

NP-11-0008  
February 15, 2011

10 CFR 52, Subpart A

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

Subject: Exelon Nuclear Texas Holdings, LLC  
Victoria County Station  
Early Site Permit Application  
Notification of Anticipated Environmental Report Revisions  
Docket No. 52-042

- References: (1) Exelon Nuclear Texas Holdings, LLC letter to USNRC, Application for Early Site Permit for Victoria County Station, dated March 25, 2010
- (2) Exelon Nuclear Texas Holdings, LLC letter to USNRC, Environmental Report Revisions to Incorporate Additional Supporting Information, dated June 24, 2010

**Exelon Nuclear Texas Holdings, LLC (Exelon) submitted an application for an early site permit (ESP) in Reference 1 for the Victoria County Station (VCS) site. That submittal consisted of six parts as described in the referenced letter.**

**Exelon subsequently completed an approximately year-long bio-statistical study evaluating the potential effects of proposed VCS water withdrawals from the Guadalupe River on the ecological health of the San Antonio Bay system. Exelon also reviewed additional information regarding the abnormal mortality reportedly experienced by the Aransas-Wood Buffalo population of whooping cranes during the 2008-2009 overwintering period at the Aransas National Wildlife Refuge. Part 3 of the ESP application, the Environmental Report (ER), was updated (Reference 2) in June 2010 to reflect this additional information.**

**Exelon has reevaluated the bio-statistical study and determined that the baseline hydrologic scenario in that study inadvertently included nearly full use of existing GBRA certificate of adjudication (CA) 18-5178. Since the bio-statistical study assumed that VCS would withdraw water from the Guadalupe River under CA 18-5178, the baseline hydrologic scenario in the impact evaluation portion of the study essentially accounts for VCS water use. Thus, there is relatively little difference between the baseline hydrologic scenario (i.e., the Current Conditions Scenario) and the "with project" hydrologic scenario (i.e., Comparative Scenario One) that assessed the impact of VCS water use. Accordingly, Exelon has determined that the results of the bio-statistical study should be**

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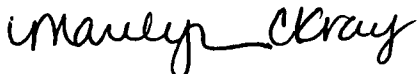
reevaluated. The ER will be revised to reflect changes resulting from reevaluation of the study, as applicable.

Exelon expects to transmit ER revisions stemming from reevaluation of the bio-statistical study results by May 13, 2011. Regulatory commitments established in this submittal are identified in Enclosure 1.

If additional information is required, please contact Joshua Trembley at (610) 765-5345.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 15<sup>th</sup> day of February, 2011.

Respectfully,



Marilyn C. Kray  
Vice President, Nuclear Project Development

Enclosures: (1) Summary of Regulatory Commitments

cc: USNRC, Director, Office of New Reactors/NRLPO (w/enclosures)  
USNRC, Project Manager, VCS, Division of New Reactor Licensing  
(w/enclosures)  
USNRC, Environmental Project Manager, VCS, Division of New Reactor  
Licensing (w/enclosures)  
USNRC Region IV, Regional Administrator (w/enclosures)

**ENCLOSURE 1**

**SUMMARY OF REGULATORY COMMITMENTS**

**(Exelon Letter to USNRC No. NP-11-0008, dated February 15, 2011)**

The following table identifies commitments made in this document. (Any other actions discussed in the submittal represent intended or planned actions. They are described to the NRC for the NRC's information and are not regulatory commitments.)

COMMITMENT	COMMITTED DATE	COMMITMENT TYPE	
		ONE-TIME ACTION (Yes/No)	Programmatic (Yes/No)
The ER will be revised to reflect changes stemming from reevaluation of the San Antonio Bay Bio-statistical Study results, as applicable.	May 13, 2011	Yes	No