August 06, 2010

Ronnie Lupe, Chairman
White Mountain Apache Tribe
P.O. Box 700
White River, AZ 85941

SUBJECT: SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE COMANCHE PEAK NUCLEAR POWER PLANT, UNITS 3 AND 4 COMBINED LICENSE APPLICATION REVIEW

Dear Mr. Chairman:

The U.S. Nuclear Regulatory Commission (NRC) staff has prepared the enclosed draft environmental impact statement (DEIS) (NUREG-1943) as part of its review of the application submitted by the Luminant Generation Company, LLC (Luminant) for two combined licenses (COLs) to construct and operate two new nuclear units at its Comanche Peak Nuclear Power Plant (CPNPP) site near Glen Rose, TX. The U.S. Army Corps of Engineers (Corps), Fort Worth District is a cooperating agency on DEIS. The purpose of cooperation among the NRC and Corps is to develop one EIS that serves the need of the NRC's license decision process and the Corps' permit decision process.

This DEIS includes an analysis of relevant environmental issues as well as potential impacts to historic properties and documents the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of two new nuclear units. Note that in Chapter 2 of the DEIS you will find a discussion of the areas of potential effect and Chapters 4 and 5 discuss the impacts to historic properties from construction and operation. In addition, the NRC staff conducted an environmental audit at the proposed site and reviewed historic and archaeological records. In the context of National Environmental Policy Act (NEPA) under which the DEIS was prepared, the NRC staff's preliminary determination is that the impacts of the proposed new nuclear units on historical and archaeological resources is minimal and additional mitigation is not warranted. Under the provisions of National Historic Preservation Act (NHPA), the staff's preliminary determination is that no historic properties will be affected by the proposed action.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in any potential historic properties in the areas of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties including those of traditional, religious, and cultural importance; and if necessary, participate in the resolution of any adverse effects to such properties. Pursuant to 36 CFR 800.8(c), we are requesting your comments on the DEIS, specifically on our preliminary conclusions regarding historic properties.

Comments should be submitted either by mail to the Chief, Rulemaking and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop TWB-05-B01M, Washington, D.C. 20555-001 or via e-mail to Comanche.COLEIS@nrc.gov. Your comments will be addressed in the final EIS. Please provide any information or comments you may have on the DEIS 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.

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, TX 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. In addition, informal discussions will be held one hour before the start of each meeting where 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, NRC Environmental Project Manager at (301) 415-3924 or via 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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If you have any questions or require additional information, please contact Mr. Michael Willingham, NRC Environmental Project Manager at (301) 415-3924 or via e-mail to Michael.Willingham@nrc.gov.

Sincerely,

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OFFICE	NRO/DSER/PM	NRO/DSER/LA	OGC /*NLOw/changes*	NRO/DSER
NAME	MWillingham/***mhw***	GHawkins/***gdh***	SVrahoretis/**shv**	GHatchett/**gph**
DATE	07/29/2010	08/04 /2010	08/02/2010	08 /06/2010

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Letter to Chairman Ronnie Lupe from Mr. Gregory P. Hatchett dated August 06, 2010.

SUBJECT: SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE COMANCHE PEAK NUCLEAR POWER PLANT UNITS 3 AND 4 COMBINED LICENSE APPLICATION REVIEW

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MGoodwin, AECOM
TGitnick, ISL

Comanche Peake Mailing List
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

Comanche Peake Mailing List
Email:

Greg Marsh
PO Box 3008
Glen Rose Texas 76043

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

Comanche Peake Mailing List
Email:

Jan Sanders
Dallas Peace Center
7326 Malabar
Dallas Texas 75230

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

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 Peake Mailing List
Email:

lchandler@morganlewis.com
zimmermangp@ornl.gov
mccoldln@ornl.gov
tgitnick@islinc.com
David.E.Madden@usace.army.mil
steve.dillard@aecom.com
quarleshdiii@ornl.gov