

**From:** "Harry Ruth" <HC.RUTH@LOUISA.NET>  
**To:** "Jack Cushing" <JXC9@nrc.gov>, "North\_Anna\_Comments@nrc.gov" <North\_Anna\_Comments@nrc.gov>  
**Date:** 9/12/2006 6:18:00 AM  
**Subject:** Friends of Lake Anna partial concerns (5) w-North Anna ESP  
**cc:** "Senator R. Edward Houck" <ehouck@adelphia.net>, "Senator Charles Colgan" <cjcolgan@aol.com>, "Ellie Irons (VDEQ)" <elirons@deq.virginia.gov>, "Jeffery Steers (VDEQ)" <jasteers@deq.virginia.gov>, "Tony Banks (Dominion)" <TONY\_BANKS@DOM.COM>, "Kevin Magerr (EPA)" <magerr.kevin@epa.gov>, "Delegate Bill Janis (56th Dist)" <Del\_Janis@house.state.va.us>, "Sr (54th Dist). Delegate Robert Orrock" <delborrock@house.state.va.us>, "Delegate Clifford Athey (18th Dist)" <DelCAthey@house.state.va.us>, "Delegate Chris Peace (97th Dist)" <delcpeace@house.state.va.us>, "Delegate Edward Scott (30th Dist)" <delescott@house.state.va.us>, "Representative Eric Cantor (7th District)" <lloyd.lenhart@mail.house.gov>, "Nitin Patel" <NXP1@nrc.gov>, "Senator Ryan McDougale" <district04@sov.state.va.us>, "Senator Russell Potts (27th Dist)" <district27@sov.state.va.us>, "Senator Charles Colgan-2" <district29@sov.state.va.us>

Dear Nuclear Regulatory Commission (NRC),

Attached please find a letter re Dominion's application for the North Anna ESP requesting you to:

(1) Update the Lake Anna water consumption rates with accurate data using 100% consumption rates as opposed to 96% rates used throughout the documents. The current data does not reflect the actual water consumption rates during the summer months, which has a direct impact on drought cycles, reduced water for downstream users, impacts to fisheries, wildlife, reduced water levels throughout the lake, etc and when completed, please redistribute updated data for public and state comment.

(2) Provide a federal grant to Louisa County for its educational system and other infrastructure items as a result of the proposed major construction and new employee impacts to the county, which also supports a Louisa County School Board request.

(3) Use current data throughout the SDEIS for all demographics, tax, and technical data so you are not creating an enhanced image of the applicant or technical data to promote the project, as opposed to presenting a fair unbiased view of the project as required by the National Environmental Protection Act (NEPA).

Thank you in advance for your kind consideration of our request. If you have any questions, please do not hesitate to call. I'll look forward to your response.

Sincerely,

Harry Ruth  
for the Friends of Lake Anna  
C/O 230 Heather Drive,  
Bumpass, Va. 23024  
Phone 540-872-3632

**Federal Register Notice:** 71 FR 39372  
**Comment Number:** 44

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**Subject:** Friends of Lake Anna partial concerns (5) w-North Anna ESP  
**Creation Date:** 9/12/2006 6:18:00 AM  
**From:** "Harry Ruth" <HC.RUTH@LOUISA.NET>

**Created By:** HC.RUTH@LOUISA.NET

**Recipients** "Senator R. Edward Houck" <ehouck@adelphia.net>, "Senator Charles Colgan" <cjcolgan@aol.com>, "Ellie Irons (VDEQ)" <elirons@deq.virginia.gov>, "Jeffery Steers (VDEQ)" <jasteers@deq.virginia.gov>, "Tony Banks (Dominion)" <TONY\_BANKS@DOM.COM>, "Kevin Magerr (EPA)" <magerr.kevin@epa.gov>, "Delegate Bill Janis (56th Dist)" <Del\_Janis@house.state.va.us>, "Sr (54th Dist). Delegate Robert Orrock" <delborrock@house.state.va.us>, "Delegate Clifford Athey (18th Dist)" <DelCAthey@house.state.va.us>, "Delegate Chris Peace (97th Dist)" <delcpeace@house.state.va.us>, "Delegate Edward Scott (30th Dist)" <delescott@house.state.va.us>, "Representative Eric Cantor (7th District)" <lloyd.lenhart@mail.house.gov>, "Nitin Patel" <NXP1@nrc.gov>, "Senator Ryan McDougale" <district04@sov.state.va.us>, "Senator Russell Potts (27th Dist)" <district27@sov.state.va.us>, "Senator Charles Colgan-2" <district29@sov.state.va.us> "Jack Cushing" <JXC9@nrc.gov> "North\_Anna\_Comments@nrc.gov" <North\_Anna\_Comments@nrc.gov>

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MESSAGE	1760	9/12/2006 6:18:00 AM
TEXT.htm	4203	9/12/2006 9:33:10 AM
VDEQ & NRC letter - Partial Concerns- (5) re NRC's credibility in data within SDEIS-re North Anna -12Sep06.doc	55808	9/12/2006 9:33:10 AM
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Thank you in advance for your kind consideration of our request. If you have any questions, please do not hesitate to call. I'll look forward to your response.

Sincerely,

Harry Ruth  
for the Friends of Lake Anna  
C/O 230 Heather Drive,  
Bumpass, Va. 23024  
Phone 540-872-3632

## FRIENDS OF LAKE ANNA, VIRGINIA

12 September 2006

TO: Mr. Jack Cushing, Environmental Project Manager for North Anna ESP Site Application,  
U.S. Nuclear Regulatory Commission (NRC), Washington D.C. 20555  
Via email to [JXC9@NRC.GOV](mailto:JXC9@NRC.GOV) & [North\\_Anna\\_Comments@NRC.GOV](mailto:North_Anna_Comments@NRC.GOV)

**Reference:** (1) Friends of Lake Anna letter dated 24 July 2006: Subject Partial Concerns #3 with the data contained in Dominion's Application for the North Anna ESP 6 dated April 2006.

(2) Friends of Lake Anna email dated 17 Aug 2006 that forwarded the total presentations, plus additional details, made in the two public hearings (1) NRC on Aug 15, 2006 and (2) VDEQ on Aug 16, 2006

(3) Friends of Lake Anna email dated 5 Sep 2006 – re partial concerns #4 with the data contained in Dominion's application for the North Anna ESP 6 dated April 2006 and the NRC/VDEQ public hearings.

**Subject: Partial Concerns #5 with the data contained in Supplemental Draft Environmental Impact Statement for an Early Site Permit at the North Anna ESP site and Non-Receipt of a supplemental Safety Report.**

Dear Mr. Cushing,

On behalf of the 2,650 persons represented by the Friends of Lake Anna, it is requested that the following concerns with the data contained in the Dominion North Anna ESP Applications Revision 6, the Draft Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP site and the *non-receipt* of a revised Safety Report as a result of the changes be addressed by the Nuclear Regulatory Commission

These are only a partial list of concerns/comments identified thus far as a result of a brief and cursory look at the large volume of materials available to us for review. In addition, we have researched other related public documents that may have an impact on this ESP review. We thought it prudent to bring these concerns/comments to your attention soonest so both the NRC has adequate time to review them. Please see below for a description of each concern.

Our group, "The Friends of Lake Anna" is a citizen group whose mission is to protect Lake Anna (both main reservoir and cooling lagoons) and its surrounding landscape, together with any related concerns, within Louisa, Spotsylvania, and Orange Counties for the health, safety and welfare of current residents/users and for future generations. We are not anti-nuclear, nor do we have "not in my backyard" sentiments, but do support a wise and safe use of nuclear energy. Our goal is simply to protect Lake Anna for the 500,000 annual users and insure compliance with the law.

### **Additional Concerns**

**1. In 5.3 Water Related Impacts, -The referenced water withdrawal numbers are not correct and reflect only 96% of the actual water consumption planned to be used during the summer months.**

The SDEIS is using a Plant Parameter Envelope (PPE) that uses 96% full power as an average value for a plant with associated down time for maintenance. During the summer months when the plant is running at full power (100%), these numbers are not representative of the actual withdrawal values and all should be updated throughout the entire SDEIS with the additional 4%. These updated values should then be re-distributed to all Commonwealth of Virginia state agencies so they can determine the actual impact of the water withdrawal rates will have on droughts, lake level's decreasing, less water for downstream users, etc. It appears that this a deceiving attempt by the NRC and the applicant to deceive and influence the public. The public's, states and other U.S. government agencies reviewing time for the SDEIS should then be extended, once the new updated data has been redistributed and re-evaluated.

. If you look at Table 3.1-9 in the DEIS buried under Evaporation Rate is the 96% plant efficiency. Since the idea was to envelope the quantities, this 96% is deceiving and is used throughout the documents. The 22,268 gpm in the EC mode should be 23,195 gpm and 15,384 gpm in the MWC should be 16,025gpm.

The SDEIS in Section 5.3 (3<sup>rd</sup> paragraph) indicates that maximum water withdrawal rates in the ER and MWC modes are 1405 and 971 (L/S (22,268 and 15,394 gpm) when actually they should be 23,195 gpm, etc...

Likewise, all evaporation rates, increased drought cycles, impact to lake owners and downstream users, etc should be re-evaluated and re-distributed for comment.

**2.. The Friends of Lake Anna supports the request for the NRC to obtain federal grants to negate the major impacts to Louisa County and its Educational System as a result of construction at the proposed site. A NRC project should not create any adverse impacts to the Louisa taxpayers. The EIS should be updated to reflect all of the impacts to Louisa County and its educational system, road systems, infrastructure (police, fire, rescue, etc.) to reflect the demographics in the 73<sup>rd</sup> fastest growing county in the U.S.**

On 6 September, the Louisa County School Board identified they are in disagreement with several items in the Impact Study and therefore find it prudent to request assistance in obtaining a federal grant to mitigate any adverse impact of the potentially large influx of workers and their families.

**Quote** The Draft Environmental Impact Study indicates that the impact on demography, housing, and education would all be "small" and "mitigation is not warranted". We disagree with this assessment. The study indicates that construction activities would last at least five years and employ 5000 workers. It also assumes that 4000 of those workers will be from within a 50-mile radius, with the remaining 1000 moving here from other localities. Assuming these estimates are accurate, and even considering that some of 1000 will be engineers who will be rotating in on a semi-permanent basis, this still leaves the possibility of a large number of workers who will want to live as close as possible to the construction site, especially considering the current cost of commuting. This presents us, as a school district, with two major areas of concern.

**1) Large Increase in student population.**

The first problem we see is the possibility of providing services to a large increase in our student population in a relatively short time period. We currently have approximately 4,400 students in our system and our facilities are at capacity. An immediate increase of even 100-200 students will create a financial and educational burden. The advertisement that Dominion took out in the Central Virginian newspaper (Aug. 10, 2006) talks about the millions of dollars that will benefit our county. It is a given that tax revenues will increase if two new reactors are built, but those taxes will not be forthcoming until each reactor is at least partially on line. In the interim, our schools will more than likely be impacted with a significant increase in student population and will invariably include many more students for whom English is a second language. The impact study also indicates that few construction workers would be moving to Louisa County due to "localized shortages of available housing". When the first two reactors were built, there was little available housing. But even so, as the attached graphs show, our student population increased by almost 21% during that construction period with most of the increase taking place during actual reactor construction.

At this time, three new subdivisions have already been approved by Louisa County for development in near proximity to the construction site: 1) The Waters at Lake Anna (about 400 units), 2) Cutalong development (about 1000 units), and 3) Noah's Landing (about 400 units), for a total of approximately 1800 potential homes that could be built in the next few years, all within just a few miles of the North Anna site. With the much greater availability of housing during future reactor construction, we would have to anticipate an even larger percentage of increase in student population. An influx of ESL (English as a Second Language) students would also increase the local financial burden even more, as the educational cost of an ESL student is 25-30% more than that of an English-speaking student.

**2) Teacher Retention due to increased housing costs.**

The second conclusion with which we have issue is the impact on housing itself. Because of our location, we have many young teachers at our schools due to turnover. As it is, it's very hard for them to find adequate affordable housing. This is probably the main reason for teacher turnover in our county. It will be very hard for them to compete in the rental market with 3 or 4 young single (or "situational bachelor") construction workers pooling their resources. Again, the expense of being forced to commute will affect our teacher retention.

**Request for assistance in obtaining a federal grant**

The federal government has shown that it has a keen interest in nuclear energy, and in this project, by funding 50% of the impact study (a cost of \$8-10 million.) Because of this federal interest, and in the interest of education and future nuclear power construction, we feel the federal government might also be interested in providing grant money to Louisa County in order to offset the negative impact of such a large construction project in a rural county such as ours. Therefore, we are asking the Virginia Department of Environmental Quality and the U.S. Nuclear Regulatory Commission to petition the federal government, on our behalf, for funding to allow us to minimize any adverse impact from this construction. **Unquote**

**3. Disappointment with NRC's attempt to influence the public by not presenting current data within the Supplement 1 of the Draft Environmental Impact Statement (SDEIS) for an Early Site Permit (ESP) at the North Anna ESP site. In many cases throughout the SDEIS dated July 2006, it appears that the NRC has not used current data in its analysis so an enhanced image of the applicant or technical data is presented to promote the project, as opposed to presenting a fair unbiased view of the project as required by the National Environmental Protection Act (NEPA).**

**For example in Section 2.8 Socioeconomics the SDEIS indicates " Property Taxes.**

Quote: Dominion has a significant impact on the economic well-being of Louisa County, paying an average about 46 percent of the total property taxes between 1995 and 2003. Louisa and Spotsylvania counties have both been impacted by Lake Anna and the economic development around Lake Anna. Orange County has been impacted to a lesser extent by this development because it has fewer miles of shoreline. Over time, the percentage contribution of the total North Anna Power Station (NAPS) property taxes payable to Louisa County for NAPS Units 1 and 2 will decline, assuming the current rate of economic growth in the county continues. **UNQUOTE.**

Since the SDEIS dated July 2006, it should have been updated to reflect the latest data and trends through 2005 or beginning of 2006. For example simple analysis using up-to-date data would have revealed that Dominion's tax revenue to Louisa County from FY98 through FY05 has only increased at a rate of 0.12% per annum while the general population tax revenue has increased at a 6.27% rate annually. This compounded tax increase has resulted in almost a 100% increase for the general population during this period, while Dominion's contribution has consistently declined and will represent about 30% of the total property taxes in FY06. Dominion's percentage of contribution to the county tax revenue has consistently been on the decline during the past 8 years. If this trend continues, in the not too distant future, the tax revenues from Lake Anna residents, which represent only 3.6% of the county's land base, will surpass the tax revenues from Dominion.

## FRIENDS OF LAKE ANNA, VIRGINIA

**4. Summary.** Thank you in advance for your kind consideration of our concerns/comments. We will continue to review the voluminous documents (Draft Environmental Impact Statement – supplement 1 to NUREG-1811). We are still awaiting the arrival of the revised new or supplemental Safety Report which was supposed to be published last month (Aug). It is essential that the public can review the safety report prior to the closing of the public comment period for ESP process

This ESP process for both the draft environmental report and safety report continues to *resemble a three ring circus without having a ring master to direct all of the acts, but the time keeper is making sure that the public/audience moves out of the big top so the next schedule performance can begin.*

We will continue to review the documents that we have and provide any additional concerns with the water temperature, water quality, consideration of spent nuclear fuel, safety, etc. Each of these items and others will be addressed in separate correspondence after we have had sufficient time to review each.

***Again, we request that the public comment period be extended to provide adequate time for the review of all these voluminous documents and the continuing changes that are being made by the applicant and the NRC.*** If you have any questions, please do not hesitate to call. I'll look forward to your response.

Sincerely,

Harry Ruth  
For the Friends of Lake Anna  
C/O 230 Heather Drive, Bumpass, Va. 23024  
Phone 540-872-3632

CC: U.S. Representative Eric Cantor (7<sup>th</sup> District) (via email – [Lloyd.Lenhart@mail.house.gov](mailto:Lloyd.Lenhart@mail.house.gov))  
Senator R. Edward Houck, 17<sup>th</sup> District of Virginia (via email – [ehouck@adelphia.net](mailto:ehouck@adelphia.net))  
Senator Ryan McDougal, 4<sup>th</sup> District of Virginia (via email – [district04@sov.state.va.us](mailto:district04@sov.state.va.us))  
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EPA – Kevin Magerr- NEPA Environmental Engineer – via email – [majerr.kevin@epa.gov](mailto:majerr.kevin@epa.gov)