October 26, 2010

Marvin Moriarty, Regional Director
US Fish and Wildlife Service
Northeast Regional Office
300 Westgate Center Drive
Hadley, MA 01035-9587

SUBJECT: NOTIFICATION AND REQUEST FOR CONSULTATION AND PARTICIPATION IN THE SCOPING PROCESS FOR THE PSEG EARLY SITE PERMIT APPLICATION ENVIRONMENTAL REVIEW

Dear Mr. Moriarty:

The U.S. Nuclear Regulatory Commission (NRC) is reviewing an application submitted by PSEG Power, LLC and PSEG Nuclear, LLC (PSEG) for an Early Site Permit (ESP) for a new nuclear power plant site, which is located on the southern part of Artificial Island on the east bank of the Delaware River in Lower Alloways Creek Township, Salem County, New Jersey. As part of the review of this ESP application, the NRC is preparing an Environmental Impact Statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. The EIS will include an analysis of pertinent environmental issues including endangered and threatened species and impacts to fish and wildlife. This letter is being submitted under the provisions of the Endangered Species Act (ESA) of 1973, as amended and the Fish and Wildlife Coordination Act (FWCA) of 1934, as amended.

PSEG submitted the application for an ESP on May 25, 2010, pursuant to NRC requirements in 10 CFR Part 52. The NRC staff accepted the application for docketing on August 13, 2010 and it is available through the web-based version of the NRC Agency-wide Documents Access and Management System (ADAMS), which can be found at http://www.nrc.gov/reading-rm/adams.html. Persons who do not have access to ADAMS or who encounter problems accessing the documents located in ADAMS should contact the PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by e-mail at pdr@nrc.gov. The Environmental Report portion of the application is listed under accession number ML101480763. The PSEG ESP application is also available on the Internet at http://www.nrc.gov/reactors/new-reactors/esp/pseg.html.

The proposed PSEG ESP Site will encompass approximately 819 acres and be located adjacent to the existing Salem and Hope Creek Nuclear Power Plants. PSEG proposes to obtain an ESP for the area immediately north of the existing units. Most of the PSEG ESP Site is comprised of disturbed lands caused by the construction of the existing units or used for dredge material disposal. Currently, the applicant owns 735 acres and is in negotiations with the US Army Corps of Engineers (USACE) to acquire an additional 85 acres bringing the ESP Site to 819 acres. The USACE used the land as a confined disposal facility (CDF) to store dredge spoils from the Delaware River. The lands surrounding the PSEG Site are tidal

marshland and grassland with some upland woodland vegetation. The Delaware River is adjacent to the proposed site's western and southern boundaries. The applicant has indicated that one 500-kV off-site transmission line may be required for grid stability purposes to support new power generation. In conceptual designs, the siting areas for proposed transmission lines follows existing lines but diverges extending south or west from the Red Lion Substation in Delaware. PSEG's proposed cooling system for the new unit(s) will use make up water from the Delaware River and dissipate heat through cooling tower(s). Blowdown from the cooling tower(s) would be discharged back to the Delaware River.

The EIS will document the NRC staff's determination regarding the suitability of the proposed site for construction and operation of one or more new nuclear units. If approved, the ESP would not authorize the applicant to begin construction of the unit(s). However, in its review, the NRC staff will evaluate the environmental impacts of construction and operation and will also consider alternatives, including alternative sites. An ESP allows an applicant to set aside a site for potential future construction of one or more new nuclear power plants and provides the opportunity to resolve site safety and environmental issues before construction begins.

To support the EIS preparation process and to ensure compliance with Section 7 of the ESA, the NRC is initiating consultation through this letter and requests a list of endangered, threatened, candidate, and proposed species, and designated and proposed critical habitat that may be in the vicinity of the PSEG Site and associated transmission line rights-of-way. Additionally, please provide any information you consider appropriate under the provisions of the FWCA.

The NRC plans to hold two public scoping meetings on November 4, 2010, at the Salem Community College Performing Arts Theater (Davidow Hall) located at 460 Hollywood Avenue, Carneys Point, New Jersey. The first meeting will convene at 1:00 p.m., and will continue until approximately 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 approximately 10:00 p.m. (as necessary). The NRC will present an overview of the environmental review process and will describe how the process will be implemented for the review of the PSEG ESP application. A separate NRC meeting notice with a more detailed agenda will be forthcoming. Each meeting will be preceded by a one hour open house during which members of the public may meet and talk with NRC staff members on an informal basis. In addition, NRC staff and contractors are planning an onsite visit in early spring for a site audit to discuss with PSEG the detailed information that is the basis for the preparation of the Environmental Report to perform a tour of the site and its environs, and to review documentation.

Please provide any information, comments, or concerns you feel are appropriate on the scope of the proposed action during the scoping comment period which ends on December 14, 2010. Comments should be submitted either by mail to the Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Mail Stop TWB-5B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to PSEG.ESPEIS@nrc.gov.

If you have any questions concerning the NRC staff's environmental review of this ESP application, please contact Mr. Allen Fetter, NRC Environmental Project Manager at (301) 415-8556 or via e-mail to Allen.Fetter@nrc.gov or Ms. Alicia Williamson at (301) 415-1878 or via email to Alicia.Williamson@nrc.gov.

Sincerely,

/RA/ By Mark Notich Acting For/

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

Docket No.: 52-043

cc: See next page

If you have any questions concerning the NRC staff's environmental review of this ESP application, please contact Mr. Allen Fetter, NRC Environmental Project Manager at (301) 415-8556 or via e-mail to Allen.Fetter@nrc.gov or Ms. Alicia Williamson at (301) 415-1878 or via email to Alicia.Williamson@nrc.gov.

Sincerely,

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Docket No.: 52-043

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