

August 14, 2003

Mr. Chris Kofron
U.S. Fish and Wildlife Service
Ventura Field Office
2493 Portola Rd.
Suite B
Ventura, CA 93003

SUBJECT: REQUEST FOR INFORMATION REGARDING ENDANGERED SPECIES AND
CRITICAL HABITAT FOR THE PROPOSED DIABLO CANYON INDEPENDENT
SPENT FUEL STORAGE INSTALLATION

Dear Mr. Kofron:

The staff of the U.S. Nuclear Regulatory Commission (NRC) is currently reviewing a license application submitted by Pacific Gas and Electric Company (PG&E) on December 21, 2001, to construct and operate an Independent Spent Fuel Storage Installation (ISFSI) on the site of the Diablo Canyon Power Plant in San Luis Obispo County, California. An applicant for a license of this type must submit an environmental report as part of its application, as required under 10 CFR Part 51 of the NRC's regulations. The NRC staff reviews this information in accordance with the requirements of the National Environmental Policy Act, as specified in 10 CFR 51.10.

In conjunction with our environmental review of PG&E's application, the NRC staff is preparing an Environmental Assessment (EA), in accordance with NRC requirements in 10 CFR 51.21 and 51.30, and with the associated guidance from NRC report NUREG-1748, "Environmental Review Guidance for Licensing Actions Associated with NMSS Programs." An EA is defined by the Council on Environmental Quality in 40 CFR 1508.9 as a concise public document that briefly provides sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact. As part of our environmental review, the NRC staff has also considered the potential impact of the proposed action on endangered species, in accordance with the Endangered Species Act.

On April 24, June 17, July 31, and August 4, 2003, I discussed the details of the proposed project and the preliminary findings of our environmental review with you. On August 4, 2003, you recommended that we send you a written request for an official species list for the project area, to ensure that our review includes consideration of all threatened or endangered species currently identified by your office. This letter formally transmits our request for an official species list.

As described in PG&E's application dated December 21, 2001, the proposed ISFSI facility will occupy approximately 5 acres within the boundary of the 760 acre owner-controlled area of the Diablo Canyon Power Plant (DCPP). The ISFSI will be located approximately 0.22 miles northeast of the Unit 1 reactor, at latitude 35° 13' N and longitude 120° 51' W (approximately).

Additionally, three areas to be used for disposal of excavated material are all within 2800 feet of the ISFSI. The ISFSI site and all three disposal sites have been previously disturbed during plant-related construction.

Please provide us with your current official species list for the proposed project area at your earliest opportunity, so that we may complete our EA. After assessing the information provided by you, we will determine whether any additional actions are necessary to comply with the Section 7 consultation process.

If you have any questions, please contact me at (301) 415-1336.

Sincerely,

/RA/

James R. Hall, Senior Project Manager
Spent Fuel Project Office
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission

Docket Nos: 72-26, 50-275, 50-323

C. Kofron

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/RA/

James R. Hall, Senior Project Manager
Spent Fuel Project Office
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OFFICIAL RECORD COPY

Diablo Canyon Power Plant, Units 1 and 2

cc: w/o enclosure
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