UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
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Michael T. Lesar, Chief
Rulemaking and Directives Branch
Division of Administrative Services
Office of Administration TWB-05-B01M
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

SEP 0 8 2010

Dear Mr. Lesar:

RE: Review of the Generic Environmental Impact Statement for License Renewal of Nuclear Plants, NUREG-1437, Supplement 41, Regarding Cooper Nuclear Station, Unit 1, Final Report for Comment

The U.S. Environmental Protection Agency has reviewed the Nuclear Regulatory Commission's Generic Environmental Impact Statement, Supplement 41, for the Cooper Nuclear Station, Unit 1, Final Report. Our review is provided pursuant to the National Environmental Policy Act (NEPA) 42 U.S.C. 4231, Council on Environmental Quality regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act. The GEIS, Supplement 41, was assigned the CEQ number 20100297.

The NRC is proposing to renew the license of the Cooper Nuclear Station for an additional 20 years beyond the expiration date of the facility's current 40-year license which is January 18, 2014. CNS is owned and operated by Nebraska Public Power District. The facility is located in Nemaha County, Nebraska.

EPA had issued a rating of the draft Supplemental Environmental Impact Statement for this project EC-2 (Environmental Concerns-Insufficient Information). This EC-2 rating was based on the uncertainty of potential impacts to ground and surface waters from radiological contamination, the effects of future changes to the river environment on CNS operation and the evaluation of alternatives to CNS license renewal.

EPA appreciates your consideration of comments transmitted in our letter of May 3, 2010. In particular, the inclusion of additional recent radiological data in the FSEIS as well as results from the 2008 NPPD evaluation of the impact of station operations on groundwater in the vicinity of CNS will aid in informing your permit renewal decision. The additional information provided in Section 4.9.7.2, Environmental Justice is also appreciated. We do note that some of our comments did not compel NRC to augment its information in the FEIS, however, our follow-up telephone call confirmed that these issues are recognized, and will be considered. In addition to what we communicated in that call, we also would like clarify that the State of Nebraska has primacy for Clean Water Act, Section 316(b) (entrainment and impingement).

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We appreciate the opportunity to provide comments regarding this project. If you have any questions, please contact me at (913) 551-7148, cothern.joe@epa.gov.

Sincerely,

Joseph E. Cothern
NEPA Team Leader
Environmental Services Division

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