

May 4, 2012

Ms. Marilyn C. Kray
Vice President
New Plant Development
Exelon Generation
200 Exelon Way
Kennett Square, PA 19348

SUBJECT: ENVIRONMENTAL REQUEST FOR ADDITIONAL INFORMATION
LETTER NO. 9 RELATED TO CULTURAL RESOURCES AND
TRANSPORTATION FOR VICTORIA COUNTY STATION EARLY SITE PERMIT
APPLICATION

Dear Ms. Kray:

By letter dated March 25, 2010, Exelon Nuclear Texas Holdings, LLC (Exelon) submitted its application to the U.S. Nuclear Regulatory Commission (NRC) for an early site permit (ESP), the Victoria County Station site, in accordance with the requirements contained in Title 10 of the *Code of Federal Regulations* (CFR) Part 52, "Licenses, Certifications and Approvals for Nuclear Power Plants." The NRC staff is performing a detailed review of this application to enable the staff to reach a conclusion regarding the environmental impacts of the proposed action.

The NRC staff has identified that additional information is needed to continue portions of the environmental review. The staff's request for additional information (RAI) is contained in the enclosure to this letter.

To support the review schedule, you are requested to respond within 45 days of the date of this letter. If you are unable to provide a response within 45 days, please state when you will be able to provide the response. In the event the response submitted is incomplete, please indicate in the response when the complete response will be provided. If changes are needed to the ESP application, the staff requests that the RAI response include the proposed wording changes. Your response should also indicate whether any of the information provided is to be withheld as exempt from public disclosure pursuant to 10 CFR 2.390.

M. Kray

- 2 -

If you have any questions or comments concerning this matter, you may contact me at 301-415-1488 or via e-mail at Tomeka.Terry@nrc.gov.

Sincerely,

/RA/

Tomeka Terry, Environmental Project Manager
Environmental Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket Nos. 52-042
eRAI Tracking Nos. 6429 and 6430

Enclosure:
As stated

cc: w/enclosure see next page

If you have any questions or comments concerning this matter, you may contact me at 301-415-1488 or via e-mail at Tomeka.Terry@nrc.gov.

Sincerely,

/RA/

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eRAI Tracking Nos. 6429 and 6430
Enclosure:
As stated

cc: w/enclosure see next page

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NRO-002

OFFICE	NRO/DNRL/ LA	NRO/DNRL/EPB2/PM
NAME	ARedden	TTerry*
DATE	05/03/2012	05/04/2012

* Approval captured electronically in the electronic RAI system.

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Request for Additional Information No. 6429 Revision 0
Victoria County Station ESP
Exelon Texas
Docket No. 52-042
SRP Section: ESP EIS 4.6 - Historic and Cultural Resources
Application Section: Part 3, Environmental Report Sections 4.1.3 and 5.1.3

QUESTIONS for Environmental Projects Branch 2 (RAP2)

ESP EIS 4.6-1

CR -1 ESRP Sections 4.1.3 and 5.1.3 state that the environmental impact statement (EIS) needs to consider all of the effects from the project on historic and cultural resources. Additionally, the National Historic Preservation Act of 1966, as amended (36 CFR 800) requires that Federal agencies consider the effect of undertakings on historic properties. 36 CFR 800.5(a)(i) states that cumulative effects can result in adverse effects to historic properties. Therefore, cumulative impacts from past, present, and reasonably foreseeable future actions must be considered. The current environmental report (ER) does not address the cumulative effect of the project on historic and cultural resources. Provide an analysis of the cumulative effects from the proposed action on historic and cultural resources.

CR-2 ESRP Sections 4.1.3 and 5.1.3 state that the EIS needs to consider all of the effects from the project on historic and cultural resources. Additionally, the National Historic Preservation Act of 1966, as amended (36 CFR 800) requires that Federal agencies consider the effect of undertakings on historic properties. Several additional activities are proposed (e.g. intake/discharge structures, pipelines, a transportation corridor, and the heavy haul road) that may extend onto the floodplain of the Guadalupe River. The ER does not discuss the types of resources that could be found on the floodplain nor the potential effect that could result from these activities. A discussion of the types of archaeological resources that have been found in the past along the river in the area is requested. Please include a discussion of historic and cultural resources that have been found on this landform in the region. 36 CFR 800.5(a)(i) states that cumulative effects can result in adverse effects to historic properties. All direct, indirect, and cumulative effects on historic properties from the project need to be understood and disclosed. Please provide a discussion of the potential effects on historic and cultural resources that could result from building and operating intake/discharge structures, pipelines, the transportation corridor, and the heavy haul road on the floodplain. Include a discussion of the types resources found along the Guadalupe River and the Victoria Barge Canal. Describe what resources, if any are known, could be affected by building the intake/discharge structures, pipelines, a transportation corridor, and the heavy haul road.

CR-3 ESRP Sections 4.1.3 and 5.1.3 state that the EIS needs to consider all of the effects from the project on historic and cultural resources. Additionally, The National Historic Preservation Act of 1966, as amended (36 CFR 800) requires that Federal agencies consider the effect of undertakings on historic properties. 36 CFR 800.4, "Identification of historic properties," requires that the agency identify what resources could be affected by the undertaking. Resources located on the property could be affected if a nuclear power plant is built. The spatial distribution of these resources may affect the nature of the project's effects. Provide a map showing the location of all significant resources including the contributing properties to the McFaddin Ranch Rural Historic Landscape which was designated by the Texas Historical Commission (THC) on the VCS property.

Enclosure

CR-4 ESRP Sections 4.1.3 and 5.1.3 state that the State Historic Preservation Officer and any affected Native American Tribes be given the opportunity to comment on the effects from the proposed project on historic properties. Additionally, the National Historic Preservation Act of 1966, as amended (36 CFR 800) requires that Federal agencies consult with the appropriate State Historic Preservation Office (SHPO) and all Native American Tribes that have an interest in the region concerning the consideration of historic properties. Exelon and their contractors have been in correspondence with the THC concerning the identification of historic properties in the Area of Potential Effect. A timeline of the correspondence will ensure that the NRC is aware of all interactions between the SHPO and Exelon. Provide a copy of the timeline of correspondence between Exelon and the THC concerning the project.

Enclosure

Request for Additional Information No. 6430 Revision 0
Victoria County Station ESP
Exelon Texas
Docket No. 52-042
SRP Section: ESP EIS 6.2 - Transportation Impacts
Application Section: Part 3, Environmental Report Section 3.8

QUESTIONS for Environmental Projects Branch 2 (RAP2)

ESP EIS 6.2-1

TR 3.8-1 ESRP 3.8 directs the staff to evaluate the applicant's conformance with 10 CFR 51.52(a). The estimated number of radiological shipments to and from the facility must be evaluated per 10 CFR 51.52 requirements. The number of assemblies is needed for this calculation. The following lists the information by reactor type that remains to be provided:

- AP1000 - number of unirradiated fuel assemblies per truck and number of fuel assemblies for reload and metric tons of uranium in the core and in an assembly
- ESBWR- number of unirradiated fuel assemblies per truck and number of fuel assemblies for reload ;
- ABWR -number of unirradiated fuel assemblies per truck and number of fuel assemblies for reload ;
- APWR - number of unirradiated fuel assemblies per truck.

Provide estimates of, with supporting documentation on, the total number of fuel assemblies in the reactor core, the number of assemblies replaced during a refueling outage, and the number of unirradiated fuel assemblies per truck shipment for the APWR, AP1000, ABWR, and ESBWR reactor types.

TR 3.8-2 ESRP 3.8 directs the staff to evaluate the applicant's conformance with 10 CFR 51.52(a). The estimated number of radiological shipments to and from the facility must be evaluated per 10 CFR 51.52 requirements. The calculation involves normalization of the candidate reactor electrical output with that of the reference reactor for comparison. The following lists the information by reactor type that remains to be provided: AP1000 - Capacity factor and APWR - Capacity factor. Provide estimates of, with supporting documentation on, the gross electrical output (MWe) and capacity factors for the APWR, AP1000, ABWR, and ESBWR reactor types.

TR 3.8-3 ESRP 3.8 directs the staff to evaluate the applicant's conformance with 10 CFR 51.52(a). The estimated number of radiological shipments, including LLRW, to and from the facility must be evaluated per 10 CFR 51.52 requirements. Provide an estimate with supporting documentation, of the anticipated annual low-level radioactive waste (LLRW) volumes for shipment from the ABWR reactor type.