

June 12, 2012

The Honorable Raymond Halbritter
Nation Representative, Oneida Indian Nation
5218 Patrick Road
Verona, NY 13478

SUBJECT: REQUEST FOR CONSULTATION AND PARTICIPATION IN THE
SUPPLEMENTAL SCOPING PROCESS REGARDING THE REVISED SITE
LAYOUT FOR THE BELL BEND NUCLEAR POWER PLANT COMBINED
LICENSE APPLICATION REVIEW

Dear Nation Representative Halbritter:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a revised environmental report (ER) submitted on March 30, 2012, by PPL Bell Bend, LLC (PPL) in support of its initial application for a combined license (COL) for the construction and operation of one new nuclear power plant at its Bell Bend Nuclear Power Plant (BBNPP) site near Berwick, Pennsylvania. This revised ER provides detailed information regarding PPL's revised site layout, which was developed to avoid wetland impacts by relocating the power block footprint and other plant components. The revised ER is available through the NRC's Agencywide Document Access Management System (ADAMS) and is accessible at <http://www.nrc.gov/reading-rm/adams.html> under the ADAMS accession number ML12145A242. The document is also available on the Internet at <http://www.nrc.gov/reactors/new-reactors/col/bell-bend/documents.html#application>.

As part of the review of the COL application, the NRC is preparing an environmental impact statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (CFR) Part 51, the NRC's regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA). The U.S. Army Corps of Engineers (USACE), Baltimore District, which is a cooperating agency with the NRC for the purpose of complying with NEPA, is reviewing a joint permit application (JPA) that was submitted by PPL in June 2011 (and was revised in November). The EIS will include analyses of potential impacts to historic properties that reflect consultation and will document the NRC and USACE staff's determinations regarding the environmental impacts to the proposed site from the construction and operation of one new nuclear plant. In addition, the EIS will consider alternatives, including an evaluation of alternative sites. The following four alternative sites will be evaluated in the EIS: the Montour site located in Derry Township in Montour County, Pennsylvania; the Humboldt site located in Humboldt Industrial Park west of the City of Hazleton in Luzerne County, Pennsylvania; the Seedco site located in Coal Township in Northumberland County, Pennsylvania; and the Martins Creek site located in Warren County, New Jersey, along the Delaware River.

The purpose of this letter is to inform you that the NRC and USACE are providing the public with an additional opportunity to submit scoping comments on the new information provided by PPL regarding the revised site layout. Please provide any information, comments, or concerns you feel are appropriate on the scope of the review, especially related to the revised site layout during the scoping comment period, which ends on July 16, 2012. Comments should be

submitted either by mail to the Chief, Rulemaking, Announcements and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to BBNP.COLEIS@nrc.gov.

On October 10, 2008, PPL submitted its application for a COL pursuant to NRC requirements in 10 CFR Part 52. The NRC staff accepted the application for docketing on December 15, 2008. The NRC and USACE first initiated consultation with the Oneida Indian Nation by letter dated January 9, 2009 (ML083510897) and to date have not received a response. Through this letter, the NRC and USACE are continuing consultation with your tribe under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), regarding the COL and JPA applications. The NRC and USACE are currently seeking information from consulting parties, and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area to identify issues relating to the proposed undertaking's potential effects on historic properties.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in any potential historic properties in the area of potential effect (APE) are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties. It is the view of the Pennsylvania Historic and Museum Commission (PHMC), in consultation with the applicant, that the archaeological APE is the approximately 902 acres of the proposed project footprint. The architectural APE is the approximately 902 acres of the proposed project footprint and a surrounding viewshed that was defined as extending at least 0.5 miles beyond the project footprint. In some areas (i.e. along the elevated riverbank) the viewshed APE was extended to include additional resources located within a clear line of sight of the project area, and in one case extended to 2.6 miles. For purposes of consultation under Section 106 of the NHPA, the USACE is the lead Federal agency. The USACE will continue consultation with the PHMC to make a final determination on the USACE's APE for the JPA review. The NRC staff has determined that the APE for the COL review is the area at the power plant site and the immediate environs that may be directly or indirectly impacted by NRC authorized construction and operation of the proposed new unit. The APE is influenced by the limitation of the scale and nature of the NRC undertaking which does not include most of the ground disturbing activities which constitute "preconstruction" activities. Many of the activities required to build a nuclear power plant do not fall within NRC's regulatory authority and, therefore, are not "construction" as defined by the NRC. Such activities are referred to as "preconstruction" activities in 10 CFR 51.45(c).

As stated in our initial 2009 scoping letter, the NRC staff is using the process required by NEPA for the preparation of the EIS to comply with the obligations imposed under Section 106 of the NHPA in accordance with 36 CFR 800.8(c), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6 and will consult with your tribe on the proposed action. Consultation will include participation in the scoping process; identification of historic properties on the BBNPP site; assessment of the effects of the proposed action on any historic properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. To complete consultation under 36 CFR 800.8(c), the NRC staff will send the draft EIS to consulting parties for review and comment, and the NRC staff will address the comments in the final EIS. This draft EIS will

include identification of historic properties, assessment of environmental impacts, and the preliminary recommendation on whether the requested COL should be granted or denied.

The BBNPP project boundary consists of approximately 2,055 acres in the Salem Township, Luzerne County, Pennsylvania, approximately 5 miles northeast of Berwick, Pennsylvania, near the west bank of the North Branch Susquehanna River, and it contains the BBNPP site and the Susquehanna Steam Electric Station (SSES) site. As a result of the revised site layout, the BBNPP site comprises an area of 975 acres within the BBNPP project boundary in an area of open deciduous woodlands interspersed with grasslands, previously cultivated fields, and orchards. The area of disturbance within the BBNPP site is approximately 677 acres. Land use in the immediate vicinity of the site is primarily forested and agricultural. The BBNPP site is located west of the SSES site, which has two operating boiling water reactors, Units 1 and 2, that have the capacity to generate 2,270 megawatts of electricity (MW(e)) combined. PPL is proposing to construct and operate an AREVA U.S. EPR reactor with an approximate output of 1,600 MW(e).

PPL has stated there is no need for new transmission lines or corridors to connect the new reactor unit to the existing electrical grid. The existing 500-kilovolt (kV) transmission line is currently being modified to add the Susquehanna-Roseland Interconnection approved by the Pennsylvania, New Jersey, and Maryland Regional Transmission Organization. This modification was planned independent of and without consideration of the BBNPP project. On the BBNPP site, planned facilities include one new 500-kV switchyard to transmit power from BBNPP, one new 500-kV transmission system switchyard (Susquehanna 500-kV Yard #2), expansion of the existing Susquehanna 500-kV Yard, and two new 500-kV, 4,260 megavolt-ampere circuits on individual towers connecting the BBNPP substation to the existing SSES 500-kV yard and to the proposed Susquehanna Yard #2. Additionally, the 230-kV transmission lines currently passing through the BBNPP site would be relocated to run to the north of Beach Grove Road in order to provide a buffer from the cooling towers and provide additional areas for the location of structures.

If you have any questions concerning the environmental review of this COL application, please contact Mrs. Laura Quinn-Willingham, Environmental Project Manager, at 301-415-2220 or via e-mail at Laura.Quinn-Willingham@nrc.gov. In her absence, please contact Mr. John Fringer at 301-415-6208 or via e-mail at John.Fringer@nrc.gov.

Sincerely,

/RA/

Anthony H. Hsia, Branch Chief
Environmental Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-039

cc: See next page

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Sincerely,

/RA/

Anthony H. Hsia, Branch Chief
Environmental Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-039

cc: See next page

DISTRIBUTION:

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AElliott, USACE (Amy.H.Elliott@usace.army.mil)

BMcDowell, PNNL (Bruce.McDowell@pnnl.gov)

TGrant, NUMARK (tgrant@numarkassoc.com)

AHsia, NRO

JFringer, NRO

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PKrohn, DRP R1

TO'Neil, PNNL (Tara.Oneil@pnnl.gov)

KLeigh, PNNL (Kimberly.Leigh@pnnl.gov)

DStapp, NUMARK (dstapp@pocketinet.com)

ADAMS Accession No.: ML12073A137 *see previous concurrence block ** via e-mail **NRO-002**

OFFICE	PM:EPB2: DNRL:NRO	LA: EPB2: DNRL:NRO	Cult:RENV: DSEA:NRO	OGC	BC: EPB2: DNRL:NRO
NAME	LQuinn-Willingham*	MBrown**	MPurdie*	AHodgdon*	AHsia(AFetter for)
DATE	05/09/2012	05/11/2012	05/04/2012	03/27/2012	06/12/2012

OFFICIAL RECORD COPY

cc: Ms. Jesse Bergevin, Historian
Oneida Indian Nation
1256 Union Street
P.O. Box 662
Oneida, NY 13421-0662

Ms. Laura Misita, Land Administrator
Oneida Indian Nation
5218 Patrick Road
Verona, NY 13478

Mr. Brian Patterson
Bear Clan Representative, Men's Council
Oneida Indian Nation
Annex Building
579 Main Street
Oneida, NY 13421

Mr. Stephen J. Selden, Esq.
General Counsel
Oneida Indian Nation
5218 Patrick Road
Verona, NY 13478

Bell Bend Mailing List
cc:

Ms. Carla Alber
7844 Blue Ridge Trail
Mountaintop, PA 18707

Mr. David J. Allard
Director and State Liaison Officer
Department of Environmental Protection
Bureau of Radiation Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Mr. George Blanchard, Governor
Absentee-Shawnee Tribe of Oklahoma
2025 S. Gordon Cooper
Shawnee, OK 74801

Mr. Robert Chicks Tribal, Chairman
Stockbridge-Munsee Band of the Mohican
Nation, Wisconsin
Route 1
Bowler, WI 54416

Mr. Eric Davis, Project Leader
U.S. Fish and Wildlife Service
New Jersey Field Office
927 N. Main Street
Heritage Square, Building D
Pleasantville, NJ 08232

The Honorable Ed Delgado, Chairman
Oneida Nation of Wisconsin
P.O. Box 365
Oneida, WI 54155-0365

Mr. David Densmore Supervisor
U.S. Fish and Wildlife Service
Pennsylvania Field Office
315 South Allen Street
Suite 322
State College, PA 16801-4850

Ms. Amy Elliott
U.S. Army Corps of Engineers
Baltimore District
1631 South Atherton Street, Suite 102
State College, PA 16801

Mr. Clifford Farides
Mill Memorial Public Library
495 E. Main Street
Nanticoke, PA 17101

Mr. Max Furek
57 Jeanette Street
Mocanaqua, PA 18655

Mr. Ray Ganthner
Senior Vice President
AREVA, NP, Inc.
3315 Old Forest Road
P. O. Box 10935
Lynchburg, VA 24506

The Honorable Mark Garrow, Chief
St. Regis Mohawk Tribe
412 State Route 37
Akwesasne, NY 13655

Mr. Tony Gonyea, Faithkeeper
Onodaga Nation
Road 11 A, Box 245
Nedrow, NY 13120

The Honorable Raymond Halbritter
Nation Representative
Oneida Indian Nation
5218 Patrick Road
Verona, NY 13478

Mr. Clinton Halftown Heron
Clan Representative
Cayuga Nation
P.O. Box 8043
Seneca Falls, NY 13148

Mr. Herbert Harmon
320 Stone Church Road
Berwick, PA 18603

Mr. Chuck Henry
1051 Scotch Valley Drive
Bloomsburg, PA 17815

Bell Bend Mailing List
cc:

The Honorable Leo Henry, Chief
Tuscarora Nation
2006 Mt. Hope Road
Lewistown, NY 14092

Mr. Leroy Hess
124 Hess Road
Wapwallopen, PA 18660

The Honorable Roger Hill, Chief
Tonawanda Seneca Nation
7027 Meadville Road
Basom, NY 14013

Mr. Kerry Holton, Tribal President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

The Honorable Leroy Howard, Chief
Seneca-Cayuga Tribe of Oklahoma
P.O. Box 1283
Miami, OK 74355

Mr. Rich Janati, M.S., Chief
Division of Nuclear Safety Administrator
Appalachian Compact Commission
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101

Ms. Patricia A. Kurkul
Northeast Regional Administrator
NOAA National Marine Fisheries Service
Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930-2298

Mr. James R. Leigey
Pennsylvania Game Commission
2001 Elmerton Avenue
Harrisburg, PA 17110-9797

Mr. Herb Lord, Data Review Specialist
Natural Heritage Program
22 South Clinton Avenue
P.O. Box 404
Trenton, NJ 08625-0404

Ms. Emily McBracken
494 Mingle Inn Road
Berwick, PA 18603

Mr. Douglas C. McLearen, Chief
Division of Archaeology and Protection
Bureau for Historic Preservation
Pennsylvania Historical and
Museum Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120-0093

Mr. Reid Nelson, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW
Suite 809
Washington, DC 20004

Mr. Justin Newell
Bureau of Forestry
Pennsylvania Department of Conservation
and Natural Resources
6th Floor Rachel Carson State Office Bldg
P.O. Box 8552
Harrisburg, PA 17105-8552

Ms. Lisette Ormsbee
McBride Memorial Library
500 N. Market Street
Berwick, PA 18603

Mr. Malcom S. Plevyak
1446 Salem Boulevard
Berwick, PA 18603

Bell Bend Mailing List
cc:

Mr. Robert Odawi Porter, President
Seneca Nation of Indians
P.O. Box 231
Salamanca, NY 14779

Mr. James L. Richenderfer, Ph.D., P.G.
Director, Technical Programs
Susquehanna River Basin Commission
1721 North Front Street
Harrisburg, PA 17102-2391

The Honorable Ron Sparkman
Chairman
Shawnee Tribe
29 South 69A Highway
Miami, OK 74354

Mr. Jim Stout, President
Berwick Historical Society
102 East Second Street
Berwick, PA 18603-4827

Mr. Chris Urban
Pennsylvania Fish
and Boat Commission
450 Robinson Lane
Bellefonte, PA 16823

The Honorable Glenna Wallace, Chief
Eastern Shawnee Tribe of Oklahoma
P.O. Box 350
Seneca, MO 64865

Ms. Karen Walsh
614 N. Front Street
Harrisburg, PA 17101

Mr. Jack Wirbicki
212 Deer Run Drive
Mountaintop, PA 18707

Mr. John Zadigaka
205 Magtzville Road
Berwick, PA 18603

Bell Bend Mailing List

cc:

Email:

djallard@state.pa.us (Dave Allard)
pballaron@srbc.net (Paula Ballaron)
sbeeler@pa.gov (Shawn Beeler)
bennettS2@bv.com (Steve A. Bennett)
dbogard@evenlink.com (Deborah Bogard)
hbiggs@pa.gov (Heidi Biggs)
bob.brown@ge.com (Robert E. Brown)
mbrownell@srbc.net (Mike Brownell)
bbusher@state.pa.us (Brian Busher)
wcapouile@state.pa.us (Bill Capauliez)
kcarey960@gmail.com (Kyle Carey)
mjcaverly@pplweb.com (Mike Caverly)
carole_copeyon@fws.gov (Carole Copeyon)
davis.jamie@epa.gov (Jamie Davis)
psychndesign@verison.net (Barbara DeRonde)
derddafdl@verizon.net (Robert DeRonde)
wilburdennisjr@hotmail.com (Wilbur Dennis, Jr.)
Amy.H.Elliott@usace.army.mil (Amy Elliott)
greshaja@westinghouse.com (James Gresham)
egocek@pa.gov (Erin Goccek)
chebrink@localnet.com (Rev. Chad A. Hebrink)
jh14ferrari@aol.com (John Heim)
phinnen@entergy.com (Paul Hinnenkamp)
jhoffman@srbc.net (Jennifer Hoffman)
wholtsmast@pa.gov (Walter Holtsmaster)
ecology3@gmail.com (Ted Jacobsen)
rjanati@pa.gov (Rich Janati)
jennifer_kagel@fws.gov (Jennifer Kagel)
vincekelly@gmail.com (Vince Kelly)
knutson.lingard@epa.gov (Lingard Knutson)
tolewis@pa.gov (Tonda Lewis)
clombard@pa.metrocast.net (Cynthia Lombard)
Magerr.Kevin@epa.gov (Kevin Magerr)
steve_mars@fws.gov (Steve Mars)
smcdougal@pa.gov (Steve McDougal)
terrimeighan@msn.com (James E. Meighan)
kaysm@verizon.net (Catherine Stuccio Mentrinkoski)
omowery@pa.gov (Olivia Mowery)
pnaugle@srbc.net (Pat Naugle)
john.nichols@noaa.gov (John Nichols)
executivedirector@berwickymca.org (Nick Pajovich)
rmpaley@pplweb.com (Robert M. Paley)
ajlaquin@verizon.net (Patricia Perluk)
kpetock@curtisswright.com (Kelly Petock)
tmpiquet@bloomu.edu (Tina Piquet)
rapollock1@yahoo.com (Ralph Pollock)

Bell Bend Mailing List

cc:

TomPopko@hotmail.com (Tom Popko)
ruppert125@aol.com (Greg Ruppert)
eschloyer@yahoo.com (Erin Schloyer)
signs@bellessigns.com (Ryan Search)
rrsgarro@pplweb.com (Rocco R. Sgarro)
tshervinsk@pa.gov (Tom Shervinskie)
dsimpson@bloomu.edu (David Simpson)
nate@nathansnavely.com (Nate Snavely)
dasuper@verizon.net (Dave Superdock)
RKTemple@cpsenergy.com (R.K. Temple)
etrowbridge@pa.gov (Gene Trowbridge)
melinda_turner@fws.gov (Melinda Turner)
kevwhite@pa.gov (Kevin White)
lwinker@pa.gov (Larry Winker)
Dzampogna@srbc.net (Damian M. Zampogna)
Lora_Zimmerman@fws.gov (Lora Zimmerman)

COL - Bell Bend Mailing List
cc:

(Revised 05/21/2012)

Mr. Richard L. Baker
Bechtel Power Corporation
5275 Westview Drive
Frederick, MD 21703-8306

Regional Administrator
Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Resident Inspector
U. S. Nuclear Regulatory Commission
P. O. Box 35
Berwick, PA 18603

Mr. Tony Robinson
AREVA NP, Inc.
3315 Old Forest Road
Lynchburg, VA 24501

Ms. Kristen A. Burger
Maryland People's Counsel
6 St. Paul Centre
Suite 2102
Baltimore, MD 21202-1631

Michael Caverly
Vice President
Nuclear Project Development
PPL Nuclear Development
38 Bomboy Lane, Suite 2
Berwick, PA 18603

Mr. Carey Fleming, Esquire
Senior Counsel - Nuclear Generation
Constellation Generation Group, LLC
750 East Pratt Street, 17th Floor
Baltimore, MD 21202

Mr. Roy Hickok
NRC Technical Training Center
5700 Brainerd Road
Chattanooga, TN 37411-4017

Mr. Norris McDonald
President
AAEA
9903 Caltor Lane
Ft. Washington, MD 20744

COL - Bell Bend Mailing List

cc:

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
BrinkmCB@westinghouse.com (Charles Brinkman)
cwaltman@roe.com (C. Waltman)
david.lewis@pillsburylaw.com (David Lewis)
ecullington@earthlink.net (E. Cullington)
ed.burns@earthlink.net (Ed Burns)
gzinke@entergy.com (George Alan Zinke)
jerald.head@ge.com (Jerald G. Head)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
ktscopelliti@pplweb.com (Karen Scopelliti)
kwaugh@impact-net.org (Kenneth O. Waugh)
lchandler@morganlewis.com (Lawrence J. Chandler)
lois@ieer.org (Lois Chalmers)
maria.webb@pillsburylaw.com (Maria Webb)
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
MSF@nei.org (Marvin Fertel)
nirsnet@nirs.org (Michael Mariotte)
Nuclaw@mindspring.com (Robert Temple)
patriciaL.campbell@ge.com (Patricia L. Campbell)
Paul@beyondnuclear.org (Paul Gunter)
pbessette@morganlewis.com (Paul Bessette)
RJB@NEI.org (Russell Bell)
rrsgarro@pplweb.com (Rocco Sgarro)
sabinski@suddenlink.net (Steve A. Bennett)
sfrantz@morganlewis.com (Stephen P. Frantz)
stephan.moen@ge.com (Stephan Moen)
tkkibler@scana.com (Tria Kibler)
trsmith@winston.com (Tyson Smith)
Vanessa.quinn@dhs.gov (Vanessa Quinn)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)