



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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W. Tayloe Murphy, Jr.  
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Director

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September 20, 2005

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

RE: Federal Consistency Certification under Coastal Zone Management Act and Virginia Coastal Resources Management Program: North Anna Early Site Permit Application - DEQ-05-079F

Dear Ms. Faggert:

Thank you for your September 16, 2005, letter requesting an extension of 45 days from September 22 for the conclusion of our six-month review of the above referenced federal consistency certification.

As your letter correctly states, 15 CFR Part 930, Section 930.60(a) (3) of the Federal Consistency Regulations allows the State and the applicant for a federal license or permit to mutually agree to extend the six-month review period. You have requested the additional time to allow Dominion and DEQ to clarify understandings regarding the scope of the certification. Your letter also indicated that the time extension was requested for the purpose of obtaining the Commonwealth's concurrence with Dominion's federal consistency certification. However, for clarification, our response will not necessarily be a concurrence.

DEQ agrees with Dominion's request for the additional 45-day extension. The referenced Application is among the first in the nation to be submitted and reviewed under the Nuclear Regulatory Commission's Early Site Permit Program. This Application is also the first Early Site Permit Program application to be reviewed for federal consistency by the Virginia Coastal Resources Management Program. In addition to this relative unfamiliarity with the federal Early Site Permit Program, your project itself, the potential construction and operation of new nuclear reactor units, is complex. Therefore, we believe it is prudent to allow for this extension to provide additional time to reach a more complete understanding of the issues involved among all the parties that are participating in this review. Accordingly, we also intend to re-open the public comment period in conjunction with this 45-day extension from September 22, 2005.

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Thank you for your continued assistance in this matter. If you have any questions, please contact Ms. Ellie Irons (Program Manager, DEQ Office of Environmental Impact Review) at (804) 698-4325 or me at (804) 698-4003.

Sincerely,



Michael P. Murphy, Director  
Division of Environmental Enhancement

✓cc: Jack Cushing, NRC  
Ellie L. Irons, DEQ-OEIR