

May 13, 2011

Mark R. Chino, President
Mescalero Apache Tribe
P.O. Box 227
Mescalero, NM 88340

SUBJECT: NOTICE OF AVAILABILITY OF THE FINAL ENVIRONMENTAL IMPACT
STATEMENT FOR THE COMBINED LICENSE FOR COMANCHE PEAK
NUCLEAR POWER PLANT, UNITS 3 AND 4

Dear President Chino:

The U.S. Nuclear Regulatory Commission (NRC) staff and the U.S. Army Corps of Engineers (Fort Worth District), participating as a cooperating agency, have completed the final environmental impact statement (FEIS) for the combined licenses (COLs) for the Comanche Peak Nuclear Power Plant (CPNPP), Units 3 and 4. A copy of the FEIS, NUREG-1943, "Environmental Impact Statement for Combined Licenses (COLs) for Comanche Peak Nuclear Power Plant Units 3 and 4: Final Report," is included with this letter.

In a letter dated August 10, 2010, the NRC staff informed the Mescalero Apache Tribe that it had completed the draft environmental impact statement (DEIS) (NUREG-1943), as part of its review of the application submitted by Luminant Generation Company, LLC for two COLs to construct and operate two new nuclear units at its CPNPP site near Glen Rose, Texas. Additionally, a Notice of Availability of the DEIS was published in the *Federal Register* (FR) on August 12, 2010 (75 FR 48998). Pursuant to Title 10 of the *Code of Federal Regulations* (CFR) Parts 51.28 and 36 CFR 800.2(c), a copy of the DEIS was enclosed 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 CFR 800.8(c), the NRC staff requested comments on the DEIS. The comment period for the DEIS ended on October 27, 2010. Comments that were provided on the DEIS are addressed in Appendix E of the FEIS.

A notice of availability for the FEIS is anticipated to be published by the NRC on May 20, 2011, in the *Federal Register*. The FEIS will be available for public inspection at the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 and in the NRC Agency-wide Documents Access and Management System (ADAMS) through the Public Electronic Reading Room, accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. The FEIS will be published in two volumes under accession numbers ML11131A001 and ML11131A002. The FEIS can also be accessed online at <http://www.nrc.gov/reactors/new-reactors/col/comanche-peak.html>.

M. Chino

- 2 -

If you have any questions or require additional information, please contact NRC Environmental Project Manager, Mr. Michael Willingham, at 301-415-3924 or via e-mail to Michael.Willingham@nrc.gov.

Sincerely,

/RA/

Brent Clayton, Acting Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos: 52-034 and 52-035

Enclosure:
As stated

cc w/o enclosure: See next page

M. Chino

- 2 -

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DISTRIBUTION:

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MWillingham, NRO

HHamzehee, NRO

BTindell, RI

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RidsOcaMailCenter

DMadden, USACE (David.E.Madden@usace.army.mil)

GZimmerman, ORNL (zimmermangp@ornl.gov)

TGitnick, ISL (tgitnick@islinc.com)

GHatchett, NRO

AWilliamson, NRO

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NRO-002

OFFICE	NRO/DSER/ PM	NRO/DSER/LA	OCG NLO w/comments & changes	NRO/DSER/BC
NAME	MWillingham	GHawkins	SVrahoretis	BClayton
DATE	05/04/11	05/05/11	05/6/11	05/ 13 /11

OFFICIAL RECORD COPY

M. Chino

Bill Atkinson
Glen Rose Chamber of Commerce
P.O. Box 605
Glen Rose, Texas 76043

James Beard
6501 Shoal Creek Rd.
Ft Worth, Texas 76132

Marvin Belisi
Dallas Peace Center
9412 Hobart
Dallas, Texas 75218

Sherry Bernhoft
MNES
9602 Ravenswood
Granbury, Texas 76049

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

Mary Best
P.O. Box 2809
Glen Rose, Texas 76043

D. Best
Chamber of Commerce
P.O. 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

- 2 -

Kevin Downing
4255 Camp Bowie Blvd.
Ft Worth, Texas 76107

Mike Ford
P.O. 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
P.O. Box 1002
Glen Rose, Texas 76043

Greg Marsh
P.O. Box 3008
Glen Rose, Texas 76043

Comanche Peak Mailing List
cc:

Ruben Cortez
DSHS
1100 W 49th
Austin, Texas 78756

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

John Macfarlane
1445 Ross Avenue
Suite 1200
US EPA (Mail Code 6EN)
Dallas, Texas 75202

Lee Overstreet
Granbury Assn. of Realtors
P.O. Box 6852
Granbury, Texas 76049

Marilyn Phillips
PO Box 1364
Glen Rose, Texas 76043

Mary Pike
5114 RaVista
Granbury, Texas 76049

Laurel Pinkly
P.O. Box 2277
Granbury, Texas 76048

John W. Poston, Sr.
Dept of Nuclear Engineering
3133 TAMU
College Station, Texas 77843

Courtney Kincaid
Hood County Library
222 North Travis Street
Granbury, Texas 46048

Molly Rooke
5825 Palm Lane
Dallas, Texas 75206

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

Wayne Rotan
P.O. Box 2124
Glen Rose, Texas 76043

Jan Sanders
72636 Breckenridge Dr.
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
P.O. Box 800076
Dallas, Texas 75380

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

Angela Sloan
Somervell CAD
712 Allen Dr.
Glen Rose, Texas 76043

Comanche Peak Mailing List
cc:

Andy Rash
419 W. 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
P.O. Box 67
Glen Rose, Texas 76043

Karen Richardson
P.O. Box 239
Glen Rose, Texas 76043

Robert Taylor
1017 Brice St.
Meridian, Texas 76665

David Volkening
Luminant
P.O. Box 1002
Glen Rose, Texas 76043

Mary Ward
Hood County Economic Development
P.O. 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

Hugh M. Smith
P.O. Box 807
Glen Rose, Texas 76043

Gary Stuard
Interfaith Environmental Alliance
6344 Goliard Ave.
Dallas, Texas 75214

Allen Sumners
10200 Hwy. 67 West
Walnut Springs, Texas 76690

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

Joe Williams
2814 River Ridge Court
Granbury, TX 76048

Dianna Winsett
904 Travis
Red Oak, Texas 75154

M. Chino
lchandler@morganlewis.com

- 2 -