August 11, 2010

Jeff Houser, Chairman
Fort Sill Apache Tribe of Oklahoma
Route 2, Box 121
Apache, OK 73006

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 this 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,

/RA/

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Division of Site and Environmental Reviews
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