

June 30, 2005

Ms. Regena Bronson  
U.S. Army Corps of Engineers  
Potomac Virginia Field Office  
P.O. Box 1704  
Leonardtown, MD 20650

SUBJECT: NORTH ANNA EARLY SITE PERMIT REVIEW (TAC NO. MC1128)

Dear Ms. Bronson:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Dominion Nuclear North Anna, LLC (Dominion) for an early site permit (ESP). The proposed action requested in Dominion's application is for the NRC to: (1) approve a site within the existing North Anna Power Station (NAPS) boundaries as suitable for the construction and operation of one or more new nuclear power generating facilities; and (2) issue an ESP for the proposed site located at NAPS. An ESP does not authorize construction or operation of a nuclear power plant. Rather, the ESP application and review process makes it possible to evaluate and resolve certain safety and environmental issues related to siting before the applicant makes large commitments of resources. If the ESP is approved, the applicant can "bank" the site for up to 20 years for future reactor siting. To construct or operate a nuclear power plant, an ESP holder must obtain a construction permit and an operating license, or a combined license.

As part of its environmental review of Dominion's ESP application, the NRC prepared a draft environmental impact statement (DEIS) in accordance with 10 CFR 52.18. The DEIS includes the NRC staff's analysis of the environmental impacts of constructing and operating two nuclear units at the North Anna ESP site, or at alternative sites. It also includes the staff's preliminary recommendation to the Commission regarding the proposed action. In addition, as described in the DEIS, if the ESP includes a site redress plan, the ESP holder can conduct certain site preparation and preliminary construction activities allowed by Title 10 of the *Code of Federal Regulations* Section 50.10(e)(1) (10 CFR 50.10 (e)(1)), provided the final EIS concludes that such activities will not result in any significant environmental impact that cannot redressed. Dominion has included a site redress plan in its application. If the ESP is approved, Dominion would be allowed to conduct site preparation and preliminary construction activities pursuant to 10 CFR 52.25 and 10 CFR 50.10(e)(1), subject to receipt of any other necessary Federal, State, and/or local approvals. Dominion has stated that it does not plan to conduct such activities at this time. However, these activities, if performed, could include dredging and other activities potentially subject to Clean Water Act requirements. The environmental impacts of these activities are discussed in the DEIS.

R. Bronson

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Pursuant to the "Memorandum of Understanding Between the Corps of Engineers, United States Army, and the United States Nuclear Regulatory Commission for Regulation of Nuclear Power Plants" (40 FR 37110 (dated August 25, 1975)), we request that the Army Corps of Engineers review and provide to the NRC any comments on the DEIS.

Enclosed is a copy of NUREG-1811 "The Draft Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP Site." We request your comments no later than August 12, 2005. Enclosed to aid in your review is a CD containing Dominion's application for an ESP. If you have any questions concerning the ESP application or other aspects of this project, please contact Mr. Jack Cushing, Senior Environmental Project Manager, at 301-415-1424 or by e-mail at JXC9@nrc.gov.

Sincerely,

**/RA/**

Pao-Tsin Kuo, Program Director  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No.: 52-008

Enclosure: As stated

cc wo/encl.: See next page

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\*See previous concurrence

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