UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

June 18, 2011

Chief, Rulemaking and Directives Branch
Office of Administration
Mail Stop: TWB-05-BOIM
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Chief:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Final Environmental Impact Statement (FEIS) for Combined Licenses (COLs) for Comanche Peak Nuclear Power Plant (CPNPP) Units 3 and 4.

The EPA rated the DEIS as Environmental Concerns - Insufficient Information (EC-2), primarily due to radiological concerns, surface water quality impacts, groundwater usage and contamination, surface water usage, and socioeconomic/environmental justice impacts. We appreciate the efforts of Nuclear Regulatory Commission (NRC) and the applicant to discuss and respond to our DEIS comments.

The EPA is pleased that the FEIS includes an additional analysis of the potential for impacts from the use of water treatment chemicals. This analysis concluded that the treatment process would increase phosphorus concentrations in Lake Granbury by about one part per 1.6 million. Although most of our concerns were addressed, EPA has additional concerns regarding the current demographic information and the environmental justice analysis of the proposed project. EPA also has some new concerns regarding air quality. EPA asks that the NRC address these concerns and any mitigation in a Supplemental Information Report and/or the Record of Decision (ROD) document to complete the NEPA process.

EPA appreciates the opportunity to review the FEIS. If you have any questions or concerns, please contact Michael Jansky of my staff at jansky.michael@epa.gov or 214-665-7451 for assistance.

Sincerely,

Rhonda Smith
Chief, Office of Planning
and Coordination

Enclosure

DETAILED COMMENTS ON THE
NUCLEAR REGULATORY COMMISSION
FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR THE
COMBINED LICENCES FOR COMANCHE PEAK NUCLEAR POWER PLANT
UNITS 3 AND 4

Air Quality

- The FEIS and appendices do not indicate plans for this project to use cleaner, newer equipment with lower NO_x emissions. EPA encourages the use of clean, lower-emissions equipment and technologies to reduce pollution. Further, EPA's final Highway Diesel and Nonroad Diesel Rules mandate the use of lower-sulfur fuels in nonroad and marine diesel engines beginning in 2007. Please include a discussion detailing measures the project will incorporate to reduce equipment emissions, and the anticipated reductions in emissions. Initiatives such as the EPA Voluntary Diesel Retrofit Program, the EPA Diesel Emission Reduction Program (DERA), and the Texas Emissions Reduction Plan (TERP) on the State level offer the opportunity to apply for resources for upgrading or replacing older equipment to reduce NOx emissions.

- The FEIS notes that because Somervell and Hood Counties are in attainment or unclassified for all criteria pollutants for which National Ambient Air Quality Standards have been established, a conformity analysis on direct and indirect emissions is not required. Please also clarify that anticipated moderate physical impacts to Farm to Market (FM) 56 and corrective measures may occur in Hood County, which is part of the Dallas/Fort Worth Metropolitan Planning Area and Transportation Plan, but not part of the Dallas/Fort Worth 8-hour Ozone nonattainment area – and therefore this activity would not be included in the scope of a Transportation Conformity analysis.

- Regarding Title V permitting, please include that all emission sources at an operator's facility must be aggregated into one Operating Permit. This requirement to aggregate sources was not evident in the FEIS.

Socioeconomic/Environmental Justice

Demographic Information

The EIS analyzes each minority and low-income population group to determine if it exceeds 50% of the population of the U.S. Census block group (BG), or if it exceeds 20% of the State's population for that group. However, the numbers of the BG and census tracts (CT) are not included. This information should be included so the reader can make an informed decision about the project area's population. The EIS states that 20.5% of the BGs have populations that exceed one of the criteria above, regarding minorities. The EIS only discusses the community abutting the CPNPP and the communities near Dublin in Erath County. More discussion is required for other communities that may meet the 50% and 20% rule.

The EIS states that only 1% of the BGs have low-income populations exceeding one of the criteria above. This statement cannot be verified without the BG and CT information. The EIS only provides two maps of the 50-mile radius to CPNPP and shows darkened areas to represent, either aggregate minorities plus Hispanics, or low-income populations (Figure 2-19 and Figure 2-20). The EIS

should provide a matrix of BGs and reflect those numbers on a series of maps, to enable reviewers to better pinpoint these areas for a more complete analysis.

Possible Disproportionate and Adverse Impacts to Minority or Low-Income Populations

The economic benefits and potential adverse impacts associated with the construction/operation of the CPNNP will accrue to all residents of Somervell and Hood Counties, and to a lesser degree, other nearby counties, irrespective of their minority or financial status. However, in order to fully and accurately analyze the potential that disproportionate adverse impacts may result, the EIS should also take into account additional factors.

The Hispanic community adjacent to the facility, in particular, may experience a disproportionate and adverse impact:

- The proximity of the mobile home park on FM 56 to CPNPP could cause residents to be chronically exposed to the radiological impacts of normal operations of the plant.
- These residents, some of whom may have health issues, including diabetes, would be more vulnerable to low-level radiation.
- These residents also might be less likely to seek medical care at the first signs of physical distress due to cultural factors and possible lack of medical insurance.
- The Hispanic communities living near Dublin are mostly immigrant dairy workers.
- These immigrant dairy workers are generally paid low wages and many have limited English proficiency.

The discussion about the possible radiological impacts of normal operations upon the public and biota in the 50-mile area surrounding the nuclear plant was explicit. While CPNNP will make reasonable efforts to prevent/mitigate leakage from system components, the potential still exists that it may occur.

- Radioactive components such has tritium have leaked at other nuclear plants. Gaseous effluent plumes could also be released into the air, impacting the area's population, flora and fauna.
- The EIS discusses all the health impacts on people if they consume contaminated vegetables or fish, or drink milk from contaminated cows. Many low-income and minority people have gardens or hunt and fish, whether or not it is for subsistence. They should be fully informed about these implications.
- The EIS states that there are no dairy cows in the 50-mile area. This statement is erroneous. The Stephenville/Dublin/Bosque River area is an important milk producing area. A review of data proved that there are at least 115 dairies within the 50-mile radius of CPNPP.

In conclusion, the FEIS should discuss what public educational efforts the NRC and CPNPP will undertake to inform the public about the possible dangers related to the operation of CPNPP. Public involvement should consider non-English speaking populations, as well as other minority and low-income residents.