

August 8, 2006

Mr. Harry Ruth
Friends of Lake Anna
230 Heather Drive
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Dear Mr. Ruth:

I am responding on behalf of the U.S. Nuclear Regulatory Commission (NRC) to your letters through July 24, 2006. Your specific request was for an extension of the public comment period on the supplement to the Draft Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP Site (NUREG-1811, Supplement 1). As you are aware, the notice of filing of the environmental impact statement (EIS) was issued in the *Federal Register* by the U.S. Environmental Protection Agency on July 14, 2006 (71 Fed. Reg. 40096); the notice indicated that the public comment period on the EIS would end on August 28, 2006. The Commonwealth of Virginia also requested an extension of the public comment period. Consistent with our regulations at Title 10 of the *Code of Federal Regulations*, Section 51.73, the NRC is granting a 15-day extension to the comment period to September 12, 2006; enclosed is a copy of the notice, which has been forwarded to the Office of the *Federal Register* for publication. We would encourage you to submit your comments at your earliest opportunity; comments received after that date will be considered only if it is practicable to do so.

In your request for the extension, you provided a list of reasons to support your request. As we noted in earlier correspondence to you and others, before issuing an ESP, the NRC must first prepare both a safety evaluation report (SER) and an EIS. The purpose of the SER for the ESP is to document the NRC staff's evaluation of site safety characteristics and emergency planning. In contrast, the purpose of the EIS is to document the staff's evaluation of the impact of the proposed action on the environment. The SER and the EIS evaluate different issues and are prepared in parallel to fulfill different responsibilities. Together, the SER and the EIS form the basis for the staff's recommendation to the Commission on whether or not to issue an ESP.

The NRC considers State and public input on the issuance of an ESP to be an important component of the review process and we welcome input from all affected parties. For these reasons, State and public comments are allowed throughout the licensing review process. In particular, the NRC staff has invited the public to participate in the scoping process prior to the preparation of a draft EIS and to provide comments on the draft and, in this case, the draft supplement. The public has been given the opportunity to participate during open technical meetings on the site safety review and during public meetings on site environmental review. The public was also given the chance to participate in the Advisory Committee on Reactor Safeguards (ACRS) meetings on the proposed ESP. Each of these interactions have distinct objectives to meet different statutory and regulatory requirements; therefore, they provide different opportunities for stakeholder involvement.

H. Ruth

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We appreciate the time and effort that you have taken to comment on the staff's environmental review and look forward to your participation during the extended public comment period and at the public meeting on August 15, 2006.

Sincerely,

/RA/

Jack Cushing, Senior Project Manager
New Reactor Environmental Projects Branch
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 52-008

Enclosure: As stated

cc w/encl: See next page

H. Ruth

-2-

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Docket No. 52-008

Enclosure: As stated

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ADAMS Accession No. ML062130213-Package
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ML062130237-Federal Register Notice

*see previous concurrence

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NAME	EHylton	J. Cushing	R. Weisman*	C. Nolan-AKugler for:
DATE	08/08/06	08/ 07 /06	08/ 07/06	08/08/06

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