



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue  
Seattle, WA 98101

February 11, 2011

Chief  
Rulemaking, Directives, and Editing Branch  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D59  
Washington, D.C. 20555-0001

Subject: Plant-Specific Supplement 43 to the Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Palo Verde Nuclear Generating Station Final Report for Comment and Final Supplemental Environmental Impact Statement (FSEIS), Maricopa County, Arizona [CEQ #20110012] NUREG-1437

Dear Sir or Madam:

The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

EPA provided comments on the Draft Supplemental Environmental Impact Statement (DSEIS) on October 29, 2010 to the U.S. Nuclear Regulatory Commission. We rated the DSEIS as Environmental Concerns – Insufficient Information (EC-2) due to the need for additional information regarding potential impacts to wildlife from contaminants in the water, sludge, and sediments in the evaporation ponds and air emissions from the Palo Verde Nuclear Generating Station (PVNGS).

EPA is pleased that most of the issues identified in our review of the DSEIS have been addressed in the FSEIS. We have continuing concerns, however, regarding the need for an ecological risk assessment to determine the potential effects to wildlife from exposure to the water, sludge, and sediments of the evaporation ponds. Although the FSEIS indicates that PVNGS complies with its aquifer protection permit (APP), it remains unclear whether compliance with the APP also minimizes the risks to wildlife from exposure to the evaporation pond waters, sludges, and sediments. We recommend an ecological risk assessment be conducted to determine the potential effects of wildlife exposure to these facilities.

We appreciate the opportunity to review this FSEIS. When the ROD is signed, please send one copy to the address above (mail code: CED-2). If you have any questions, please call me at (415) 972-3521, or have your staff call Jeanne Geselbracht at (415) 972-3853.

Sincerely,

/s/

Kathleen M. Goforth, Manager  
Environmental Review Office