

May 15, 2014

Ms. Rhonda Smith, Chief Office
of Planning and Coordination
U.S. Environmental Protection Agency, Region 6
1145 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

SUBJECT: RESPONSE TO ENVIRONMENTAL PROTECTION AGENCY COMMENT ON
INFORMAL CONSULTATION BETWEEN THE NUCLEAR REGULATORY
COMMISSION AND U.S. FISH AND WILDLIFE SERVICE REGARDING THE
ENDANGERED SPECIES ACT WITH RESPECT TO THE NUCLEAR
REGULATORY COMMISSION REVIEW OF THE SOUTH TEXAS PROJECT
LICENSE RENEWAL APPLICATION

Dear Ms. Smith:

The U.S. Nuclear Regulatory Commission (NRC) staff is in the final stages of its review of the STP Nuclear Operating Company's (STPNOC) application for renewal of the South Texas Project (STP) operating licenses for an additional 20 years. The NRC is charged with the responsibility of reviewing and approving the license renewal application pursuant to Section 103 of the Atomic Energy Act of 1954, as amended. This letter responds to your letter dated December 17, 2013, regarding the status of informal consultation between the NRC and U.S. Fish and Wildlife Service (USFWS). The staff appreciates your input and assistance in reviewing and commenting upon the supplemental environmental impact statement (SEIS) for the South Texas Project (STP) license renewal.

As a part of its review of the STP license renewal application, the NRC staff prepared a "Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 48, Regarding South Texas Project, Units 1 and 2," pursuant to the National Environmental Policy Act of 1969, as amended. The staff worked closely with you and others at the EPA, Region 6, on the review of this SEIS, as appropriate. The final SEIS conclusion states: "the NRC staff's recommendation is that the adverse environmental impacts of license renewal for STP are not great enough to deny the option of license renewal for energy planning decision makers."

As noted in your letter, at the time of issuance of the final SEIS in November 2013, informal Section 7 consultation between NRC and USFWS had not been finalized. The USFWS provided its concurrence regarding the staff analysis and conclusion in the final SEIS for the STP license renewal in its letter dated March 28, 2014. A copy of the USFWS concurrence is publicly available on the docket (Agencywide Documents Access & Management System Accession No. ML14087A234) and enclosed.

Regarding your request that the USFWS concurrence be included in the NRC Record of Decision (ROD) of the license renewal, 10 CFR 51.103, which sets forth the required content of an NRC ROD, does not require inclusion of such information. However, the staff will note receipt of the March 28, 2014, concurrence letter in the STP ROD. The

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staff will provide you a copy of the ROD upon completion of the staff review and issuance of the renewed licenses, as requested and consistent with 10 CFR 51.102.

If you have any questions regarding this matter, please contact the license renewal project manager, Mr. Tam Tran, at 301-415-3617 or e-mail tam.tran@nrc.gov.

Sincerely,

/RA/

John Lubinski, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

cc w/encl: Listserv

R. Smith

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staff will provide you a copy of the ROD upon completion of the staff review and issuance of the renewed licenses, as requested and consistent with 10 CFR 51.102.

If you have any questions regarding this matter, please contact the license renewal project manager, Mr. Tam Tran, at 301-415-3617 or by e-mail at tam.tran@nrc.gov.

Sincerely,

/RA/

John Lubinski, Director
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-498, 50-499

cc w/encl: Listserv

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ADAMS Accession Nos.:

ML14111A442 (Pkg)

ML14100A372 (Ltr)

ML14087A234 (Encl 1)

ML14002A262 (Encl 2)

*concurring via email

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DATE	4/11/14	4/16/14	5/15/14	5/14/14
OFFICE	BC:RERB:DLR	D:DLR		
NAME	DWrona	JLubinski		
DATE	4/21/14	5/15/14		

OFFICIAL RECORD COPY

Letter to R. Smith from J. Lubinski dated May 15, 2014

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