

72-2

**From:** Stephanie Bush-Goddard  
**To:** Eloise Ziegler  
**Date:** 1/20/04 3:26PM  
**Subject:** Fwd: DEQ Letter

Can you docket the attached DEQ letter

Docket # 72-2

Thanks  
Stephanie

**CC:** Kimberly Hardin; Mary Jane Ross-Lee

**From:** <Margaret\_Earle@dom.com>  
**To:** <MJR2@nrc.gov>, "Stephanie Bush-Goddard" <SPB@nrc.gov>  
**Date:** 12/19/03 9:46AM  
**Subject:** DEQ Letter

Attached is the Commonwealth of Virginia Department of Environmental Quality Letter associated with the Surry ISFSI License renewal application.

If you have any other questions please contact me. However, after today, I will be on vacation until January 5th.

Margaret Earle  
Nuclear Licensing  
804-273-2768

(See attached file: DEQ Letter.pdf)



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

[www.deq.state.va.us](http://www.deq.state.va.us)

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

(804) 698-4000  
1-800-592-5482

December 18, 2003

Pamela F. Faggert  
Vice President and Chief Environmental Officer  
5000 Dominion Boulevard  
Glen Allen, Virginia 23060

RE: Federal Consistency Certification for the Surry Independent Spent Fuel Storage  
Installation-License Renewal Application, DEQ # 03-228F.

Dear Ms. Faggert:

This letter is in response to correspondence received on November 21, 2003 requesting concurrence with the Federal Consistency Certification pertaining to Virginia's Coastal Resources Management Program (VCP) for the above-referenced project. As you are aware, pursuant to the Coastal Zone Management Act of 1972, as amended, projects receiving federal funds or requiring federal approval that can have foreseeable effects on Virginia's coastal uses or resources must be conducted in a manner which is consistent with the VCP. The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal consistency certifications and responding to appropriate officials on behalf of the Commonwealth. The following agencies participated in this review:

Department of Environmental Quality  
Department of Conservation and Recreation  
Chesapeake Bay Local Assistance Department

The Marine Resources Commission, the Department of Health, Surry County and the Crater Planning District Commission were also invited to comment.

### Project Description

Dominion is applying to the U.S. Nuclear Regulatory Commission for renewal of the operating license for the Surry Power Station Independent Spent Fuel Storage Installation (ISFSI), in Surry County, Virginia. Dominion is proposing to renew the operating license of the ISFSI for an additional 40 years, which would provide time after the shutdown of the reactors to remove all the spent fuel to a geologic repository. The U.S. Department of Energy is responsible for the disposal of the spent fuel in a geologic repository.

The Surry Power Station ISFSI is located on the Gravel Neck peninsula on the south side of the James River. Spent nuclear fuel removed from the Surry Power Station spent fuel pool is stored

in dry casks on concrete pads at the ISFSI. The ISFSI is approximately 15 acres and is currently comprised of two concrete pads surrounded by security fencing and perimeter fencing. The consistency certification addresses the construction of pads three and four that might be necessary to construct during the license term.

### **Federal Consistency Certification**

The Virginia Coastal Resources Management Program is comprised of a network of programs administered by several agencies. In order to be consistent with the VCP, Dominion must obtain all the applicable permits and approvals listed under the Enforceable Policies of the VCP prior to commencing the project. Based on the information provided in the consistency certification that Dominion would obtain and comply with all applicable permits and approvals listed under the enforceable policies of Virginia's Coastal Program and comments received from agencies administering the enforceable policies, we concur with the finding that this proposal is consistent with the VCP. However, other state approvals, which may apply to this project, are not included in this consistency concurrence. Therefore, Dominion must ensure that this project is constructed in accordance with all applicable federal, state, and local laws and regulations.

### **Enforceable Policies**

*1. Wetlands and Water Quality.* The consistency certification (page 2) states that any construction of concrete pads would be located within an area of previously disturbed soil. The ISFSI is located approximately 1 mile from bluffs overlooking the James River and the Hog Island Wildlife Management Area. There is little slope at the ISFSI, but there is a ravine immediately to the west of the facility. There is no discharge from the facility to any surface water and impacts to water resources due to construction at the ISFSI would be minimal.

The DEQ-Piedmont Regional Office does not anticipate that renewal of the Nuclear Regulatory Commission permit for the ISFSI will have environmental impacts that affect Surry Power Station's Virginia Pollutant Discharge Elimination System Permit, and the Virginia Water Protection Permit (through the U.S. Army Corps of Engineers), as long as the Surry Power Station stays in compliance with their permit requirements. In addition, the DEQ-Water Division states that based on the information provided, the proposed project should have no negative effect on surface waters.

*2. Fisheries Management.* The consistency certification (page 8) states that Dominion has no plans to undertake activities that would impact fishery resources. The Fisheries Management enforceable policy of the VCP is administered by the Virginia Marine Resources Commission (VMRC) and the Department of Game and Inland Fisheries. These agencies did not indicate that fisheries would be affected by this project.

*3. Subaqueous Lands Management.* According to the consistency certification (page 8) no construction would occur on state-owned bottomlands. The Subaqueous Lands Management enforceable policy of the VCP is administered by the Virginia Marine Resources Commission. The VMRC did not indicate that subaqueous lands would be affected by this project.

**4. Dunes Management.** According to the consistency certification, no development would occur in areas of coastal dunes (page 8). The Dunes Management enforceable policy of the VCP is administered by the Virginia Marine Resources Commission. The VMRC did not indicate that dunes would be affected by this project.

**5. Non-point Source Pollution Control.** The consistency certification (page 2) states that there are no discharges from the facility to any surface waters. The Non-point Source Pollution Control enforceable policy of the VCP is administered by the Department of Conservation and Recreation (DCR). The DCR did not indicate that this project would adversely affect nonpoint source pollution.

**6. Point Source Water Pollution Control.** The consistency certification (page 2) states that Dominion would use sediment and erosion control best management practices and adhere to Surry County building permit requirements. In addition, Dominion has no plans for license renewal activities that would require a National Pollutant Elimination System Discharge permit (consistency certification, page 9). The DEQ-Piedmont Regional Office concurs with Dominion's conclusion.

**7. Shoreline Sanitation.** According to the consistency certification, the project does not involve the installation of any septic systems (page 9). The Virginia Department of Health did not respond to DEQ's review request. However, the re-licensing activity will not affect this enforceable policy.

**8. Air Quality Regulations.** The consistency certification (page 9) states that the ISFSI has no emission source and construction would have minimal impacts to air quality. Construction of a new concrete pad or other facilities at the ISFSI would be subject to regulation by the Department of Environmental Quality. The following sections of the Virginia Administrative Code are applicable: 9VAC 5-50-60 *et seq.* governing fugitive dust emissions. During construction, fugitive dust must be kept to a minimum by using control methods outlined in 9VAC 5-50-60 *et seq.* of the Regulations for the Control and Abatement of Air Pollution. These precautions include, but are not limited to, the following:

- Use, where possible, of water or chemicals for dust control;
- Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials;
- Covering of open equipment for conveying materials; and
- Prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

The DEQ-Piedmont Regional Office does not anticipate that renewal of the Nuclear Regulatory Commission permit for the ISFSI will have environmental impacts that affect Surry Power Station's air permits as long as the Surry Power Station stays in compliance with their permit requirements. Please contact the DEQ-Piedmont Regional Office at (804) 527-5020 for additional information.

**9. Coastal Lands Management.** The Chesapeake Bay Local Assistance Department (CBLAD) states that Surry County has jurisdiction wide Chesapeake Bay Preservation Areas. Therefore, any land disturbance greater than 2,500 square feet must demonstrate consistency with the local Chesapeake Bay Act implementing regulations. Provided that these regulations are met, then the project would be consistent with the Chesapeake Bay Preservation Act and the Coastal Lands Management Enforceable Policy. For more information, contact Ron Wood of CBLAD at (804) 225-3442.

### **Advisory Policies and Other Applicable Programs**

In addition to the enforceable policies of the VCP, we encourage Dominion to consider the advisory policies of the VCP that include geographic areas of particular concern. These coastal natural resource areas include significant wildlife habitat areas, aquatic spawning, nursery and feeding grounds, and underwater historic sites. The following advisory policies, resources, and programs may also be affected:

**1. Natural Heritage Resources.** The Department of Conservation and Recreation (DCR) functions to preserve and protect the environment of the Commonwealth of Virginia and advocate the wise use of its scenic, cultural, recreation and natural heritage resources. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, state unique or exemplary natural communities, significant geologic formations and similar features of scientific interest.

DCR has searched its Biotics Data System (BDS) for occurrences of natural heritage resources from the area outlined on the submitted map. According to the information currently in their files, Bald Eagle nest sites (*Haliaeetus leucocephalus*, G4/S2S3B,S3N/LT/LT) have been documented adjacent to the project site. Bald Eagle nest sites are often found in the midst of large wooded areas near marshes or other bodies of water. Threats to this species include human disturbance of nest sites and development of feeding and breeding areas (Byrd, 1991). Please note that this species is currently classified as threatened by the United States Fish and Wildlife Service (USFWS) and the Virginia Department of Game and Inland Fisheries (DGIF). Under title 29.1 of the Code of Virginia, the Department of Game and Inland Fisheries (DGIF) is the primary wildlife and freshwater fish management agency in the Commonwealth. DGIF has full law enforcement and regulatory jurisdiction over all wildlife resources, inclusive of state- and federally-listed endangered or threatened species, but excluding listed insects. For this reason, DCR recommends coordination with the USFWS and the DGIF prior to any construction activities to ensure compliance with protected species legislation.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state listed plants or insects. Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. New and updated information is continually added to the BDS.

Please contact DCR for an update on this natural heritage information if a significant amount of time passes prior to construction of the third concrete pad.

Finally, DCR recommends that consideration be given to turning over the spent fuel storage installation site to the adjacent Hogs Island Wildlife Management Area once the site is abandoned and cleaned up.

**2. Historic Structures and Archaeological Resources.** The consistency certification (page 3) states that a survey conducted in 2001 indicated that the site has no potential for undiscovered archaeological or cultural resources. However, if construction at the ISFSI requires that the perimeter fence be moved, then Dominion would follow its procedures for soil-disturbing activities. In addition, Dominion has consulted with the State Historic Preservation Officer and no issues of concern were identified. The Department of Historic Resources did not respond to DEQ's review request. To ensure compliance with section 106 of the National Historic Preservation Act, Dominion must continue to coordinate with the Department of Historic Resources. The person to contact is Ethel Eaton at (804) 367-2323, ext. 112.

**3. Solid and Hazardous Wastes.** Any soil that is suspected of contamination during construction must be tested and disposed of in accordance with applicable federal, state and local laws and regulations. Should contamination be discovered, please contact the Piedmont Regional Offices of the Department of Environmental Quality. Also, all solid waste, hazardous waste, and hazardous materials must be managed in accordance with all applicable federal, state, and local environmental regulations. The following state regulations may be applicable: Virginia Waste Management Act, Code of Virginia Sections 10.1-1400 *et seq.*; Virginia Hazardous Waste Management Regulations (9VAC 20-60); Virginia Solid Waste Management Regulations (9VAC 20-80; and Virginia Regulations for the Transportation of Hazardous Materials (9VAC 20-110). Some of the applicable Federal regulations are the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Section 6901 *et seq.* and the applicable regulations contained in Title 40 of the Code of Federal Regulations; and the U.S. Department of Transportation Rules for Transportation of Hazardous Materials, 49 CFR Parts 107, 171.1-172.558. Contact the DEQ-Piedmont Regional Office at (804) 527-5021 concerning the location and availability of suitable waste management facilities in the project area or if free product, discolored soils, or other evidence of contaminated soils are encountered.

**4. Pesticides and Herbicides.** The use of herbicides or pesticides for landscape maintenance should be in accordance with the principles of integrated pest management. The least toxic pesticides that are effective in controlling the target species should be used. Please contact the Department of Agriculture and Consumer Services at (804) 786-3501 for more information.

**5. Pollution Prevention.** The DEQ advocates that principles of pollution prevention be used in all construction projects as well as in facility operations. Effective siting, planning, and the on-site Best Management Practices (BMPs) will help to ensure that environmental impacts are minimized. However, pollution prevention techniques also include decisions related to construction materials, design, and operational procedures that will facilitate the reduction of

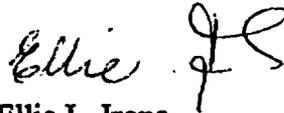
wastes at the source. We have several pollution prevention recommendations that may be helpful in constructing or operating facilities at this site:

- Consider development of an effective Environmental Management System (EMS). An effective EMS will ensure that the facility is committed to minimizing its environmental impacts, setting environmental goals, and achieving improvements in its environmental performance. DEQ offers EMS development assistance and it recognizes facilities with effective Environmental Management Systems through its Virginia Environmental Excellence Program.
- Consider environmental attributes when purchasing materials. For example, the extent of recycled material content and toxicity level should be considered.
- Consider contractors' commitments to the environment when choosing contractors. Also, specifications regarding raw material selection (alternative fuels and energy sources) and construction practices can be included in contract documents and requests for proposals.
- Choose sustainable practices and construction. These could include asphalt and concrete containing recycled materials and integrated pest management in landscaping.

DEQ's Office of Pollution Prevention provides free information and technical assistance relating to pollution prevention techniques and EMS. If interested, the Applicant may contact Tom Griffin at (804) 698-4545.

Thank you for the opportunity to comment on this undertaking. If you have any questions, please feel free to contact me at (804) 698-4325 or Anne Newsom at (804) 698-4135.

Sincerely,



Ellie L. Irons  
EIR Program Manager

**Enclosures**

**Cc: Dave Davis, DEQ-WPS  
Chris French, DEQ-NRO  
Tom Modena, DEQ-Waste  
Kotur Narasimhan, DEQ-Air  
Synthia Waymack, DCR  
Catherine Harold, CBLAD  
Alicia Williamson, NRC**

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MEMORANDUM  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
Piedmont Regional Office

DEQ-Office of Environmental  
Impact Review

4949-A Cox Road

Glen Allen, VA 23060

804/527-5020

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To: Anne Newsom  
Environmental Program Planner

From: R. Christopher French  
DEQ-PRO Environmental Planner

Date: December 16, 2003

Subject: Surry Power Station Independent Spent Fuel Storage Installation (03-228F)

I have reviewed the Environmental Impact Report for regarding the Surry Power Station (SPS) Independent Spent Fuel Storage Installation (ISFS). The following summarizes my commits regarding this facility. Please feel free to contact me if there are any questions or concerns.

DEQ does not anticipate that renewal of the NRC permit for the ISFS will have environmental impacts that affect SPS's VPDES, VWP (through the ACOE), and air permits, as long as SPS stays in compliance with their permit requirements.

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**DEC 13 2003**

**Memorandum**

**VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER DIVISION**

**DEQ-Office of Environmental  
Impact Review**

**Larry G. Lawson, P.E., Director**

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**To:** Anne B. Newsom  
Environmental Program Planner

**From:** Ellen Gilinsky, Ph.D., PWS *lg*  
VWP Permit Program Manager

**Date:** December 11, 2003

**Subject:** Surry Independent Spent Fuel Storage Installation-License Renewal Application  
DOE/Nuclear Regulatory Commission  
Project Number 03-228F

On behalf of the DEQ-Water Division, we have reviewed the Coastal Consistency Determination (CCD) regarding the proposed license renewal application for the Surry Independent Spent Fuel Storage Installation in Surry, Virginia. According to the cover letter from Dominion, it appears that concurrence for this project was included as part of the Nuclear Regulatory Commission's NUREG-1437 Supplement 6, Generic Environmental Impact Statement for License Renewal of Nuclear Plants for Surry Power Station, published November 2002.

Based on the information provided, we do not anticipate a negative effect on surface water resources from the proposed action. Based on the information provided, license renewal for this facility will not change existing operations, and will have no negative effect on surface waters.

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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Robert G. Burnley  
Director

(804) 698-4000  
1-800-592-5482

### MEMORANDUM

**TO:** Anne Newsom

**FROM:** Thomas Modena JDM

**DATE:** December 16, 2003

**COPIES:** Kevin Greene

**SUBJECT:** Coastal Zone Management Consistency Certification  
Surry Independent Spent Fuel Storage Installation

The Waste Division has reviewed the Coastal Zone Management Consistency Certification for the Surry Independent Spent Fuel Storage Installation, Surry County. We have the following comments concerning waste issues associated with this project.

The report addressed hazardous waste issues and sites, but solid waste was not addressed. As mentioned in the report, the Central Office of the Waste Division did a cursory review of its data files and found that the site is listed as a small quantity generator of hazardous waste. It did not find any additional sites that might impact or be impacted by this project.

Finally, pollution prevention was not addressed in the report. VDEQ encourages all facilities to implement pollution prevention principles, including the reduction, reuse, and recycling of all solid wastes generated.

If you have any questions or need further information, please let me know.

DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF AIR PROGRAM COORDINATION

ENVIRONMENTAL REVIEW COMMENTS APPLICABLE TO AIR QUALITY

TO: Anne b. Newsom

DEQ - OEIA PROJECT NUMBER: 03 - 228F

PROJECT TYPE:  STATE EA / EIR / FONSI X FEDERAL EA / EIS  SCC

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X CONSISTENCY DETERMINATION/CERTIFICATION

PROJECT TITLE: SURRY INDEPENDENT SPENT FUEL STORAGE INSTALLATION

DEC 01 2003

PROJECT SPONSOR: NUCLEAR REGULATORY COMMISSION

DEQ-Office of Environmental  
Impact Review

PROJECT LOCATION:

- OZONE NON ATTAINMENT AREA  
 OZONE MAINTENANCE AREA  
 STATE VOLATILE ORGANIC COMPOUNDS & NITROGEN  
OXIDES EMISSION CONTROL AREA

REGULATORY REQUIREMENTS MAY BE APPLICABLE TO:

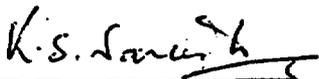
- CONSTRUCTION  
 OPERATION

STATE AIR POLLUTION CONTROL BOARD REGULATIONS THAT MAY APPLY:

1.  9 VAC 5-40-5200 C & 9 VAC 5-40-5220 E - STAGE I
2.  9 VAC 5-40-5200 C & 9 VAC 5-40-5220 F - STAGE II Vapor Recovery
3.  9 VAC 5-40-5490 et seq. - Asphalt Paving operations
4.  9 VAC 5-40-5600 et seq. - Open Burning
5.  9 VAC 5-50-60 et seq. Fugitive Dust Emissions
6.  9 VAC 5-50-130 et seq. - Odorous Emissions; Applicable to \_\_\_\_\_
7.  9 VAC 5-50-160 et seq. - Standards of Performance for Toxic Pollutants
8.  9 VAC 5-50-400 Subpart \_\_\_\_\_, Standards of Performance for New Stationary Sources, designates standards of performance for the \_\_\_\_\_
9.  9 VAC 5-80-10 et seq. of the regulations - Permits for Stationary Sources
10.  9 VAC 5-80-1700 et seq. Of the regulations - Major or Modified Sources located in PSD areas. This rule may be applicable to the \_\_\_\_\_
11.  9 VAC 5-80-2000 et seq. of the regulations - New and modified sources located in non-attainment areas
12.  9 VAC 5-80-800 et seq. Of the regulations - Operating Permits and exemptions. This rule may be applicable to \_\_\_\_\_

COMMENTS SPECIFIC TO THE PROJECT:

No comment.



(Kotur S. Narasimhan)  
Office of Air Data Analysis

DATE: December 1, 2003

W. Tayloe Murphy, Jr.  
Secretary of Natural  
Resources



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Joseph Maroon  
Director

DEQ-Office of Environmental  
Impact Review

# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-6124

### MEMORANDUM

Date: 15 December 2003

To: Anne B. Newsom, Virginia Department of Environmental Quality  
*Derral Jones*

From: Derral Jones, Planning Bureau Manager

Subject: DEQ#03-228F: Surry Independent Spent Fuel Storage Installation

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The Department of Conservation and Recreation (DCR) functions to preserve and protect the environment of the Commonwealth of Virginia and advocate the wise use of its scenic, cultural, recreation and natural heritage resources. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, state unique or exemplary natural communities, significant geologic formations and similar features of scientific interest.

DCR has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. According to the information currently in our files, Bald Eagle nest sites (*Haliaeetus leucocephalus*, G4/S2S3B,S3N/LT/LT) have been documented adjacent to the project site. Bald Eagle nest sites are often found in the midst of large wooded areas near marshes or other bodies of water. Threats to this species include human disturbance of nest sites and development of feeding and breeding areas (Byrd, 1991). Please note that this species is currently classified as threatened by the United States Fish and Wildlife Service (USFWS) and the Virginia Department of Game and Inland Fisheries (VDGIF). For this reason, DCR recommends coordination with the USFWS and the VDGIF to ensure compliance with protected species legislation.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources. New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

Finally, consideration should be given to including in the licensing renewal, a provision that once the site is abandoned and cleaned up, it will be turned over to expand the adjacent Hogs Island Wildlife Management Area.

Thank you for the opportunity to comment on this project.

cc: Eric Davis, USFWS  
Ray Fernald, VDGIF

#### Literature Cited

Byrd, M.A. 1991. Bald eagle. In *Virginia's Endangered Species: Proceedings of a Symposium*. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia. Pp. 499-501.

If you cannot meet the deadline, please notify ANNE B. NEWSOM at 804/698-4135 prior to the date given. Arrangements will be made to extend the date for your review if possible. An agency will not be considered to have reviewed a document if no comments are received (or contact is made) within the period specified.

REVIEW INSTRUCTIONS:

- A. Please review the document carefully. If the proposal has been reviewed earlier (i.e. if the document is a federal Final EIS or a state supplement), please consider whether your earlier comments have been adequately addressed.
- B. Prepare your agency's comments in a form which would be acceptable for responding directly to a project proponent agency.
- C. Use your agency stationery or the space below for your comments. IF YOU USE THE SPACE BELOW, THE FORM MUST BE SIGNED AND DATED.

Please return your comments to:

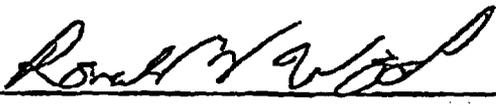
MS. ANNE B. NEWSOM  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
OFFICE OF ENVIRONMENTAL IMPACT REVIEW  
629 EAST MAIN STREET, SIXTH FLOOR  
RICHMOND, VA 23219  
FAX #804/698-4319

  
ANNE B. NEWSOM  
ENVIRONMENTAL PROGRAM PLANNER

COMMENTS

Surry County has jurisdiction wide CDDAs. Therefore, any land disturbance greater than 2,500 ft<sup>2</sup> must demonstrate consistency with the local Bay Act program. Provided these are met (County staff assured me that they have a good relationship with Dominion Resources) the project will be consistent.

FSPR-NRC-01-0

(signed)  (date) 12/15/03  
(title) Environmental Specialist  
(agency) CBLAD