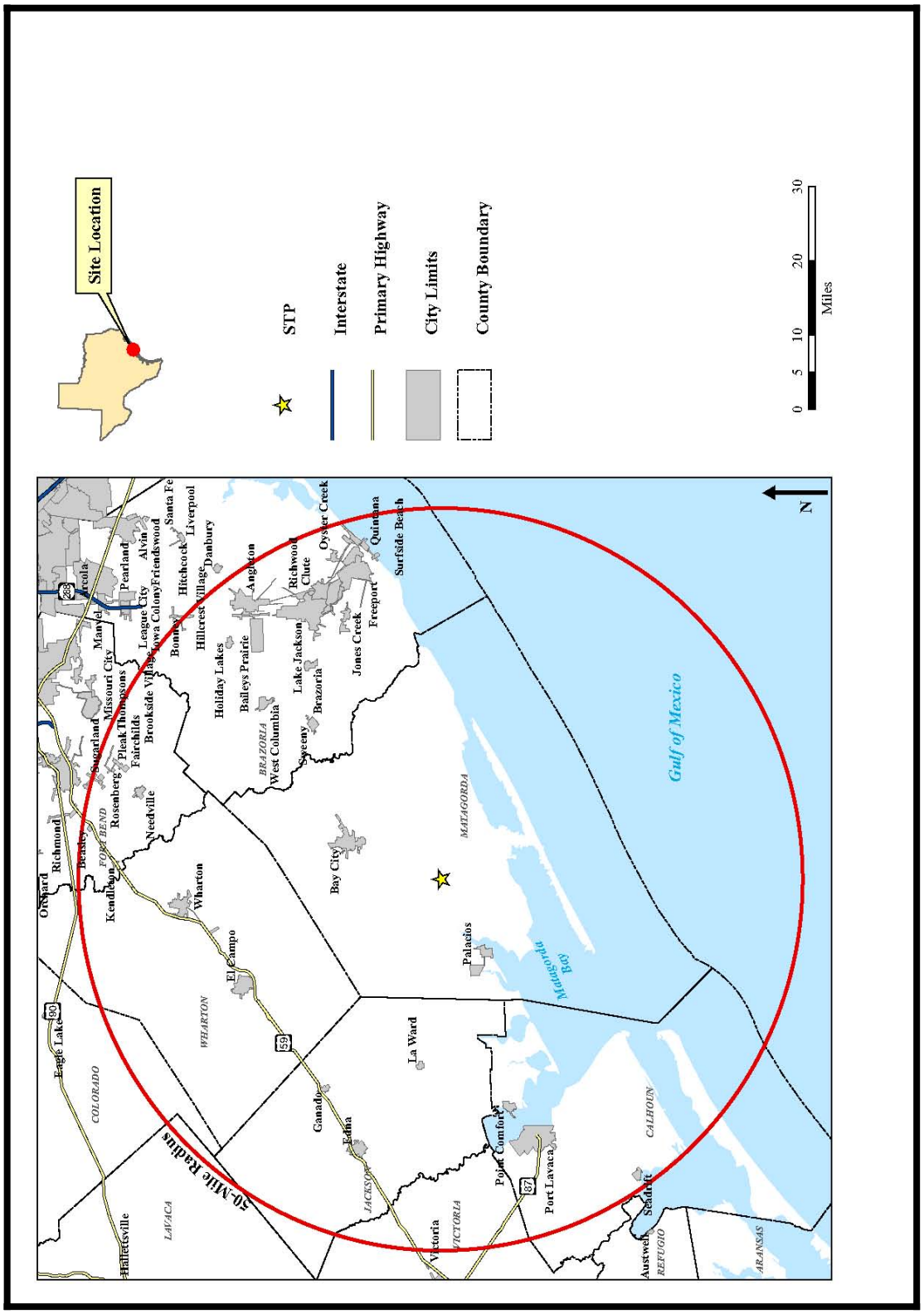

Figure 1 – Site Vicinity Map

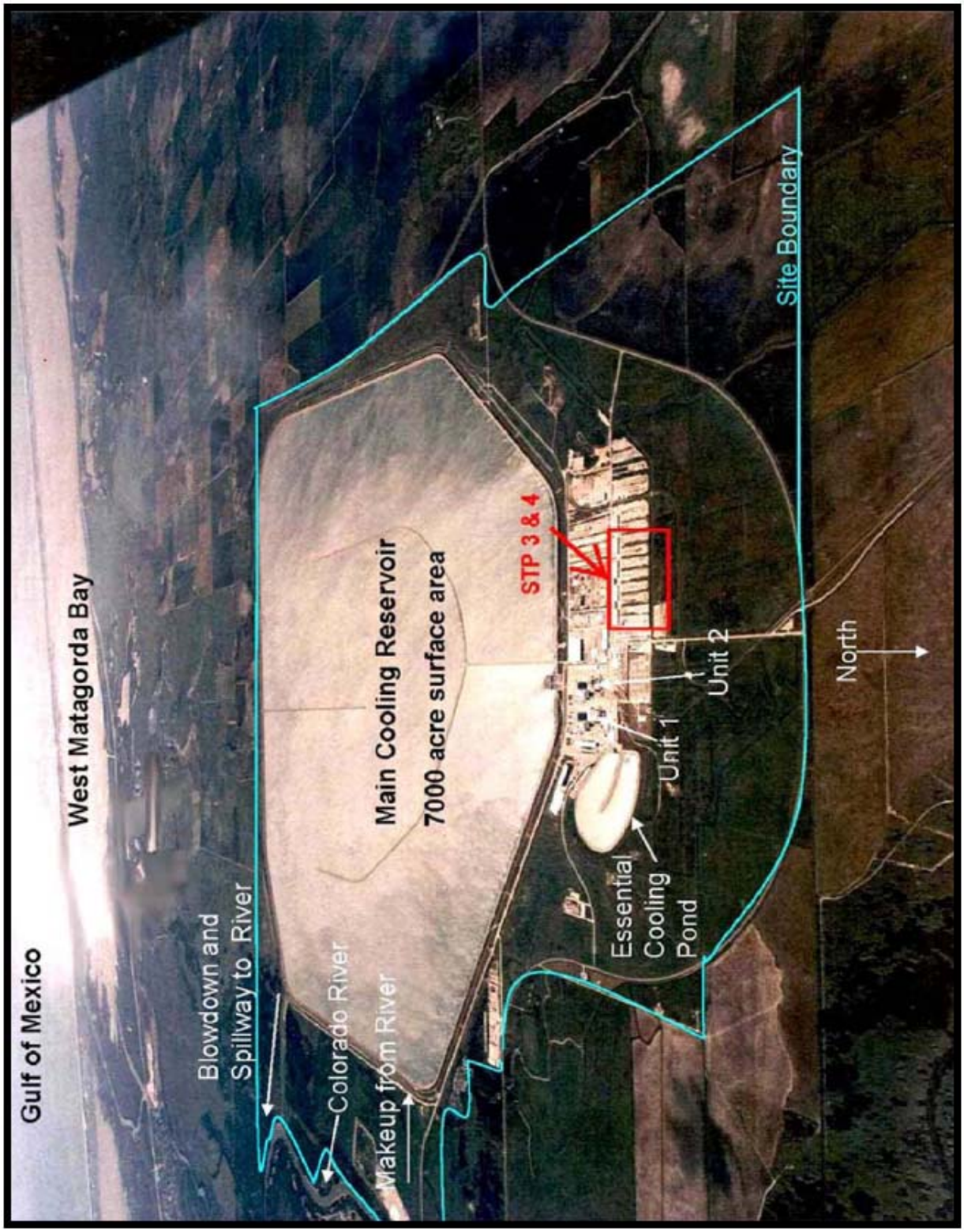

Figure 2 – Aerial Photo of STP Site

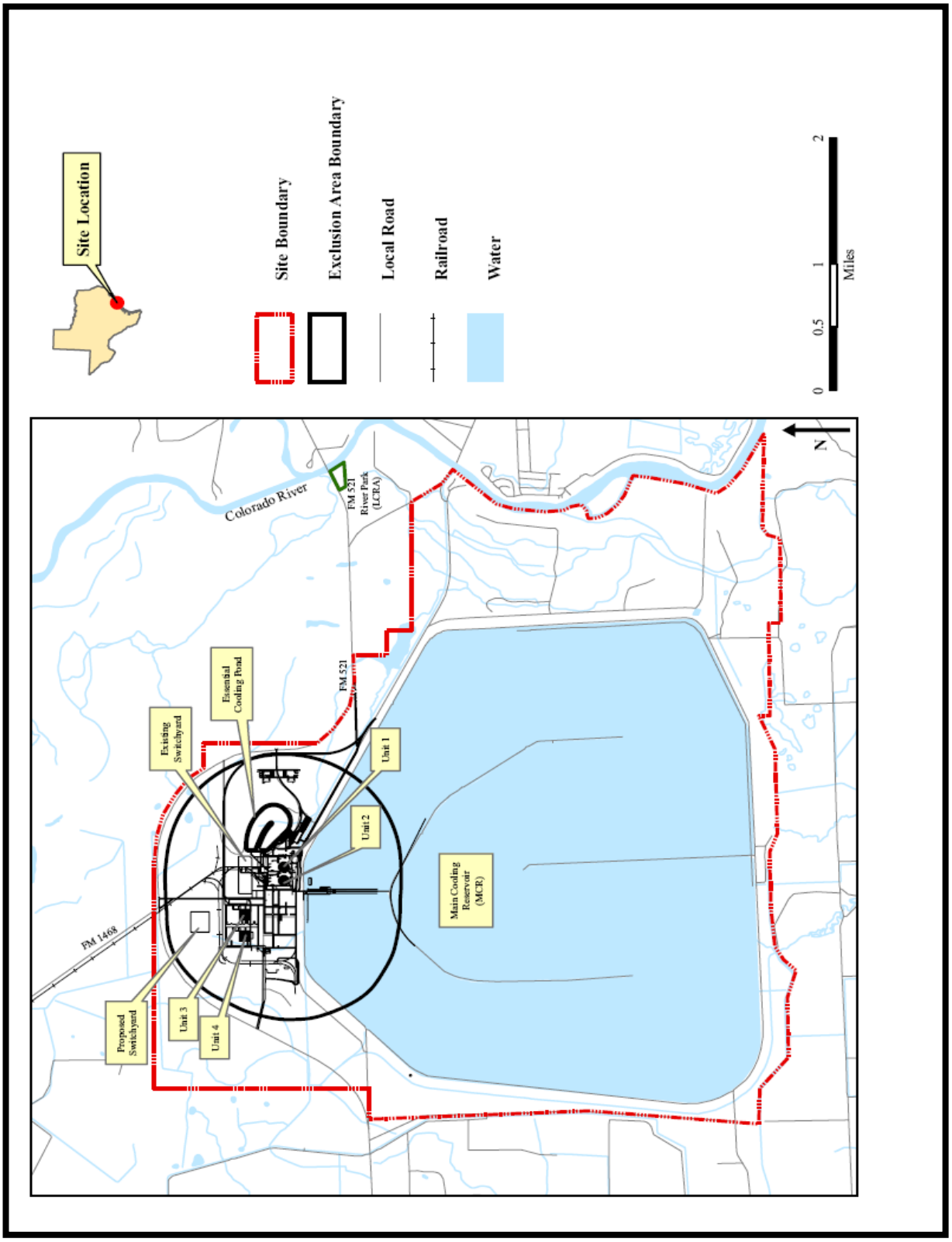

Figure 3 STP Site Layout

Table 1.2-1 Authorizations/Permits Required for Combined License

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
1.1	USFWS	Endangered Species Act of 1973	Consultation regarding potential to adversely impact protected species (non-marine species)	Concurrence with no adverse impact or consultation on appropriate mitigation measures Triggering Activity: Cannot modify habitat of endangered or threatened species without authorization from USFWS, including clearing of vegetation or earth-moving activities	Complete. NRC will need formal consultation with USFWS
1.2	NOAA Fisheries	Endangered Species Act of 1973	Consultation regarding potential to adversely impact protected marine species	Concurrence with no adverse impact or consultation on appropriate mitigation measures	Complete
1.3	Texas Historical Commission (THC)	National Historic Preservation Act, (36 Code of Federal Regulations (CFR) 800), Texas Historical Commission Texas Administrative Code (T.A.C.) Title 13, Part 2	Consultation regarding potential to adversely affect historic resources	Confirm site construction or operation would not affect protected historic resources Triggering Activity: Authorization must be obtained before excavation or soil disturbance in area where historic resources are located.	Complete
1.4	NOAA, Coastal Coordination Council (CCC)	Coastal Zone Management Act, Texas Coastal Management Plan implemented through CCC	Consistency review	NRC license, any individual Section 404 permit and associated Section 401 certification.	To be submitted after COL application
1.5	TCEQ	Federal Clean Water Act (FCWA) (33 United States Code (U.S.C.) 1251 et seq.). T.A.C. Title 30, Part 1, Chapter 307, 308	Section 401 Certification	Compliance with water quality standards. Any additional TCEQ requirements will be incorporated into individual Section 404 permit.	Contingent on USACE (U.S. Army Corps of Engineers) concurrence with current wetland delineation (11/2007)

Table 1.2-1 Authorizations/Permits Required for Combined License (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
1.6	DOE	Nuclear Waste Policy Act (42 U.S.C 10101 et seq.) and 10 CFR Part 961	Spent Fuel Contract	DOE's Standard Contract for disposal of spent nuclear fuel contained in 10 CFR Part 961 is being modified by the Department. The Nuclear Energy Institute (NEI) is actively engaged with DOE in revising the language in the Standard Contract. It is expected that this revision will be completed and the Standard Contract will be entered into by the end of 2008.	2008

Table 1.2-2 Authorizations/Permits Required for Preconstruction Activities

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
2.1	USACE	FCWA, Section 404, 33 CFR 323	Section 404 Permit	Disturbance or crossing wetland areas or navigable waters	Contingent on USACE concurrence with current wetland delineation (11/2007)
2.2	USACE	FCWA, Section 404, 33 CFR 323	Dredge and Fill Discharge Permit	Maintenance dredging of intake structure on Colorado River (Covered under current permit No. 14848 Exp. Date: 12/31/2009)	Not applicable
2.3	USACE	Rivers and Harbors Act	Section 10 Permit	Maintenance dredging of barge slip (Covered under current permit No. 10570 Exp. Date: 12/31/2014)	Not applicable
2.4	United States Department of Transportation	49 Code of FR 107, Subpart G Registration for Hazardous Materials Transportation	Certificate of Registration	Renew existing two-year registration for transportation of hazardous (Covered under current permit No. 061506 551 0960P Exp. Date: 6/30/2008)	Not applicable
2.5	USFWS	Migratory Bird Treaty Act, 50 CFR 21	Compliance with requirements of Act	Adverse impacts on protected species and/or their nests. To be performed concurrently with item 1.1	Complete. NRC will need formal consultation with USFWS
2.6	Federal Aviation Administration	14 CFR 77	Construction Notice	Notice of erection of structures (>200 feet high) potentially impacting air navigation	12/2010
2.7	Texas Parks and Wildlife Department (TPWD)	Resource Protection (T.A.C. Title 31, Part 2, Chapter 69) Wildlife (T.A.C. Title 31, Part 2, Chapter 65)	Consultation regarding potential to adversely impact state listed protected species	Adverse impacts on state listed protected species and/or their habitat. To be performed concurrently with item 1.1	Awaiting response from TPWD

Table 1.2-2 Authorizations/Permits Required for Preconstruction Activities (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
2.8	TCEQ	Federal Clean Air Act (FCAA), General Air Quality Rules (T.A.C. Title 30, Part 1, Chapter 101, 111, 116)	Air Quality Construction Permit	Construction of air emission sources - diesel combustion generator, diesel generators, vents and other air sources regulated by TCEQ Triggering Activity: Permit must be obtained before excavation for or construction of foundation or footings supporting air emitting facilities	Complete
2.9	TCEQ	FCAA, General Air Quality Rules (T.A.C. Title 30, Part 1, Chapter 101, 111, 116)	Air Quality Construction Permit	Construction air emission sources: Concrete batch plant (CBP) Sand blast facility and surfacing coating facility Triggering Activity: Authorization must be obtained before excavation for or construction of foundation or footings supporting air emitting facilities	12/2009 (Obtained by Constructor)
2.10	Texas Department of State Health Services	FCAA, 40 CFR Part 61, Subpart M, Texas Asbestos Health Protection (T.A.C. Title 25, Part 1, Chapter 295, Subchapter C)	Notice of intent for asbestos renovation, encapsulation, or demolition	Building demolition or renovation activities and asbestos abatement projects	As required
2.11	TCEQ	FCWA, Texas Water Code (TWC) Chapter 26; T.A.C. Title 30, Part 1, Chapter 205, 279, 307, 308	Revision of existing Texas Pollutant Discharge Elimination System (TPDES) Permit	Regulates discharge of pollutants to surface water Triggering Activity: Amended TPDES permit must be issued prior to excavation for or construction of foundation or footings to support wastewater treatment plant components for expanded capacity.	12/2008

Table 1.2-2 Authorizations/Permits Required for Preconstruction Activities (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
2.12	TCEQ	FCWA, TWC Chapter 26	General Permit for Storm Water Discharges Associated With Construction Activity	Discharge storm water from site during construction Triggering Activity: Authorization must be obtained prior to exposure of soils from activities such as clearing, grading and excavating.	12/2008 (Obtained by Constructor)
2.13	TCEQ	T.A.C. Title 30, Part 1, Chapter 290	TCEQ approval of modification of public water system	Modify treatment, storage, distribution of potable water system as needed for expansion Approval of plans and specifications or TCEQ determination that approval is not required must occur before construction commences on any new or expanded component of water system, including water well, storage, treatment or distribution lines.	12/2008
2.14	Coastal Plains Groundwater Conservation District (CPGCD)	Rules of the CPGCD, Chapter 3, Subchapter A	Groundwater Well Permit	New groundwater well installation and operation	12/2008
2.15	TCEQ	FCWA, TWC, Ch. 26	TPDES General Permit	Discharge of uncontaminated groundwater encountered during construction will be included in TPDES General Permit for construction activities	12/2009 (Obtained by Constructor)
2.16	CPGCD	Rules of the CPGCD, Chapter 8	Capping and plugging of groundwater wells	Capping and plugging of monitoring wells at completion of subsurface investigation	12/2008
2.17	TCEQ	T.A.C. Title 30, Part 1, Chapter 334	Certificate of Annual Tank Registration	All underground storage tanks that are in use or capable of being used for petroleum products and certain chemicals	If required

Table 1.2-2 Authorizations/Permits Required for Preconstruction Activities (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
2.18	TCEQ	T.A.C. Title 30, Part 1, Chapter 335	Notice of Registration	Onsite disposal of Class III industrial solid waste consisting of earth and earth-like products, concrete, rock, bricks, and land clearing debris (Registration No. 30651)	12/2008
2.19	TCEQ	T.A.C. Title 30, Part 1, Chapter 335	Notice of Registration	Offsite disposal of industrial solid wastes (Registration No. 30651	12/2008
2.20	TCEQ	T.A.C. Title 30, Part 1, Chapter 295, 297	Water Rights	Use of additional makeup water from Colorado River (Covered under existing water rights: (Registration No. 14-5437)	Not Applicable
2.21	TCEQ	T.A.C. Title 30, Part 1, Chapter 350	Texas Risk Reduction Program	Relocation of hazardous waste accumulation area	If required
2.22	TCEQ	T.A.C. Title 30, Part 1, Chapter 321; FCWA; TWC, Chapter 26	Notice of Registration	Relocation of existing pond related to car wash and vehicle washdown	12/08
2.23	Matagorda County	Flood Plain Management Plan C Zone Requirements	Land Disturbing Activity and Construction Permit	Land disturbing activities within the boundaries of Matagorda County including new construction and renovation of buildings	12/2008 (Obtained by Constructor)
2.24	NRC	10 CFR 30	Byproduct license	Approval to possess special nuclear material (SNM)	If required
2.25	NRC	10 CFR 70	Special Nuclear Materials License	Approval to possess fuel	If required

Table 1.2-2 Authorizations/Permits Required for Preconstruction Activities (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
2.26	TCEQ	T.A.C. Title 30, Part 1, Chapter 312	Revision of existing onsite sludge disposal permit	Possible need to relocate and/or expand area for land application of sewage sludge Triggering Activity: Permit amendment must be issued prior to first application of sewage sludge at new location	8/2008
2.27	TCEQ	Federal Clean Water Act (FCWA) (33 United States Code (U.S.C.) 1251 et seq.). T.A.C. Title 30, Part 1, Chapter 307, 308	Section 401 Certification	Compliance with water quality standards Any additional TCEQ requirements will be incorporated into individual Section 404 permit.	See Item 2.1
2.28	TCEQ	T.A.C. Title 30, Part 1, Chapter 290	Revision or new permit to operate a public water system - Notice of Termination	Operate a public noncommunity water system (if required for Site Redress)	If required
2.29	CPGCD	Rules of the CPGCD, Chapter 8	Capping and plugging of groundwater wells	Capping and plugging of monitoring wells at completion of subsurface investigation (If required for Site Redress)	If required
2.30	TCEQ	RCRA, T.A.C. Title 30, Part 1, Chapter 334	Certificate of Annual Tank Registration - Notice of Termination	All underground storage and aboveground storage tanks that are in use or capable of being used for petroleum products and certain chemicals. Tank removal/abandonment (if required for Site Redress)	If required

Table 1.2-3 Authorizations/Permits Required for Construction Activities[1]

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
3.1	NRC	10 CFR 52, Subpart C or 10 CFR 50.10(d)	COL or LWA	Safety-related and important to safety construction for a nuclear power facility	01/2010 (LWA) (If required) 01/2011 (COL)
3.2	NRC	Atomic Energy Act (AEA), 10 CFR 51, 10 CFR 52.17	EIS	Environmental effects of construction and operation of a reactor	Purpose of this submittal
3.3	USFWS	Migratory Bird Treaty Act, 50 CFR 21	Compliance with requirements of Act	Adverse impacts on protected species and/or their nests. To be performed concurrently with Item 1.1.	See Item 1.1
3.4	TPWD	Resource Protection (T.A.C. Title 31, Part 2, Chapter 69) Wildlife (T.A.C. Title 31, Part 2, Chapter 65)	Consultation regarding potential to adversely impact state listed protected species	Adverse impacts on state listed protected species and/or their habitat. To be performed concurrently with Item 1.1.	See Item 1.1

[1] Assumes STPNOC obtained the authorizations/permits identified in Table 1.2-2.

Table 1.2-4 Authorizations/Permits Required for Operation

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
4.1	TCEQ	FCWA, T.A.C. Title 30, Part 1, Chapter 307, 308, 309, and 317	Revision of existing TPDES Permit	Regulates limits of pollutants in liquid discharge to surface water TPDES Permit No. 01908. Expiration date: 12/1/09.	As required or as discharge information becomes available
4.2	TCEQ	Revision of existing Title V Operating Permit	Operation of air emission sources	Update existing permit as necessary (Permit No.: 0801 Expiration Date: 1/25/2011)	As required or as discharge information becomes available
4.3	CPGCD	Rules of the CPGCD, Chapter 3, Subchapter A, B	Groundwater Well Permit	New groundwater well operation and increase in permitted amount	02/2011
4.4	TCEQ	T.A.C. Title 30, Part 1, Chapter 295, 297	Water Rights	Use of additional makeup water from Colorado River (Covered under existing water rights)	See 2.21
4.5	TCEQ	T.A.C. Title 30, Part 1, Chapter 312	Revision of existing on-site sludge disposal permit	Possible need to relocate and/or expand area for land application of sewage sludge Triggering Activity: Permit amendment must be issued prior to first application of sewage sludge at new location (Permit No.: 04523 Expiration Date: 8/29/2008)	08/2008
4.6	TCEQ	T.A.C. Title 30, Part 1, Chapter 335	Revision/new permit for Industrial/Hazardous Waste	Industrial/Hazardous waste generation, storage, and disposal activities	Not Applicable
4.7	TCEQ	T.A.C. Title 30, Part 1, Chapter 327	Spill Prevention and Control	Procedures for reporting spills of hazardous materials on site (Covered in the STPEGS Integrated Spill Contingency Plan)	Not applicable

Table 1.2-4 Authorizations/Permits Required for Operation (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
4.8	TCEQ	T.A.C. Title 30, Part 1, Chapter 328	Waste Minimization and Recycling	Program for waste reduction (Covered in the STPEGS Source Reduction and Waste minimization Program)	Not applicable
4.9	State of Tennessee Department of Environment and Conservation Division of Radiological Health	Tennessee Department of Environment and Conservation Rule 1200-2-10.32	Revision of existing Tennessee Radioactive Waste License-for-Delivery	Transportation of radioactive waste into the state of Tennessee	If required
4.10	State of Utah Department of Environmental Quality Division of Radiation Control	R313-26 of the Utah Radiation Control Rules	Revision of existing General Site Access Permit	Transportation of radioactive materials into the State of Utah	If required
4.11	TCEQ	Multi-sector storm water Permit	Revision of Storm Water Pollution Prevention Plan	Addition of area meeting definition of industrial activity (Covered under current program)	Not Applicable
4.12	NRC	10 CFR 51	Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions	This part contains environmental protection regulations applicable to NRC's domestic licensing and related regulatory functions. Subject to certain limitations described in this part, these regulations implement Section 102(2) of the NEPA of 1969, as amended.	If required

Table 1.2-4 Authorizations/Permits Required for Operation (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
4.13	NRC	10 CFR 61	Licensing Requirements for Land Disposal of Radioactive Wastes	The regulations in this Part establish procedures, criteria, and terms and conditions for the licensing of land disposal facilities intended to contain byproduct source, and SNM.	If required
4.14	NRC	10 CFR 71	Packaging and Transportation of Radioactive Material	The regulations in this part provide requirements, procedures, and standards for packaging, preparation for shipment, and transportation of licensed material. It provides the requirements for an application for NRC approval of a transportation package and the standards for packages, including lifting and tie down standards, radiation standards, and requirements for fissile material, irradiated nuclear fuel, and plutonium packages.	If required

Table 1.2-4 Authorizations/Permits Required for Operation (Continued)

Item	Agency	Authority	Requirement	Activity Covered	Permit Issued or Authorization Obtained/Status
4.15	NRC	10 CFR 72	Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste	Part 72 of Title 10 of the CFR establishes requirements, procedures, and criteria for the issuance of licenses to receive, transfer, and possess power reactor spent fuel and other associated radioactive materials in an independent spent fuel storage installation and the terms under which the Commission will issue such a license. Part 72 also establishes the requirements, procedures, and criteria for issuing licenses to DOE to receive, transfer, package, and possess power reactor spent fuel, high-level radioactive waste, and other associated radioactive materials in a monitored retrievable storage installation. If the currently approved spent fuel storage casks listed in Section 214 of Part 72 are not certified to store the new types of reactor spent fuel, new or current casks will have to be certified for that purpose.	If required

ATTACHMENT 3

PROBABLE EFFECTS OF STP UNITS 3 & 4 ON COASTAL NATURAL RESOURCE AREAS

CNRA	Effects Due To STP Units 3 & 4 Construction and Operation
Waters of the open Gulf of Mexico	No anticipated impacts to waters of the Open Gulf of Mexico from construction or operation of STP Units 3 & 4 are anticipated.
Tidally influenced waters not in the open Gulf of Mexico	Potential impacts to the Colorado River waters from construction include increases in turbidity due to maintenance dredging at the existing Reservoir Makeup Pumping Facility (cooling water intake structure) and the barge landing facility. These impacts have been characterized as SMALL and would not require mitigation beyond the use of the Best Management Practices required by the USACE permits issued for this work. Operational impacts would include an increase in potential impingment and entrainment of aquatic organisms during makeup pumping activities. These impacts are considered to be SMALL as the USEPA and TCEQ have certified that the design, location and operation of the intake structure reflect Best Technology Available as required by Section 316(b) of the CWA.
Submerged lands under Coastal Waters	The existing barge landing facility and the Reservoir Makeup Pumping Facility are located on submerged lands under coastal waters. No new structures will be placed on submerged lands for construction and operation of STP Units 3 & 4; however, maintenance activities including dredging and upgrading of existing equipment will occur in accordance with existing permits. STPNOC and GLO are currently modifying the existing lease terms and conditions relating to these facilities. Impacts to submerged lands as a result of the maintenance of these facilities will be SMALL.
Coastal wetlands	Coastal wetlands occur on the STP site. All wetlands have been avoided in the planning for Units 3 & 4 construction with the exception of one isolated wetland less than 0.2 acres in size. This wetland will be filled to construct the planned cooling tower serving Units 3 & 4 plant auxiliary systems. The loss of this wetland will be SMALL. The remaining wetlands on the site which may be located near planned construction activities will be clearly marked in the field with sufficient buffer allowance to ensure their protection. Other management practices will be employed on a case by case basis as construction plans become available.
Submerged aquatic vegetation	No areas of submerged aquatic vegetation occur at the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Tidal sand and mud flats	No tidal sand or mud flats occur at the site, therefore none are affected by STP Units 3 & 4 construction or operation.

ATTACHMENT 3 Continued

CNRA	Effects Due To STP Units 3 & 4 Construction and Operation
Oyster reefs	No oyster reefs are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Hard substrate reefs	No hard substrate reefs are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Coastal barriers	No coastal barriers are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Coastal shore areas	No coastal shore areas are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Gulf beaches	No gulf beaches are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Critical dune areas	No critical dune areas are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Special hazard areas	No special hazard areas are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Critical erosion areas	No critical erosion areas are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Coastal historic areas	The Texas Historical Commission has determined that there are no coastal historic areas located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.
Coastal preserves	No coastal preserves are located on or near the site, therefore none are affected by STP Units 3 & 4 construction or operation.

ATTACHMENT 4

STP UNITS 3 & 4 CONSISTENCY WITH TCMP GOALS

TCMP Goal	STP Units 3 & 4 Consistency
(1) to protect, preserve, restore, and enhance the diversity, quality, quantity, functions, and values of coastal natural resource areas (CNRAs).	The construction and operation of STP Units 3 & 4 will have minimal impact on CNRAs and, consequently no negative impacts on the diversity, quality quantity, functions and values of these areas. Thus, the project is consistent with this goal.
(2) to ensure sound management of all coastal resources by allowing for compatible economic development and multiple human uses of the coastal zone.	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform goals of the TCMP through the exercise of their respective statutory authorities. Consistency with this goal is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
(3) to minimize loss of human life and property due to the impairment and loss of protective features of CNRAs.	The construction and operation of STP Units 3 & 4 will cause no impairment to or loss of any protective features of CNRAs. Thus, the project is consistent with this goal.
(4) to ensure and enhance planned public access to and enjoyment of the coastal zone in a manner that is compatible with private property rights and other uses of the coastal zone.	The construction and operation of STP Units 3 & 4 will affect no existing or planned public access or enjoyment of the coastal zone.
(5) to balance the benefits from economic development and multiple human uses of the coastal zone, the benefits from protecting, preserving, restoring, and enhancing CNRAs, the benefits from minimizing loss of human life and property, and the benefits from public access to and enjoyment of the coastal zone.	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform goals of the TCMP through the exercise of their respective statutory authorities. Consistency with this goal is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.

STP UNITS 3 & 4 CONSISTENCY WITH TCMP GOALS Continued

TCMP Goal	STP Units 3 & 4 Consistency
(8) to make agency and subdivision decision-making affecting CNRAs more effective by employing the most comprehensive, accurate, and reliable information and scientific data available and by developing, distributing for public comment, and maintaining a coordinated, publicly accessible geographic information system of maps of the coastal zone and CNRAs at the earliest possible date.	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform goals of the TCMP through the exercise of their respective statutory authorities. Consistency with this goal is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
(9) to make coastal management processes visible, coherent, accessible, and accountable to the people of Texas by providing for public participation in the ongoing development and implementation of the Texas CMP.	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform goals of the TCMP through the exercise of their respective statutory authorities. Consistency with this goal is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
(10) to educate the public about the principal coastal problems of state concern and technology available for the protection and improved management of CNRAs.	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform goals of the TCMP through the exercise of their respective statutory authorities. Consistency with this goal is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.

ATTACHMENT 5

STP UNITS 3 & 4 CONSISTENCY WITH APPLICABLE TCMP POLICIES

31 TAC 501.15	**Policy for Major Federal Actions**
31 TAC 501.15(b)	The Lead Federal Agency for STP Units 3 & 4 is the Nuclear Regulatory Commission (NRC). The NRC has contacted relevant local, state and federal agencies as stakeholders in the process. In compliance with the National Environmental Policy Act, NRC will prepare an Environmental Impact Statement for the project.
31 TAC 501.15(c)	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
31 TAC 501.16	**Policies for Construction of Electric Generating and Transmission Facilities**
31 TAC 501.16(a)(1)	STP Units 3 & 4 are located at an existing nuclear power plant site originally developed to support four units. No public beaches are affected by this project.
31 TAC 501.16(a)(2)	STP Units 3 & 4 will employ closed-loop cooling systems rather than once-through technology. No new cooling water intake structures will be constructed for STP Units 3 & 4. The existing intake structures installed for Units 1 & 2 have been certified by TCEQ to demonstrate Best Technology Available under Section 316(b) of the Clean Water Act.
31 TAC 501.16(a)(3)	No CNRAs are affected by the proposed construction and operation of STP Units 3 & 4. Impacts on areas used for spawning, nesting and seasonal migrations of fish and wildlife species will be minimized to the extent practicable.
31 TAC 501.16(a)(4)	No new electric transmission lines associated with the construction and operation of STP Units 3 & 4 will affect Coastal Barrier Resource System Units or Otherwise Protected Areas regulated under the Coastal Barrier Resources Act.
31 TAC 501.16(b)	The construction and operation of STP Units 3 & 4 will not require a Certificate of Convenience and Necessity from the PUC.

STP UNITS 3 & 4 CONSISTENCY WITH APPLICABLE TCMP POLICIES Continued

31 TAC 501.21	**Policies for Discharge of Municipal and Industrial Wastewater to Coastal Waters**
31 TAC 501.21(a-d)	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
31 TAC 501.22	**Policies for Nonpoint Source (NPS) Water Pollution**
31 TAC 501.22(a-d)	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
31 TAC 501.23	**Policies for Development in Critical Areas**
31 TAC 501.23(a-d)	The construction and operation of STP Units 3 & 4 will not impact any Critical Areas as defined in 31 TAC 501.3
31 TAC 501.24	**Policies for Construction of Waterfront Facilities and Other Structures on Submerged Lands**
31 TAC 501.24(a)	The construction and operation of STP Units 3 & 4 will not require new waterfront facilities or other structures on submerged lands.
31 TAC 501.24(b)	STP Units 3 & 4 will have no impacts on beach access or use rights of the public.
31 TAC 501.24(c)	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.

STP UNITS 3 & 4 CONSISTENCY WITH APPLICABLE TCMP POLICIES Continued

31 TAC 501.25	**Policies for Dredging and Dredged Material and Placement**
31 TAC 501.25(a-c)	Dredging associated with the maintenance of the River Makeup Pumping Facility (makeup water intake structure) and the barge slip is approved by existing Army Corps of Engineers Permits No. 10570(6) and 14848(4). Dredged material will be disposed of in an upland disposal area identified in the permits in accordance with the terms and conditions contained therein and in accordance with the provisions of the Section 401(b) Certification issued by the TCEQ.
31 TAC 501.25(d)	There are no presently identified beneficial uses for the dredged material. However, it will be permanently located at the approved disposal site and available should a beneficial reuse be identified.
31 TAC 501.32	**Policies for Emission of Air Pollutants**
31 TAC 501.32	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.
31 TAC 501.33	**Policies for Appropriations of Water**
31 TAC 501.33(a & b)	The primary responsibility of the network of state agencies and subdivisions that are subject to the provisions of the TCMP is to ensure that proposed actions are consistent with the uniform policies of the TCMP through the exercise of their respective statutory authorities. Consistency with this policy is assured by this responsibility. The status of all approvals, permits and consultations with networked state agencies and subdivisions is presented in Attachment 2.