

March 19, 2010

Mr. Mark McBurnett
Vice President
STP Nuclear Operating Company
4000 Avenue F – Suite A
Bay City, Texas 77414

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT FOR THE SOUTH TEXAS PROJECT, UNITS 3 AND 4,
COMBINED LICENSE APPLICATION

Dear Mr. McBurnett:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed the “Draft Environmental Impact Statement for the Combined Licenses (COLs) for South Texas Project Electric Generating Station Units 3 and 4” (NUREG-1937). The draft environmental impact statement (DEIS) focuses on the impacts of constructing and operating two new nuclear units at the South Texas Project (STP) site. The U.S. Army Corps of Engineers, Galveston District (Corps), is a cooperating agency on the draft EIS.

Enclosed is a copy of the DEIS and the associated *Federal Register* Notice of Availability. This notice advises the public that the DEIS is available at the NRC Public Document Room or from the Publicly Available Records component of NRC’s Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> which provides access through the NRC’s Electronic Reading Room link. The accession number in ADAMS for the DEIS is ML100700576.

The notice also informs the public that the NRC staff plans to hold two public meetings to present an overview of the DEIS and to accept public comments on the document, on Thursday, May 6, 2010, at the Bay City Civic Center, 201 7th Street, Bay City, Texas. The first meeting will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the DEIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions one hour before the start of the meeting during which members of the public may meet and talk with NRC and Corps staff members on an informal basis. You and your staff are invited to attend.

As discussed in Section 10.7 of the DEIS, the NRC staff's preliminary recommendation is that the COLs for STP Units 3 and 4 should be issued. This preliminary recommendation is based on: (1) the COL application's environmental report; (2) consultation with Federal, State, Tribal, and local agencies; (3) the NRC and Corps staffs' independent review; (4) consideration of public scoping comments; and (5) the assessments summarized in the DEIS, including the potential mitigation measures identified.

A separate Notice of Filing of the EIS will be placed in the *Federal Register* through the U.S. Environmental Protection Agency. If you have any questions regarding this matter, please contact the NRC Environmental Project Managers, Ms. Jessie Muir, at 301-415-0491 or via e-mail at Jessie.Muir@nrc.gov or Ms. Sarah Lopas at 301-415-1147 or via e-mail at Sarah.Lopas@nrc.gov.

Sincerely,

/RA/

Scott C. Flanders, Director
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.:
52-012 and 52-013

Enclosures: As stated

cc: w/enclosures
See next page

M. McBurnett

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As discussed in Section 10.7 of the DEIS, the NRC staff's preliminary recommendation is that the COLs for STP Units 3 and 4 should be issued. This preliminary recommendation is based on: (1) the COL application's environmental report; (2) consultation with Federal, State, Tribal, and local agencies; (3) the NRC and Corps staffs' independent review; (4) consideration of public scoping comments; and (5) the assessments summarized in the DEIS, including the potential mitigation measures identified.

A separate Notice of Filing of the DEIS will be placed in the *Federal Register* through the U.S. Environmental Protection Agency. If you have any questions regarding this matter, please contact the NRC Environmental Project Managers, Ms. Jessie Muir, at 301-415-0491 or via e-mail at Jessie.Muir@nrc.gov or Ms. Sarah Lopas at 301-415-1147 or via e-mail at Sarah.Lopas@nrc.gov.

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Letter to Mark McBurnett from Scott C. Flanders dated March 19, 2010.

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STATEMENT FOR THE SOUTH TEXAS PROJECT, UNITS 3 AND 4,
COMBINED LICENSE APPLICATION

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UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NOS. 52-012 AND 52-013STP NUCLEAR OPERATING COMPANYNOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR COMBINED LICENSES FOR UNITS 3 AND 4 AT THE SOUTH TEXAS PROJECT SITE

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Army Corps of Engineers (Corps), Galveston District, have published NUREG-1937, Draft Environmental Impact Statement for Combined Licenses (COLs) at the South Texas Project Electric Generating Station Units 3 and 4" (DEIS). The site for the proposed South Texas Project Units 3 and 4 is located in Matagorda County, Texas, along the west bank of the Colorado River. The application for the COLs was submitted by letter dated October 1, 2007, pursuant to 10 CFR Part 52. A notice of receipt and availability of the application, which included the environmental report (ER), was published in the *Federal Register* on October 24, 2007 (72 FR 60394). A notice of acceptance for docketing of the COL application was published in the *Federal Register* on December 05, 2007 (72 FR 68597). A notice of intent to prepare an environmental impact statement (EIS) and to conduct the scoping process was published in the *Federal Register* on December 21, 2007 (72 FR 72774).

The purpose of this notice is to inform the public that NUREG-1937 is available for public inspection. The DEIS can be accessed (1) in the U.S. Nuclear Regulatory Commission's (NRC's) Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852, or (2) from NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. The accession number for the DEIS is ML100700576. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the PDR reference staff at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov. In addition, the Bay City Public Library, located at 1100 7th Street, Bay City, Texas, has agreed to make the DEIS available to the public.

The NRC and Corps staff will hold two public meetings to present an overview of the DEIS and to accept public comments on the document on Thursday, May 6, 2010, at the Bay City Civic Center, 201 7th Street, Bay City, Texas. The first meeting will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the DEIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC and Corps staff will host informal discussions one hour before the start of each meeting during which members of the public may meet and talk with NRC and Corps staff members. To be considered, comments must be provided during the transcribed public meeting either orally or in writing. No formal comments on the DEIS will be accepted during the informal discussions.

Persons may pre-register to attend or present oral comments at the meeting by contacting Ms. Jessie Muir by telephone at 1-800-368-5642, extension 0491, or by e-mail at STP.COLAEIS@nrc.gov no later than April 21, 2010. Members of the public may also register to speak at the meeting within 15 minutes of the start of the meeting. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. If special equipment or accommodations are needed to attend or present information at the public meeting, Ms. Jessie Muir should be contacted no later than April 21, 2010, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may also submit comments on the DEIS by (1) e-mail, (2) mail, or (3) delivery to the NRC. Comments may also be submitted via email at STP.COLAEIS@nrc.gov. Electronic submissions should be sent no later than June 09, 2010. Written comments on the DEIS can be mailed to the Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administration, Mailstop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this *Federal Register* Notice. To be considered, written comments should be postmarked by June 09, 2010. Comments may also be delivered to Room T-6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. during Federal workdays.

FOR FURTHER INFORMATION, CONTACT: Ms. Jessie Muir, Environmental Projects Branch 2, Division of Site and Environmental Reviews, Office of New Reactors, U.S. Nuclear Regulatory Commission, Mail Stop T7-E30, Washington, DC, 20555-0001. Ms. Muir may also be contacted at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 19th day of March, 2010.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Scott Flanders, Director
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Office of New Reactors

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