

April 04, 2008

Mr. Dan Murphy, Deputy Field Supervisor (Acting)
Chesapeake Bay Field Office
US Fish and Wildlife Service
Annapolis, MD 21401

SUBJECT: REQUEST FOR LIST OF PROTECTED SPECIES WITHIN THE AREA UNDER
EVALUATION FOR THE NORTH ANNA POWER STATION, UNIT 3 COMBINED
LICENSE APPLICATION

Dear Mr. Murphy:

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 EIS will include an analysis of pertinent environmental issues including threatened or endangered species and impacts to fish and wildlife. This letter is being submitted under provisions of the Endangered Species Act (ESA) of 1973, and the Fish and Wildlife Coordination Act (FWCA) of 1934, as amended.

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, Units 1 and 2, on the site, and plans to construct Unit 3 adjacent to the existing units, wholly within the existing boundaries of the NAPS site. Dominion submitted the application for 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 Agencywide Documents Access 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, by letter dated May 20, 2005 (Enclosure 1), received concurrence on a biological assessment evaluating the impacts of construction and operation of two new reactors at the NAPS site on potentially occurring federally-listed threatened or endangered species. The NRC's detailed review of the environmental impacts of constructing and operating proposed Unit 3 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 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, matters resolved in the ESP proceedings are considered to be resolved in any subsequent proceedings, absent identification of new and significant information.

As set forth in the COL application, Dominion plans to use a closed-cycle, combination dry and wet cooling tower system to remove waste heat during power operation for North Anna, Unit 3. Make up water for the cooling tower system will be withdrawn from the North Anna Reservoir through a new intake structure. Blow-down from the closed-cycle cooling system would be discharged to Waste Heat Treatment Facility via the existing canal.

In the ESP environmental report, Dominion concluded the existing the transmission lines would be sufficient to carry the output of the existing units and the new units. After additional evaluation, Dominion has altered its original conclusion and has now determined that an additional 500kV line would be needed along with system reinforcement components. The new line would be installed on new transmission towers in the preexisting North Anna Substation and LadySmith Switching Substation corridor.

The NRC EIS on the COL application will include, among other things, analyses of new and significant information relating to threatened or endangered species, if any, including the effects of the new transmission line identified above. The COL EIS will document the NRC staff's determination regarding the environmental effects of construction and operation of a new nuclear power plant on the site. To support the process for preparing the EIS on the COL application, and to ensure compliance with Section 7 of the ESA, the NRC requests new and significant information on Federally-listed, proposed and candidate species, and critical habitat that may be in the vicinity of the North Anna site and the associated transmission line rights-of-way. In addition, please provide any information you consider appropriate under the provisions of the FWCA.

The NRC staff plans to hold a public NEPA scoping meeting on Wednesday, April 16, 2008. The meeting will convene at 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. In addition, during the week of April 14, 2008, the NRC plans to conduct a site audit. You and your staff are invited to attend both the public meetings and the site audit. The anticipated publication date for the draft EIS is December 2008.

D. Murphy

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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. Murphy

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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 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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