

August 6, 2010

David Bernhart
Assistant Regional Administrator
for Protect Resources
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, Florida 33701

SUBJECT: NOTIFICATION OF THE ISSUANCE OF AND REQUEST FOR COMMENTS ON
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE COMANCHE
PEAK NUCLEAR POWER PLANT UNITS 3 AND 4 COMBINED LICENSE
APPLICATION REVIEW

Dear Mr. Bernhart:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by 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. As part of its review of the proposed action, the NRC staff has prepared the enclosed the Draft Environmental Impact Statement (DEIS) (NUREG-1943) to evaluate the environmental impacts from the construction and operation of the proposed nuclear units at the CPNPP site on the environment. The U.S. Army Corps of Engineers (Corps) Fort Worth District is a cooperating agency on the DEIS pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended. The purpose of cooperation among the NRC and Corps is to develop one EIS that serves the needs of the NRC's license decision process and the Corps' permit decision process.

The NRC review team found that there are no Federally listed aquatic species within the three counties (Hood, Somervell, and Bosque Counties) in which the CPNPP, Units 3 and 4 facilities, new transmission line, and pipeline ROWs would operate or the two counties (Palo Pinto and Parker Counties) upstream of Lake Granbury. However, there are two Federally-designated candidate species potentially occurring in these counties in the vicinity of the proposed CPNPP, Units 3 and 4: the Sharpnose Shiner (*Notropis oxyrhynchus*) and Smalleye Shiner (*N. buccula*). Similarly, there is no designated essential fish habitat anywhere near the project study area. Consequently, operation of CPNPP, Units 3 and 4 would not affect any Federally-listed threatened or endangered species and would have a negligible potential to affect these two candidate species.

Please note that although the NRC and Corps are initiating a joint Section 7 consultation with National Marine Fisheries Service (NMFS), the NRC and the Corps have very different regulatory authorities. In the event that NMFS issues an Incidental Take Statement (ITS), please specify in the ITS which terms and conditions are imposed on which agency.

Please provide any information or comments on the enclosed DEIS that you consider appropriate under the provisions of the National Environmental Policy Act of 1969, as amended, and the Fish and Wildlife Coordination Act of 1934, as amended, 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>.

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 draft report. Additionally, the NRC and Corps staff members 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 regarding the DEIS or the staff's request, please contact Mr. Michael Willingham, Environmental Project Manager 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

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Docket Nos. 52-034
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ADAMS Accession No.: ML101960039

NRO-002

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DATE	07/29/2010	08/04/2010	07/28/2010	08/02/2010	08/06/2010

Letter to Mr. David Bernhart from Mr. Gregory P. Hatchett August 6, 2010

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