

April 4, 2008

Mr. Don Klima, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

SUBJECT: NORTH ANNA POWER STATION, UNIT 3 COMBINED LICENSE
APPLICATION REVIEW

Dear Mr. Klima:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Dominion Virginia Power (Dominion) for a combined license (COL) for construction and operation of a new nuclear power plant at its North Anna Power Station (North Anna or NAPS) site in Louisa County, Virginia. As part of the review of this COL application, the NRC is preparing an environmental impact statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC's regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA). The NRC staff is currently seeking information from consulting parties and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area to identify issues relating to the proposed undertaking's potential effects on historic properties.

The proposed new reactor, North Anna Unit 3, would be located on an approximately 1000 acre site on the southern shore of Lake Anna, approximately 6 miles northeast of the town of Mineral, Virginia. Dominion currently operates two reactors, NAPS Units 1 and 2, on the site, and plans to construct Unit 3 adjacent to the existing reactors. Dominion submitted the application for the COL by letter dated November 26, 2007, pursuant to NRC requirements in 10 CFR Part 52. The application was accepted for docketing on January 28, 2008, and is available through the web-based version of the NRC's Agency-wide Documents Access and Management System (ADAMS), which can be found at <http://www.nrc.gov/readingrm/adams.html>. The application is listed under ADAMS accession number ML073321238. The North Anna COL application is also available on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/north-anna.html>.

On November 27, 2007, the NRC issued Dominion an early site permit (ESP) for the North Anna ESP site, which is the site proposed for Unit 3. An ESP is a Commission approval of a site as suitable for construction and operation of one or more new nuclear units. During the ESP environmental review, the NRC consulted with your office and received concurrence on the final EIS's evaluation of the impacts to cultural resources (Enclosure 1). The NRC's detailed review of the environmental impacts of constructing and operating a new nuclear unit is documented in NUREG-1811, "Environmental Impact Statement for an [ESP] at the North Anna ESP Site." (ESP FEIS Volumes 1 and 2 are available in the ADAMS under ADAMS accession numbers ML063480261 and ML063480263, respectively.) Pursuant to NRC regulations in

10 CFR 51.50(c), a COL applicant referencing an ESP need not submit information or analyses regarding environmental issues that were resolved in the ESP EIS, except to the extent the COL applicant has identified new and significant information regarding such issues. Pursuant to 10 CFR 52.39, any matters resolved in the ESP proceedings are considered to be resolved in any subsequent proceedings, absent identification of new and significant information.

In accordance with 36 CFR § 800.8(c), the NRC staff is using the process required by NEPA to comply with the obligations imposed under § 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR §§ 800.3-800.6. Accordingly, the NRC staff is identifying parties who may wish to consult with the staff on the proposed action and is inviting them to consult with the NRC staff on this matter. Consultation will include participation in the scoping process and identification of new and significant information regarding the ESP EIS discussion of historic properties on the NAPS site; the effects of the proposed action on those historic properties; and the alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The COL EIS will include analyses of any new and significant information relating to potential impacts to historic properties and will document the NRC staff's determination regarding the environmental effects of construction and operation of a new nuclear power plant on the site. The NRC staff will involve the public in this process in accordance with the NRC procedures in 10 CFR Part 51.

Through this letter, the NRC staff is initiating consultation under § 106 of the NHPA with the Council regarding the Dominion application. Specifically, the staff requests that you participate in the scoping process. For your convenience, the portion of the NRC ESP scoping report relating to historic properties is enclosed. To complete consultation under 36 CFR § 800.8(c), the NRC staff will forward the draft EIS on the COL application to consulting parties, including the Council, for review and comment, and will address the comments in the final EIS. Your office will receive a copy of the draft EIS along with a request for comments. This draft EIS will include new and significant information regarding identification of historic properties, if any, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is December 2008.

On Wednesday, April 16, 2008, the NRC is providing the public with the opportunity to participate in an environmental scoping meeting to be held from 7:00 p.m. to 10:00 p.m., at Louisa County High School, 757 Davis Highway, Mineral, Virginia. The meeting will be preceded by an open house from 6:00 p.m. to 7:00 p.m., during which members of the public may meet and talk with NRC staff members on an informal basis. You and your staff are invited to attend.

Please submit any written comments your office may have to offer on the scope of the environmental review by April 16, 2008. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to NorthAnna.COLAEIS@nrc.gov.

D. Klima

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If you have any questions or require additional information, please contact Ms. Alicia Williamson, Environmental Project Manager at (301) 415-1878 or alicia.williamson@nrc.gov.

Sincerely,

Richard P. Raione, Branch Chief/**RA**
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-017

cc: See next page

Enclosure: As stated

D. Klima

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If you have any questions or require additional information, please contact Ms. Alicia Williamson, Environmental Project Manager at (301) 415-1878 or alicia.williamson@nrc.gov.

Sincerely,

Richard P. Raione, Branch Chief/**RA**
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

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Enclosure: As stated

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