



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 18, 2012

Mr. Bernard F. Barcena Jr., Chairman
Lipan Apache Tribe of Texas
P.O. Box 5218
McAllen, TX 78502

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT SUPPLEMENTAL
ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF
SOUTH TEXAS PROJECT UNITS 1 AND 2 FOR PUBLIC COMMENT

Dear Chairman Barcena:

The U.S. Nuclear Regulatory Commission (NRC) staff is conducting an environmental review of the effects of renewing the operating license for South Texas Project, Units 1 and 2 (STP). STP is located in Matagorda County, Texas, and is operated by STP Nuclear Operating Company (STPNOC). As part of its review, the NRC has completed a draft Supplemental Environmental Impact Statement (SEIS) for license renewal of STP. This letter is to inform you and members of your tribe that the draft SEIS for the license renewal of STP is available for public comment.

The NRC staff is distributing the draft SEIS to your tribe for comment, as well as to the Alabama-Coushatta Tribe, the Kiowa Tribe of Oklahoma, the Comanche Nation of Oklahoma, the Tonkawa Tribe of Oklahoma, the Apalachicola Band of Creek Indians, the Pamaque Clan of Coahuila Y Tejas, the Tap Pilam-Coahuiltecan Nation, and the Kickapoo Traditional Council of Texas, Ysleta del Sur Pueblo. The SEIS includes analyses of relevant environmental issues, including potential impacts to historic, archeological, and cultural properties from continued plant operation and refurbishment activities associated with license renewal.

As stated in our letter to your tribe dated February 17, 2011, the NRC is conducting Section 106 consultations in compliance with National Historic Preservation Act (NHPA) through the requirements of the National Environmental Policy Act (NEPA), as outlined in 36 CFR 800.8(c). In the context of NEPA, the NRC's preliminary determination is that any impact from continued power plant operations and maintenance activities during the license renewal term on historical and archaeological resources located in the area of potential effect would be small. Under the provisions of NHPA, the NRC also determined that historic properties would not be adversely affected by this undertaking (the renewal of the STP operating license). The justification for this conclusion is explained in Section 4.9.6 of the draft SEIS.

As discussed in Section 9.4 of the draft SEIS, the NRC's preliminary 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. This recommendation is based on (1) the analysis and findings in the GEIS; (2) the environmental report submitted by STPNOC; (3) consultation with Federal, State, Tribal and local agencies; (4) the NRC's environmental review; and (5) consideration of public comments received during the scoping process.

Please find a copy of the draft SEIS with these conclusions enclosed. Pursuant to 36 CFR 800.8(c), we are requesting your comments on the draft supplement and on our preliminary conclusions. Electronic comments on the draft SEIS may be submitted to the NRC by accessing www.regulations.gov and Docket ID NRC-2010-0375. Please note that the public comment period for the draft SEIS ends on February 22, 2013.

Public meetings to discuss the findings of the draft SEIS will be held on January 15, 2013, at the Bay City Civic Center, 201 Seventh Street, Bay City, Texas, 77414. A meeting notice will be published shortly providing more details about those public meetings. A separate Notice of Availability of the draft SEIS will be placed in the *Federal Register* through the U.S. Environmental Protection Agency.

If you have any questions regarding this matter, please contact Emily Larson, Social Scientist, at 301-415-1151 or by e-mail at Emily.Larson@nrc.gov.

Sincerely,



Melanie C. Wong, Chief
Environmental Review and
Guidance Update Branch
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures:

1. *Federal Register* Notice
2. NUREG-1437, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 48.

cc w/encls: Listserv

J. Loera, Tribal Historic Preservation Officer

NUCLEAR REGULATORY COMMISSION

STP Nuclear Operating Company

South Texas Project

[Docket Nos.: 50-498 and 50-499; NRC-2010-0375]

**Notice of Availability of Draft Supplement 48 to the Generic
Environmental Impact Statement for License Renewal of Nuclear Plants and
Public Meetings for the License Renewal of South Texas Project**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has published a draft plant-specific supplement 48 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants (GEIS), NUREG-1437, regarding the renewal of operating licenses NPF-76 and NPF-80 for an additional 20 years of operation for South Texas Project (STP), Units 1 and 2. STP is located in Bay City, Texas. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources.

Any interested party may submit comments on the draft supplement to the GEIS for consideration by the NRC staff. To be considered, comments on the draft supplement to the GEIS and the proposed action must be received by February 22, 2013. The NRC staff is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and are publically available, by searching on <http://www.regulations.gov> under Docket ID NRC-2010-0375. You may submit comments by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2010-0375. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: Carol.Gallagher@nrc.gov.

- **Mail comments to:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- **Fax comments to:** RADB at 301-492-3446.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the SUPPLEMENTARY INFORMATION section of this document.

All comments received by the NRC, including those made by Federal, State, and local agencies; Native American Tribes; or other interested persons, will be made available electronically at the NRC's PDR in Rockville, Maryland, and through ADAMS. Comments received after the due date will be considered only if it is practical to do so.

The NRC staff will hold public meetings prior to the close of the public comment period to present an overview of the draft plant-specific supplement to the GEIS and to accept public comments on the document. Two meetings will be held at the Bay City Civic Center, 201 Seventh Street, Bay City, Texas 77414, on Tuesday, January 15, 2013. The first session will convene at 2:00 p.m. and will continue until 5:00 p.m., as necessary. The second session will convene at 7:00 p.m. and will continue until 10:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the draft plant-specific supplement to the GEIS and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC staff will host informal discussions one hour prior to the start of each session at the same

location. No comments on the draft supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meeting or in writing. Persons may pre-register to attend or present oral comments at the meeting by contacting Mr. Tam Tran, the NRC Environmental Project Manager, at 1-800-368-5642, extension 3617, or by e-mail at tam.tran@nrc.gov no later than Friday, January 4, 2013. Members of the public may also register to provide oral comments within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. If special equipment or accommodations are needed to attend or present information at the public meeting, the need should be brought to Mr. Tran's attention no later than Friday, January 4, 2013, to provide the NRC staff adequate notice to determine whether the request can be accommodated.

FOR FURTHER INFORMATION CONTACT: Mr. Tam Tran, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3617; or e-mail to tam.tran@nrc.gov.

SUPPLEMENTARY INFORMATION:

Accessing Information and Submitting Comments

A. Accessing Information

Please refer to Docket ID NRC-2010-0375 when contacting the NRC about the availability of information regarding this document. You may access information related to this document by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2010-0375.

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

You may access publicly-available documents online in the NRC Library at

<http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

In addition, a copy of the draft supplement to the GEIS is available to local residents near the site at the 1100 7th Street, Bay City, TX 77414.

B. Submitting Comments

Please include Docket ID NRC-2010-0375 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that

they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

Dated at Rockville, Maryland, this 5th day of December 2012.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

David J. Wrona, Chief
Projects Branch 2
Division of License Renewal
Office of Nuclear Reactor Regulation

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Sincerely,
/RA/
 Melanie C. Wong, Chief
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 Guidance Update Branch
 Division of License Renewal
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Docket Nos. 50-498 and 50-499

Enclosures:

1. *Federal Register* Notice
2. NUREG-1437, Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 48.

DISTRIBUTION:

See next page

Identical Letters have been sent to the following persons:

Mr. Oscola Clayton Sylestine - Alabama-Coushatta Tribe
Mr. Ronald "Dawes" Twohatchet - Kiowa Tribe of Oklahoma
Mr. Wallace Coffey - Comanche Nation of Oklahoma
Mr. Don L. Patterson - Tonkawa Tribe of Oklahoma
Ms. Mary Sixwomen Blount - Apalachicola Band of Creek Indians
Mr. Bernard F. Barcena Jr. - Lipan Apache Tribe of Texas
Mr. J. R. Mendoza - Pamaque Clan of Coahuila Y Tejas
Mr. Raymond Hernandez - Tap Pilam-Coahuiltecan Nation
Mr. Juan Garza, Jr. - Kickapoo Traditional Council of Texas
Mr. Frank Paiz - Ysleta del Sur Pueblo

ADAMS Accession Nos.: ML12347A234 (PKG), ML12321A351 (LTR), ML12324A049 (GEIS)
 ML12339A265 (FRN) *concurrence via email

OFFICE	LA:DLR*	BC:DLR/RPB2	RERB Technical Staff Member	BC: DLR/RERB)
NAME	YEdmunds	DWrona	ELarson	MWong
DATE	11/29/12	12/11/12	12/4/12	12/18/12

OFFICIAL RECORD COPY

Letter to O. Sylestine from M. Wong dated December 18, 2012

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF SOUTH TEXAS PROJECT UNITS 1 AND 2 FOR PUBLIC COMMENT

DISTRIBUTION:

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