

August 6, 2010

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

SUBJECT: REQUEST FOR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT AND BIOLOGICAL ASSESSMENT RELATED TO THE REVIEW OF THE COMBINED LICENSE APPLICATION FOR COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4

Dear Mr. Cloud:

The U.S. Nuclear Regulatory Commission (NRC) staff has prepared the enclosed Environmental Impact Statement (DEIS) as part of its review of the application submitted by the Luminant Generation Company LLC (Luminant) for combined licenses (COLs) for construction and operation of two new nuclear units at its Comanche Peak Nuclear Power Plant (CPNPP) site near Glen Rose, Texas. The U.S. Army Corps of Engineers (Corps), Fort Worth District is a cooperating agency pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The purpose of cooperation among the NRC and Corps collectively review team is to develop one EIS that serves the needs of the NRC's license decision process and the Corps' permit decision process.

The DEIS (NUREG-1943) includes a biological assessment (BA) and analysis of relevant environmental issues including potential impacts to endangered and threatened species and documents the review team's determination regarding the environmental impacts at the proposed site from building and operating two new nuclear units. Please note that pursuant to Section 7 of the Endangered Species Act (ESA) of 1973, as amended the enclosed biological assessment (BA) initiates joint consultation by the NRC staff and the Corps with the U.S. Fish and Wildlife Service (USFWS). To fulfill consultation requirements as required by the ESA and Fish and Wildlife Coordination Act of 1934, as amended, please provide any information or comments on the enclosed DEIS that you consider appropriate during the comment period, which ends on October 27, 2010. The NRC may consider additional comments after the comment period ends, to the extent practicable. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, Washington, DC 20555-0001 or by e-mail to Comanche.COLEIS@nrc.gov. The DEIS is also available from the Publicly Available Records component of the NRC Agency-wide 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 Electronic Reading Room link. The accession numbers in ADAMS for the DEIS are ML102170030 and ML102170036. The DEIS can also be found at the NRC Comanche Peak COL-specific webpage at <http://www.nrc.gov/reactors/new-reactors/col/comanche-peak.html>.

T. Cloud

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Please note that the DEIS includes a BA and analysis of relevant environmental issues including potential impacts to endangered and threatened species and documents the review team's determination regarding the environmental impacts at the proposed site from building and operating two new nuclear units. The BA also examines the potential impacts of building and operating the proposed CPNPP, Units 3 and 4 and transmission lines on the Black-capped Vireo (*Vireo atricapillus*), Golden-cheeked Warbler (*Dendroica chrysoparia*), and Whooping Crane (*Grus americana*).

Also note that although the NRC and the Corps are initiating a joint Section 7 consultation with USFWS, the NRC and the Corps have very different regulatory authorities. In the event that USFWS issues a Incidental Take Statement (ITS), please specify in the ITS which Terms and Conditions are imposed on which agency.

The NRC staff plans to hold two public meetings to discuss the analysis and results in the DEIS on Tuesday, September 21, 2010, 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 4:00 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 DEIS. Additionally, the staffs of NRC and Corps 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 informally. You and your staff are invited to attend.

If you have any questions or require additional information, please contact Mr. Michael Willingham, Environmental Project Manager, by telephone at 301-415-3924 or by e-mail to Michael.Willingham@nrc.gov.

Sincerely,

/RA/

Gregory P. Hatchett, Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos. 52-034
52-035

Enclosure:
As stated

cc: See next page

T. Cloud

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NRO-002

OFFICE	NRO/DSER/PM	NRO/DNRL/LA	NRO/DSER/RENV	OGC <i>NLOw/changes&comments</i>	NRO/DSER/BC
NAME	MWillingham/ <i>mhw</i>	GHawkins/ <i>gdh/</i>	PDoub/ <i>jpd</i>	SVrahoretis/ <i>shv</i>	GHatchett/ <i>gph</i>
DATE	07 /29/2010	08/04/2010	07/ 21/2010	08/02/2010	08/06/2010

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(Environmental Extended)

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