

August 6, 2010

David Bernhart  
Assistant Regional Administrator  
for Protect Resources  
National Marine Fisheries Service  
263 13<sup>th</sup> 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 and 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](mailto: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](mailto: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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Gregory P. Hatchett, Chief  
Environmental Projects Branch 1  
Division of Site and Environmental Reviews  
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Docket Nos. 52-034  
52-035

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ADAMS Accession No.: ML101960039

NRO-002

OFFICE	NRO/DSER/PM	NRO/DNRL/ LA	NRO/DSER/RENV	OGC /NLO w/changes	NRO/DSER/BC
NAME	MWillingham/ <i>mhw</i>	GHawkins / <i>gdh</i> /	HNash/ <i>hln</i>	SVrahoretis/ <i>shv</i>	GHatchett/ <i>gph</i>
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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Comanche Peak Nuclear Power Plant  
(Environmental Extended)

cc:  
Bill Atkinson  
Glen Rose Chamber of Commerce  
PO Box 605  
Glen Rose Texas 76043

James Beard  
6501 Shoal Creek Rd  
Ft Worth Texas 76132

Marvin Belisli  
Dallas Peace Center  
9412 Hobart  
Dallas Texas 75218

Sherry Bernhoft  
MNES  
9602 Ravenswood  
Granbury Texas 76049

Steve Berry  
Hood Cty Commission  
1410 W Pearl Annex 1  
Granbury Texas 76048

Mary Best  
PO Box 2809  
Glen Rose Texas 76043

D. Best  
Chamber of Commerce  
PO Box 2809  
Glen Rose Texas 76043

Russell Bywater  
Mitsubishi Nuclear  
600 E LasColinas Blvd #850  
Irving Texas 75039

Dale Cabler  
1347 Cr 323  
Granbury Texas 76048

Ann Cohn  
2024 Custer Pkwy  
Richardson Texas 75080

Ruben Cortez  
DSHS  
1100 W 49th  
Austin Texas 78756

Kevin Downing  
4255 Camp Bowie Blvd  
Ft. Worth Texas 76107

Mike Ford  
PO Box 28  
Glen Rose Texas 76043

Karen Hadden  
SEED Coalition  
1303 San Antonio #100  
Austin Texas 78701

Rod Hale  
1375 County Rd  
Glen Rose Texas 76043

Dominique Inge  
Brazos River Conservation Coalition  
207 So Brazos St  
Granbury Texas 76048

Charles Inge  
Brazos River Conservation Coalition  
207 So Brazos St  
Granbury Texas 76048

W. D. Kimzey  
112 Mill Creek Lane  
Weatherford Texas 76089

Joe Leising  
113 Paluxy Summit  
Glen Rose Texas 76043

Mitch Lucas  
TXU  
PO Box 1002  
Glen Rose Texas 76043

Greg Marsh  
PO Box 3008  
Glen Rose Texas 76043

Comanche Peak Nuclear Power Plant  
(Environmental Extended)

cc:

Sheri McAllister  
Hood County Library  
222 North Travis Street  
Granbury Texas 46048

Tim McCreary  
RTR Corp.  
3921 Montrose Dr.  
Plano Texas 75025

Weldon Mitchell  
4779 S. Hwy 144  
Glen Rose Texas 76043

Peggy Oldham  
Somervell County Library  
108 Allen Drive  
Glen Rose Texas 76043

Sharon Osowshi, PhD  
US EPA (Mail Code GEN-YP)  
1445 Ross Ave  
Dallas Texas 75202

Lee Overstreet  
Granbury Assn. of Realtors  
PO Box 6852  
Granbury Texas 76049

Comanche Peake Marilyn Phillips  
PO Box 1364  
Glen Rose Texas 76043

Mary Pike  
5114 RaVista  
Granbury Texas 76049

Laurel Pinkly  
PO Box 2277  
Granbury Texas 76048  
John W. Poston, Sr  
Dept of Nuclear Engineering  
3133 TAMU  
College St Texas 77843

Andy Rash  
419W Bridge St  
Granbury Texas 76048

Cyrus Reed  
Sierra Club  
1202 San Antonio  
Austin Texas 78701

Susannah Reilly  
TCEQ Water Quality Division (MC-150  
P.O. Box 73087  
Austin TX 78711-3087  
Susanne Reynolds  
PO Box 67  
Glen Rose Texas 76043

Karen Richardson  
PO Box 239  
Glen Rose Texas 76043

Molly Rooke  
5825 Palm Lane  
Dallas Texas 75206

Joshua Rosenfeld  
Brazos River Conservation Coalition  
7302 Ravenswood Rd  
Granbury Texas 76049

Wayne Rotan  
PO Box 2124  
Glen Rose Texas 76043

Jan Sanders  
Dallas Peace Center  
7326 Malabar  
Dallas Texas 75230

Mo Sheldon  
Glen Rose Medical Center  
1021 Holden  
Glen Rose Texas 76043

Comanche Peak Nuclear Power Plant  
(Environmental Extended)

cc:

Nicki Shires  
101 W. Bo Gibbs Blvd  
Glen Rose Texas 76043

Lisa Silguero  
Sierra Club  
PO Box 800076  
Dallas Texas 75380

Jeff Simmons  
Luminant  
500 N Aleard St. Ste 10-040  
Dallas Texas 75201

Angela Sloan  
Sovervell CAD  
712 Allen Dr  
Glen Rose Texas 76043

Hugh M. Smith  
PO Box 807  
Glen Rose Texas 76043  
Gary Stuard  
Interfaith Environmental Alliance  
6344 Goliard Ave  
Dallas Texas 75214

Allen Sumners  
10200 Hwy 67 West  
Walnut Spg Texas 76690

Joseph Tapia  
Mitsubishi Nuclear  
600 E LasColinas Blvd #850  
Irving Texas 75039

Robert Taylor  
1017 Brice St  
Meridian Texas 76665

David Volkening  
Luminant  
PO Box 1002  
Glen Rose Texas 76043

Mary Ward  
Hood Cty Economic Development  
PO Box 202  
Granbury Texas 76048

John W. Webb  
9645 Airpark Dr.  
Granbury Texas 76048

Kathleen Wildwood  
Sierra Club  
602 S Waco St  
Weatherford Texas 76086

Joe Williams  
2814 River Ridge Court  
Granbury TX 76048

Dianna Winsett  
904 Travis  
Red Oak Texas 75154  
Trish Zinsmeister  
9406 Glen Eagles Circle  
Granbury Texas 76049

Comanche Peak Nuclear Power Plant  
(Environmental Extended)

Email:

[lchandler@morganlewis.com](mailto:lchandler@morganlewis.com)  
[zimmermanqp@ornl.gov](mailto:zimmermanqp@ornl.gov)  
[mccoldln@ornl.gov](mailto:mccoldln@ornl.gov)  
[tgitnick@islinc.com](mailto:tgitnick@islinc.com)  
[David.E.Madden@usace.army.mil](mailto:David.E.Madden@usace.army.mil)  
[steve.dillard@aecom.com](mailto:steve.dillard@aecom.com)  
[quarleshdi@ornl.gov](mailto:quarleshdi@ornl.gov)