ARCONNE NATIONAL LABORATORY

9700 South Cass Avenue, Argonne, Illinois 60439

Telephone 312/972-3196

August 14, 1980

Mr. John Lehr Environmental Review Coordinator U.S. Nuclear Regulatory Commission Washington, DC 20555

Dear John:

Attached is a copy of a letter that NRC should prepare and send to the U.S. Fish and Wildlife Service in Albuquerque related to "Endangered Species" for CPSES.

Also attached is a letter Daniels, Stearner and Christian obtained from the Texas Parks and Wildlife Department in Austin. Also, a set of letters between TUGCo and Texas Air Control Board in Austin related to CPSES operation.

Sincerely,

James E. Carson, Meteorologist Division of Environmental Impact Studies

JEC:de

Enclosures

cc: E. Christian

E. Daniels

P. Stearner

THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

4003/1

The University of Chicago

ARGONNE Universities Association

Regional Office U.S. Fish and Wildlife Service Post Office Box 1306 Albuquerque, NM 87163

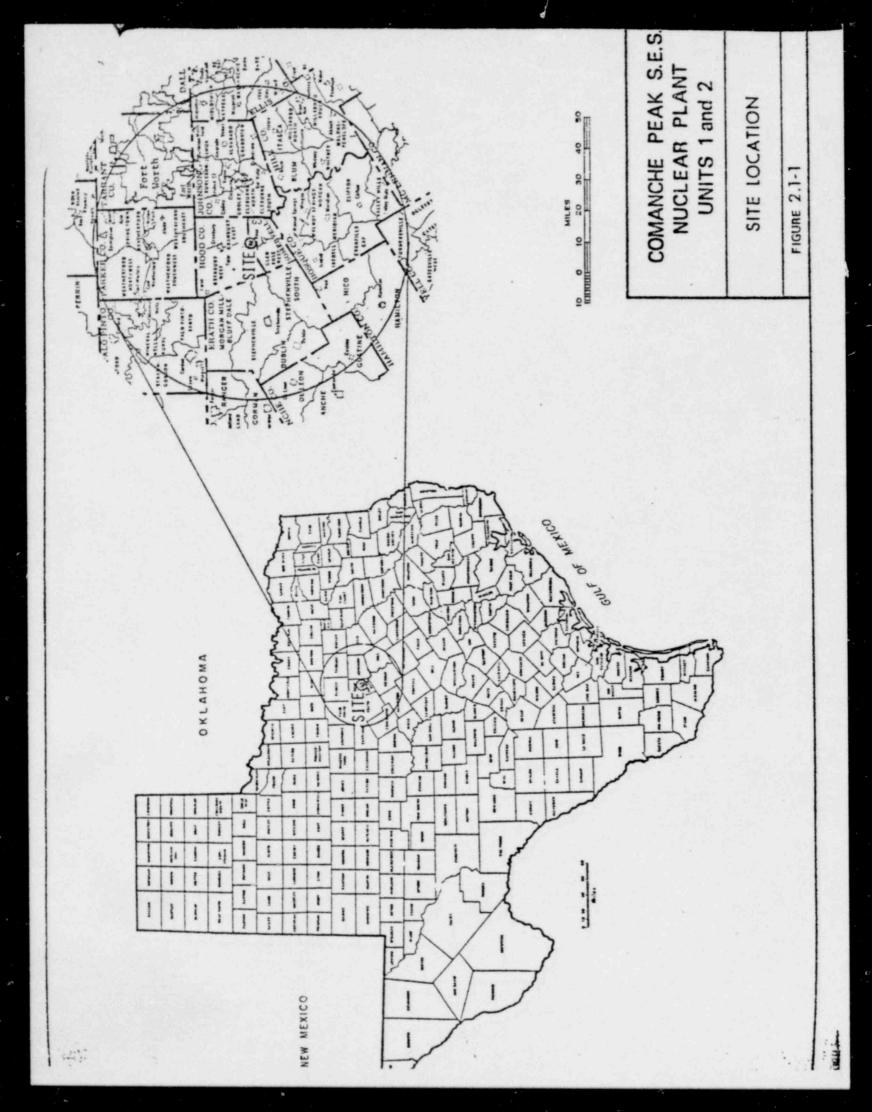
Dear Sirs:

The Nuclear Regulatory Commission requires information on endangered species occurring in or around the area of the Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. The CPSES is currently in the Operating Licensing Review stage.

The CPSES site is located in Somervell County in north central Texas. Squaw Creek Reservoir (SCR), established for station cooling, extends northward into Hood County. The 7,669 acre site is owned by Dallas Power and Light Company, Texas Electric Service Company, and Texas Power and Light Company (owners) and is situated along Squaw Creek, a tributary of the Paluxy River, which is a tributary of the Brazos River. The station site is over 30 miles southwest of the nearest portion of the Fort Worth area and approximately 4.5 miles north-northwest of Glen Rose, the nearest community. A map showing the CPSES location is enclosed.

This letter constitutes a formal request for consultation with, and the assistance of the Department of the Interior in furtherance of the purposes of the 1978 amendments to the Endangered Species Act. Pursuant to Section 7(c) of the Act, please forward information as to whether any terrestrial or aquatic plants and animals, that are listed or proposed to be listed as endangered or threatened species, may be present in the vicinity of the area discussed above. In the event that listed and/or candidate species are involved, please advise of any suggestions or recommendations that would facilitate further interagency cooperation as required in the Act.

Sincerely yours,



TEXAS PARKS AND WILDLIFE DEPARTMENT

OMMISSIONERS

PERRY R. BASS Chairman, Fort Worth

JAMES R. PAXTON
Vice-Chairman, Palestine

PEARCE JOHNSON



CHARLES D. TRAVIS

4200 Smith School Road Austin, Texas 78744 COMMISSIONERS

JOE K. FULTON

EDWIN L. COX, JR.

W. B. OSBORN, JR. Santa Elena

August 8, 1980

Dr. Ed Daniels Argonne National Laboratory Building 11A 9700 South Cass Avenue Argonne, Illinois 60439

Dear Dr. Daniels:

This is in response to your recent request for information regarding endangered and/or nongame species.

Enclosed are state lists, annotated as to the estimated chances of encountering specific animal taxa in Hood and/or Somervell counties. Although these lists should prove useful to you as background material and for general planning purposes, they are not intended as substitutes for comprehensive onsite evaluations made by competent biologists. Determination of the actual presence of a species in a given project area depends on a number of variables such as seasonal and daily activity cycles, environmental activity cues, preferred habitat, transiency, and population density (both wildlife and human). Absence of a species can be demonstrated only with great difficulty and then only with repeated negative observations taking into account all of the variable factors contributing to the lack of observability.

Information regarding protected or rare plant species is summarized on an attached advisory sheet.

Please let us know if we may be of further help.

Sincerely,

Flood E. Potter, Ji Wildlife Biologist

FEP: W100:1s

Enclosures

COMMENT ON PROTECTED NATIVE FLORA OF TEXAS February, 1980

While the State of Texas has not adopted an official listing of endangered or threatened plant taxa, nor currently is there state endangered species legislation for flora of concern, there are several references which may be used for guidance in environmental planning.

Approximately 110 Texas plant species were proposed in 1976 for federal listing as endangered or threatened (41 FR 24523-72) but have now been withdrawn (44 FR 70796-7). However, withdrawn species remain under "Notice of Review" (40 FR 27823). Notice of Review species "should be considered in environmental planning" (44 FR 70796).

The first Texas plant species listed for federal protection as endangered was Texas wildrice (Zizania texana), 43 FR 17910-17916. Others have now been added as either endangered or threatened (see attached material).

One of the most entensive listings of Texas plant species of concern is that which is available from the Texas Organization for Endangered Species (T.O.E.S.), Post Office Box 12773, Austin, Texas 78711. For additional information, please contact:

Endangered Species Specialist U. S. Fish and Wildlife Service (505) 766-3972

or

David H. Riskind Resource Management Section Texas Parks and Wildlife Department (512) 475-4848

None of the federally listed Texas plant species (currently 9; 7 endangered, 2 threatened) are known to occur within 200 miles of Hood and/or 20 mervell counties.

LISTED SOUTHWESTERN CACTI

TEXAS

Ancistrocactus tobuschii (Endangered: FR 44(217): 64736-64738) (Tobusch fishook cactus)

1. Western Kerr County (Mountain Home to Ingram, Texas) and

northern Bandera County.

2. Low limestone ridges or gravel bars near streams (upper Medina River and tributaries, upper Sabinal River and tributaries, and some tributaries of upper Guadalupe River).

Coryphantha minima (Endangered: FR 44(217): 64738-64740)

(Nelly Cory cactus)
1. Northern Brewster County, Texas.

2. Outcrops of noviculite on hilltops.

Coryphantha sneedii var. sneedii (Endangered: FR 44 (217): 64741-64743)

(Sneed pincushion cactus) 1. Southeastern Dona Ana County, NM. and northwestern El Paso County,

2. Southern Organ Mountains, Bishop's Cap, and Franklin Mountains. Elevation: 1300 - 1650 m.

Coryphantha ramillosa (Threatened: FR 44(216) 64247-64249)

(Bunched Cory cactus)

- 1. Extreme southern and southeastern Brewster County and extreme southwestern Terrell County, extending into adjacent Coahuilla,
- Very steep calcareous canyon sides and in adjacent summits.

Echinocereus lloydii (Endangered: FR 44(209): 61916-61917)

(Lloyd's hedgehog cactus)

- 1. Northeast Pecos County (east of Fort Stockton).
- Variable--gentle slopes to tops of mesas.

Echinocereus reichenbachii var. albertii (Endangered: FR 44(209): 61918-61920)

(Black lace cactus)

- 1. Extreme southern Jim Wells County, Northern Kleberg County and possible discontinuous occurrence in Refugio County.
- Transition between coastal plain and rolling interior.

Echinocereus viridiflorus var. davisii (Endangered: FR 44(217): 64738-64740)

(Davis' green pitaya)

- 1. Northern Brewster County (near Marathon, Texas).
- 2. Noviculite outcrops on hilltops at about 1200 m.

Neolloydia mariposensis (Threatened: FR 44(216): 64247-64249)

- (Lloyd's Mariposa cactus) 1. Extreme southwestern Brewster County and possibly Presidio County.
 - Limestone gravel on hills on lower slopes of mesas.

REGULATIONS FOR TAKING, POSSESSING, TRANSPORTING, EXPORTING, PROCESSING, SELLING OR OFFERING FOR SALE, OR SHIPPING ENDANGERED SPECIES 127.30.09.001-.006

As Amended July 1977

The same rules are promulgated under the authority of ... 41 771 Prough 43.030, Sections 67.001 through 67.005, and La - 64 001 through 68.021. Texas Parks and Wildlife Code.

Oct Definition. "Person" means any individual, firm, corporamodution, or partnership.

DOZ Permits to Take Certain Fish or Wildlife. No person may possess, or transport fish or wildlife classified as endangered seer on and named in this rule for zoological gardens or scientific purposes, to take or transport fish or wildlife classified as endangered species, as specified in this rule, from the wild, or from their natural habitat, for propagation for commercial purposes, unless he has obtained a valid permit from the Department as required by Sections 43.021 through 43.030 of the Texas Parks and Wildlife Code.

.003. Closed Seasons. Except as provided by Rule .002 above, it shall be unlawful for any person to take, possess, transport, export, process, sell or offer for sale, or ship any species of fish or wildlife within this State listed below; and no person shall possess, transport, export, process, sell or offer for sale goods made from the fish and wildlife listed below not born and raised in captivity.

.004. Penalties. Any person who violates any provisions of these rules is guilty of a misdemeanor: (a) On first conviction, he is punishable by a fine of not less than \$100 (One Hundred Dollars) nor more than \$200 (Two Hundred Dollars).

(b) On second conviction, he is punishable by a fine of not less than \$200 (Two Hundred Dollars) nor more than \$500 (Five Hundred Dollars), or cormement in county jail for not less than 30 (thirty) days nor more can 90 (ninety) days, or both fine and confinement in jail.

(c) On conviction of a third or subsequent violation, he is punishable by a fine of not less than \$500 (Five Hundred Dollars) nor more than \$2,000 (Two Thousand Dollars), and confinement in county jail for not less than 6 (six) months nor more than 1 (one) year.

.005. Amendments. Upon finding that need exists, the Commission may, at any meeting, amend, revoke, or modify any of these rules in compliance with Sections 68.001 through 68.021, Texas Parks and Wildlife Code.

.006. Effective Date. These rules shall become effective twenty days after the filing of two certified copies in the office of the Secretary of State.

MAMMALS

Blue whale Finback whale Right whale Sperm whale Black-footed ferret Jaguar Jaguarundi Margay Ocelot Red wolf Gray wolf Mexican wolf

West Indian manatee

Bighorn sheep

Balaenoptera musculus Balaenoptera physalus Eubalaena spp. (all species) Physeter catodon Mustela nigripes Panthera onca Felis yagouaroundi cacomitli Felis wiedii Felis pardalis Canis rufus Canis lupus monstrabilis Canis lupus baileyi Trichechus manatus Ovis canadensis

REPTILES

Speckled racer ₩## Harter's water snake Atlantic ridley turtle Hawksbill turtle Leatherback turtle American alligator

Drymobius m. margaritiferus Natrix harteri Lepidochelys kempii Eretmochelys imbricata Dermochelys coriacea Alfigator mississipiensis

AMPHIBIANS

Cascade Cavern salamander Texas blind salamander Houston toad

None: Eurycea latitans Typhlomolge rathbuni Bufo houstonensis

FISHES

Brown pelican Southern bald eagle American peregrine falcon Arctic peregrine falcon Attwater's greater prairie chicke i Whooping crane Eskimo curlew Mainterior least tern lvory-billed woodpecker

Red-cockaded woodpecker

Bachman's warbier

Haliaeetus I. leucocephalus Falco peregrinus anatum Faico peregrinus tundrius Tympanuchus cupido attwateri Grus americana Numenius borealis Sterna albifrons athalassos Campephilus principalis Dendrocopos borealis Vermivora bachmanii * 0055/6/E

Paddlefish Shovelnose sturgeon Amistad gambusia San Marcos gambusia Big Bend gambusia Clear Creek gambusia Pecos gambusia Comanche Springs pupfish Leon Springs pupfish Fountain darter Bluntnose shiner

Polyodon spathula Scaphirhynchus platorynchus Gambusia amistadensis Gambusia georgei Gambusia gaigei Gambusia heterochir Gambusia nobilis Cyprinodon elegans Cyprinodon bovinus Etheostoma fonticola Notropis simus

REGULATIONS FOR TAKING, POSSESSING, AND TRANSPORTING PROTECTED NONGAME SPECIES

127.70.12.001-.008

= threatened

REPTILES

The following rules are promulgated under the authority of Sections 43.021 through 43.030 and Sections 67.001 through 67.005, Texas Parks and Wildlife Code.

.001. Definition. "Person" means any individual, fic.n, corporation, essociation, or partnership.

.002. Closed Seasons. Except as provided by Rules .004, .005, or .006, no person may take, possess, transport, export, sell or offer for sale, or ship any species of fish or wildlife within this State listed as protected congame; or possess, transport, export, sell, or offer for sale goods made from the fish and wildlife of this State listed as protected nongame.

.003. Protected Nongame Species. The following species are hereby designated as Protected Nongame Species:

MAMMALS

Bat, lesser yellow
Bat, Rafinesque's big-eared
Bat, southeastern
Bat, spotted
Dolphin, bridled
Dolphin, rough-toothed
Dolphin, spotted
Mouse, Palo Duro
Rat, "exas kangaroo
Whale, dwarf sperm
Whale, false killer
Whale, goose-beaked
Whale, Gulf Stream beaked
Whale, killer
Whale, short-finned pilot

Lasiurus ega xanthinus Plecotus rafinesquii Myotis austroriparius mumfordi Euderma maculatum Stanalla frontalis Steno bredanensis Stenella plagiodon Peromyscus comanche Dipodomy's elator Kogia simus Pseudorca crassidens Ziphius cavirostris Mesopiodon europaeus Orcinus orca Globicephala macrorhyncha Feresa attenuala

RIRDS

(mostly migratory!)

Kogia breviceps

Egret, reddish
Falcon, aplomado
Hawk, black
Hawk, gray
Hawk, white-tailed
Hawk, zone-tailed

K * Ibis, white-faced

Whale, pygmy killer

Whale, pygmy sperm

Kite, swallow-tailed

Owi, ferruginous

Stork, wood
Tern, least

Tern, least
Warbler, golden-cheeked

Dichromanassa r. Tufescens
Falco femoralis septentrionalis
Buteogallus a. anthracinus
Buteo nitidus maximus
Buteo albicaudatus hypospodius
Buteo albonotatus
Plegadis chihi
Elanoides f. forficatus
Pandion haliaetus carolinensis
Glaucidium brasilianum cactorum
Mycteria americana
Sterna albifrons antillarum
Dendroica chrysoparia

Loggerhead, Atlantic Tortoise, Texas Turtle, Atlantic green Turtle, Big Bend mud Gecko, Big Bend Lizard, Big Bend canyon Lizard, Presidio canyon Lizard, reticulate collared Lizard. Texas horned Lizard mountain short-horned Copperhead, Trans-Pecos Kingsnake, gray-banded Rattlesnake, rock Snake, black-striped Snake, northern cat-eyed Snake, Texas indigo Snake, Texas lyre Snake, Big Bend milk Snake, central plains milk A Snake, Louisiana milk Snake, Mexican milk Snake, Louisiana pine Snake, Baird's rat

Snake, Trans-Pecos rat

Carritta c. caretta Gooberus berlandieri Chelonia m. mydas Kinosternon hirtipes murrayi Coleonyx reticulatus Sceloporus merriami annulatus Sceloporus merriami longipunctatus Crotaphytus reticulatus Phrynosoma cornutum Phrynosoma' douglassi hernandesi Agkistrodon contortrix pictigaster Lampropeltis mexicana alterna Crotalus lepidus Conjophanes i. imperialis Leptodeira s. septentrionalis Drymarchon corais erebennus Trimorphodon biscutatus vilkinsoni Lampropeltis triangulum celaenops Le a opeltis to ingulum gentilis Lampropeltis triangulum amaura Lampropeltis triangulum annulata Piruophis melanoleucus ruthveni Flanhe obsoleta bairdi Elaphe subocularis

AMPHIBIANS

Frog, Mexican cliff
Frog, Mexican tree
Frog, Rio Grande
Frog, white-lipped
Newt, black-spotted
Salamander, Fern Bank
Salamander, Honey Creek
Salamander, mole
Salamander, San Marcos
Salamander, Valdina Farms
Siren, Rio Grande
Toad, giant
Toad, Mexican burrowing

Syrrhophus guttilatus
Smilisca baudini
Syrrhophus cystignathoides campi
Leptodactylus labialis
Notophthalmus m. meridionalis
Eurycea neotenes pterophila
Eurycea tridentifera
Ambystoma talpoideum
Eurycea nana
Eurycea troglodytes
Siren intermedia texana
Bufo marinus
Rhinophrynus dorsalis

FISHES

Blindcat, toothless Blindcat, widemouth Chub, Rio Grande Darter, Rio Grande Darter, river Darter, western sand Gambusia, biotched Trogloglanis pattersoni Satan eurystomus Gila pandora Etheostoma grahami Hadropterus shumardi Ammocrypta clara Gambusia senilis

probable } for Hood and/or Somervall counties.

(over)

Conchos
Chinuahua
Kiamichi
proserpine
proserpine
Sere, blue

Dionda diaboli
Cyprinodon eximius
Notropis chihuahua
Notropis ortenburgeri
Notropis proserpinus
Campostoma ornatum
Cycleptus alongatus

- .004. Permit Required. No person may take, possess, or transport fish or wildlife from the wild, classified as protected nongame by Rule .003, for scientific or zoological purposes unless a valid Scientific or Zoological Permit has been obtained from the Department as required by Sections 43.021 through 43.030 of the Texas Parks and Wildlife Code.
- .005. Permit Exceptions. (a) No permit is required to take or transport any species listed as protected nongame to the nearest Department of Health or medical facility if the species poses an immediate threat to human safety or welfare.
- (b) No permit is required to transport within this State mounted or preserved specimens of protected nongame species obtained after the effective date of these rules provided the transfer is without monetary consideration and is between public or private educational or research institutions, nonprofit municipal zoological gardens, or nonprofit foundations or associations, and provided the specimens to be transferred were originally obtained under the valid Scientific or Zoological Permit. A copy of the voucher or other instrument evidencing the transfer and indicating the species and numbers of specimens transferred will be forwarded to the Department within twenty days following the transfer.

- (c) No permit is required to possess and transport live, mounted, or preserved specimens of protected nongame species legally collected in another state except that the Department may require adequate proof of the out-of-state acquisition of the specimens. A copy of a valid out-of-state permit authorizing the collection of the specimens must be carried by the person during transport within this State.
- .006. Rule Exception. These rules do not apply to the possession of live, mounted, or preserved specimens of listed protected nongame species acquired from the wild in this State prior to the effective date of these rules nor to offspring of those specimens born and raised in captivity. Upon request by the Department, adequate proof must be provided to establish the date and circumstances regarding acquisition of any listed species.
- .007. Penalties. Any person who violates any provisions of these rules is guilty of a misdemeanor and: (a) on first conviction, is punishable by a fine of not less than \$100 (One Hundred Dollars) nor more than \$200 (Two Hundred Dollars).
- (b) On second conviction, is punishable by a fine of not less than \$200 (Two Hundred Dollars) nor more than \$500 (Five Hundred Dollars), or confinement in county jail for not less than 30 (thirty) days nor more than 90 (ninety) days, or both fine and confinement in jail.
- (c) On conviction of a third or subsequent violation, is punishable by a fine of not less than \$500 (Five Hundred Dollars) nor more than \$2,000 (Two Thousand Dollars), and confinement in county jail for not less than 6 (six) months nor more than 1 (one) year.
- .008. Effective Date. These rules are effective July 18, 1977, and remain in effect until amended, revoked, or modified.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VI

1201 ELM STREET DALLAS, TEXAS 75270

CALLAS, TEXAS

JUN 11 1973

June 8, 1979

Mr. L. F. Fikar Vice President Texas Utilities Generating Company 2001 Bryan Tower Dallas, Texas 75201

Jean United Services Inc.

Re: NPDES Permit No. TX0065854

Comanche Peak Steam Electric Station

Dear Mr. Fikar:

We have reviewed the chlorine minimization plan for Comanche Peak
Steam Electric Station which you submitted on April 12, 1979, as
per the requirement in your National Pollutant Discharge Elimination
System permit for this facility. We approve of your plan, as proposed,
and wish to be advised when the circulating water system begins operation, as well as startup of the baseline tests. We appreciate your
cooperation in this matter.

Sincerely,

Robert B. Elliott, Chief

General Enforcement Branch (6AEG)

JOHN L BLAIR
Chairman

TEXAS AIR CONTROL BOARD

6330 HWY. 290 EAST
AUSTIN, TEXAS 78723
512/451-5711

WILLIAM
VITTORIO K, ARGE

WILLIAM N. ALLAN
VITTORIO K. ARGENTO, P. E.
FRED HARTMAN
D. JACK KILIAN, M. D.
OTTO R. KUNZE, Ph. D., P. E.
FRANK H. LEWIS
WILLIAM D. PARISH

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DALLAS, TEXAS
FEB TO 1000
ENGINEERING
Taxas Unidoes survices, inc.

RECEIVED

FEB 1 9 1980

T.U.S.I. - NUCLEAR DIV.

Mr. H. B. Coffman TEXAS UTILITIES SERVICES, INC. 2001 Bryan Tower Dallas, Texas 75201

e: Permit Exemption X-1382

Emergency Generators Dallas, Dallas County

Dear Mr. Coffman:

February 12, 1980

CHARLES R. JAYNES

BILL STEWART, P. E. Executive Director

Vice Chairman

This is in response to your letter dated February 6, 1980 concerning the proposed installation of four 9-megawatt diesel generators at the Commanche Peak Steam Electric Station.

After evaluation of the information which you have furnished, we have determined that your proposed installation is exempt from the permit procedures under Standard Exemption No. 5 if constructed and operated as described in your letter. This Standard Exemption was previously authorized by the Executive Director pursuant to Section 3.27(a) of the Texas Clean Air Act. You are reminded that regardless of whether a construction permit is required, this facility must be in compliance with all Rules and Regulations of the Texas Air Control Board at all times.

Your cooperation in this matter is appreciated. If you have further questions concerning this exemption, please contact Mr. Jim Caraway of our Permits Section.

Sincerely,

Louis R. Roberts Ph. D. P. F. Di

Louis R. Roberts, Ph.D., P.E., Director Permits and Source Evaluation Division

cc: Mr. Melvin Lewis, Regional Supervisor, Fort Worth
Mr. George W. Hintgen, Manager, Air Pollution Control Section,
Department of Environmental Health & Conservation, Dallas

TEXAS UTILITIES SERVICES INC.

February 6, 1980

2001 BHYAN TOWER - DALLAS, TENAS 75201

1618

Executive Director Texas Air Control Board 6330 Highway 290 E Austin, Texas 78723

Attn: Permits Division

Texas Utilities Services Inc. Comanche Peak Steam Electric Station Request for Permit Exemption

Dear Sir:

In accordance with the provisions set forth in the Texas Air Control Board Permit Exemptions Procedures, we hereby request an exemption for four nine-megawatt diesel generators at the Comanche Peak Steam Electric Station. The Comanche Peak Steam Electric Station is a two unit, 2300 MW Nuclear Steam Generating Station to be in operation in 1981.

These diesel generators are to be used for emergency conditions during plant shut-down when outside sources of electricity are not available. Two 345 KV transmission lines are used for transmitting electrical energy from the two 1150 MW units. The diesel generators will be used only when outside power cannot be received through these two transmission lines or other malfunctions occur which would preclude the use of external electricity during shut-down.

The four diesel generators are tested periodically in accordance with the manufacturer's specifications to ensure proper functioning of the emergency systems. Testing procedures consists of one two-hour test per month. Based on this routine operating schedule, the total maximum pollutants released to the atmosphere per year are as follows:

Pollutants	1bs/year
502	2160
HC	2550
CO	5200
NOx	20,300

These emissions are minimal and are not expected to produce any environmental effects. Although emissions will be greater than these values in the event of emergency conditions, it is not anticipated that these will occur during normal plant operations.

Executive Director TACB February 6, 1980 Page 2.

These generators are a safety item required by the Nuclear Regulatory Commission for redundant backup power capability for emergency situations.

We request an exemption from the Permit Procedures based upon the information which we hereby submit.

Please let us know if there are any questions.

Very truly yours,

H.B Coppman

PDB:jl

bcc: Messrs. H. C. Schmidt

J. Kuykendall, CPSES

TEXAS UTILITIES SERVICES INC.

February 20, 1980

1618

Executive Director Texas Air Control Board 6330 Hwy. 290 East Austin, TX 78723

Attention: Dr. L. R. Roberts

Comanche Peak Steam Electric Station Diesel Generator Exemption X-1382

Dear Sir:

In our letter to you dated February 6, 1980 requesting an exemption under the exemption procedures, we inadvertantly did not include the location of Comanche Peak Steam Electric Station. As such, the exemption was issued for Dallas, Dallas County, Texas. The exact location is four (4) miles north of Glen Rose in Somervell County, Texas. Please include this in your records.

Thank you very much.

Very truly yours,

H. B. Coffman

PDB:et

cc: Mr. Melvin Lewis, Regional Supervisor, Ft. Worth