

31 August 2005

Ms. Ellie Irons, Environmental Impact Review Program Manager  
Virginia Department of Environmental Quality  
629 East Main Street  
Richmond, Va. 23219 (via fax 804-698-4319 & Email to ELIRONS@DEQ.VIRGINIA.GOV)

Mr. Jack Cushing,  
Environmental Project Manager for North Anna ESP Site Application  
U.S. Nuclear Regulatory Commission, Washington D.C. 20555  
(Via Fax 301 415-2002 & Email to JSC9@NRC.GOV)

Reference: (1) Ruth Estates Property Owners Association letter dated 17 August 2005 to VDEQ (Environmental Impact Review Program) requesting help re concerns about the proposed expansion of the North Anna nuclear power plant, which affects Lake Anna.

(2) Ruth Estates Property Owners Association letter dated 18 August 2005 to NRC (Environmental Project Manager for North Anna ESP site Application) requesting help re concerns about the proposed expansion of the North Anna nuclear power plant, which affects Lake Anna.

Dear Ms Irons and Mr. Cushing,

I am writing to inform that since the above referenced letters have been sent (less then two weeks ago) addressing concerns with the North Anna Power Station Early Site Permit application that a group "Friends of Lake Anna" has been formed that supports the same concerns as identified in the referenced letters. *The group is not anti-nuclear nor does it have "not in my backyard sentiments"*

The Friends of Lake Anna group has grown from nine members on Monday 22 August to 45 members today. In this short time, the group has established several avenues that the public can also show their support for the same concerns. These avenues, which the public can send supporting letters or petitions, can be sent include:

- (1) A Post Office Box,
- (2) An email address
- (3) A website to view the letters, with supporting information & submit a letter showing their support.

In addition, the group has contacted several newspapers and to date, lengthy articles have been printed in the Fredericksburg Freelance Star, Lake Anna Observer, Central Virginian and our understanding is that the Charlottesville Daily Progress will be having an article in the near future.

Other homeowner association Board of Directors have also contacted us relating the same concerns and indicated they would be submitting letters showing support.

The group has also distributed the above referenced letters in many places of business surrounding the lake, together with petitions requesting publics support for the concerns in the referenced letters.

On Saturday 27 August, we verified the validity of Lake Anna citizens inexpensive water temperature gauges with the Lake Anna Civic Association's water testing (\$4,000 plus) equipment and came within a ½ degree of accuracy. This provides validity to previous Lake Anna water temperature reporting of 104 plus degrees at Aspen Hill subdivision (close to the plant), with only two nuclear generators working.

Also on Saturday, we had our first look at a copy of the Draft Environmental Impact Statement for an early site Permit (ESP) at the North Anna ESP Site dated Nov 2004 that was prepared by the NRC and found some apparent misinformation and also lack of information that was communicated to the staff that prepared the report. A few examples are:

(1) The report does not appear to address all the human health problems and safety warnings that should be issued by the local health officials related to the hot tub affect of people swimming in warm side/Waste Heat Treatment Facility (WHTF) of the lake with temperatures in excess of 104 degrees and what the public should expect if this increases to 113 degrees F.

**Note: Hot tub manufacturers issue warnings**

*(a) The temperature of your spa should never exceed 104 F. Higher temperatures can place a dangerous strain on the cardiovascular system of the bather.*

*(b) People with a medical history of heart disease circulatory problems, diabetes, blood pressure, pregnant women and small children should consult a physician before using a spa.*

(2) In addition, bacteria grows much faster in warmer temperatures.

We can envision a public health warning "*Do not swim in portions of Lake Anna because the water temperature exceeds 104F and/or bacteria count is too high*". These warnings would be similar to the previous Lake Anna health warnings (don't eat certain fish caught in Lake Anna because of increased levels of PCP) that were broadcast on radio, TV and printed in newspaper announcements throughout the country. How would these health warning have a multiplier affect not only the approximately 7,000 plus lot owners surrounding Lake Anna, but the 500,000 plus people that use Lake Anna as a recreational area on an annual basis?

(1) The report does not indicate how this impacts the approximately 2,000 plus current lot owners and their guests (approximately 8,000 plus people on weekends) that swim and boat on the warm side/WHTF on a regular basis. Dominion permitted completely free access to the warm side/WHTF during the past 30 plus years to adjoining land owners and their guests and it has now become a major recreational area in the state. This 3,400 acre warm side/WHTF lake is the 7<sup>th</sup> largest lake in the Commonwealth of Virginia and is equal in size to Leesville Lake. Two new subdivisions (Noah's Landing and The Waters) have just added an additional 700 plus warm side/WHTF lake owners to the approximately 2,000 plus lake owners on the warm side/WHTF. In addition, it was recently announced that a new warm side/WHTF subdivision "The Links" with approximately 1,000 lots may be developed. This major increase in population on the warm side/WHTF and associated hot tub warnings & related health problems appears to be completely overlooked in the draft report... There are currently 167 lake (both warm side/WHTF and main lake) subdivisions and the number appears to growing dramatically.

(2) The report 5.4.1.3 (Shoreline Habitat) is not very clear with what will happen to lake levels on both the cold side/main lake and the warm side/WHTF if the 3<sup>rd</sup> water-cooled nuclear reactor is built... Our computations seem to indicate that the lake level will drop an additional two (2) feet or more on the average overtime for an additional 26 days per year... It does not appear to specify that this will cause some lake owners (who currently have limited water-depths) to have mud-flats at their property, which could have a dramatic affect on their recreational use of the lake...

(3) Section 4.4.3 (Threatened and Endangered Species) appears to have inaccurate data as currently stated Quote "The bald eagle is occasionally observed perching or foraging on the shore of Lake Anna. However the closest known bald eagle nesting site is located approximately 16km (10 mi) upstream from the North Anna ESP site" Unquote.

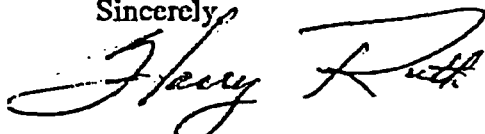
Note: Those of us who live on the lake see many bald eagles on a daily basis very close to the North Anna site. For example, two of the suspected bald eagle nesting sites are located as follows: (1) located at GPSS coordinates N38 degrees 1.853 W 77 degrees 45.688 which is 1.9 miles from the North Anna discharge canal and (2) located at GPSS coordinates N38 degrees 4.856 and W77 degrees 49.147 which is 2.2 miles from the North Anna Discharge Canal. We feel certain there are many more nesting sites, but wanted to identify those the Friends Group was familiar with. There may be others on the 1,000 acre nuclear plant site, which is a much wooded area and not open to the public.

The Friends of Lake Anna have also garnered support from our elected officials. For example, on August 24, 2005 Senator R. Edward Houck, from the 17<sup>th</sup> District of Virginia wrote to Ms. Eva Teig Hardy of Dominion Virginia Power, Richmond, Va and "asked that her office review and respond to Mr. Ruth's concerns" (*as expressed in the referenced letters above*). "It is my sincere hope that with your assistance, his questions can be answered. I thank you in advance for your kind assistance with this matter"

In summary, the Friends of Lake Anna has accomplished a lot in the past 10 days since it has been formed. We have asked that all petitions and letters of support be sent to our website, P.O. Box, or email address by 6 Sep. We will then draft a covering letter that summarizes the results and reproduce copies of the covering letter and petitions for Virginia Department of Environmental Quality, Virginia State Water Control Board, Nuclear Regulatory Commission and the County Boards of Supervisors from Louisa, Spotsylvania and Orange). The petition, which we currently have about 250 responses to, asks that no permits be issued to Dominion Resources until they have negated all of the concerns described in the referenced letters. We will have copies of the petitions and any letters we receive to Ms. Irons no later than 10 Sep 05 as previously requested by Ms. Irons.

Hopefully the above identifies the great progress that we have made in a short time. We want to emphasize that our group is not anti-nuclear and do not have "not in my backyard sentiments". We simply want to protect the entire warm/WHTF side of 3,400 acres and cool side 9,600 acres) for a total of 13,000 acre lake so future generations can benefit from many recreational activities. We also want to ensure that Dominion Resources continues to be a good steward of the lake and does not inadvertently create some major health problems. There is currently nuclear technology in the U.S. and Europe that would negate the concerns without having the severe impacts that appear to be present with the 3<sup>rd</sup> water-cooled reactor as currently proposed. For example, Dominion could use air-cooled for the 3<sup>rd</sup> reactor as they have proposed for the 4<sup>th</sup> reactor or other available technologies. Please do not hesitate to call if you have any questions.

Sincerely,



Harry Ruth

For the Friends of Lake Anna and the  
Board of Directors Ruth Estates Property Owners Association.