

PMNorthAnna3COLPEmails Resource

From: Harry Ruth [HC.RUTH@LOUISA.NET]
Sent: Wednesday, June 04, 2008 4:41 PM
To: Director David Paylor (VDEQ)
Cc: Will & Aileen Frazee (Jerdone Is); Tersh & Jean Norton; Ken Remmers; George & Gerry Heino; Doug Smith (LACA); David & Susan Ebe; Dale Jones 2 (LABARA); Dale Jones (LABARA); Bob & Jo Richards; Barbara Crawford (Cuckoos Nest); Jerry & Sheryl Giaccai; Senator R. Edward Houck; Senator Charles Colgan; Senator Ryan McDougle; Delegate Edward Scott (30th Dist); Delegate Robert Orrock, Sr (54th Dist); Delegate Bill Janis (56th Dist); Dan Byers (Jackson Dist); Willie Gentry (LCBS); T.C. Waddy (Spots supvr); Emmit Marshal (Spotsy supvr); Zack Burkett (Orange Cnty); Teri Pace (Orange Cnty)oun; John Kauffman (DGIF); Brian.Watson@dgif.virginia.gov; Ellie Irons (VDEQ); Joe Hassell (VDEQ-Water); Michael Murphy (VDEQ); Robert Munson (Dept of Cons. & Recreation); Alicia Williamson; Michael Masnik; Christopher Cook; Francis Cameron; David Kaiser (NOAA); John Kuriawa (NOAA); Kevin Magerr (EPA-NEPA); Cecil Harris (Hanover Cnty)
Subject: Request help from Dir VDEQ re Lake Anna & INFIM study
Attachments: VDEQ - Request for meeting with D-VDEQ re INFIM study -4 June 2008.doc

4 June 2008

To: David Paylor (Director of Virginia Dept of Environmental Quality)
(Via email)

Reference: Virginia Dept of Environmental Quality November 21, 2006 letter to Dominion Virginia Power Company re the Federal Consistency Certification under Coastal Zone Management Act, Virginia Coastal Resources Management Program: North Anna Early Site Permit Application – DEQ 05-079F

Dear David,

We are writing today as members of the Lake Anna Lake Level Task Force to request a personal meeting with you and the task force to discuss what tasks are or are not being accomplished in accordance with the referenced letter and as part of the conditional certification for the Early Site Permit at Lake Anna. As you are aware, Dominion, with their 3rd nuclear reactor cooling method, is proposing to cause up to an additional 24 million gallons a day to be evaporated from Lake Anna which will reduce lake levels faster in drought times causing many safety problems for boaters running into previously submerged items and causing the dry fire hydrants in lake communities to be come unusable, plus other items defined in the attachment. In addition it will cause a reduced water flow downstream to Hanover County quicker.

Please see the attachment for all details. We look forward to hearing from you soonest.

Sincerely,

Harry Ruth

Doug Smith

Dale Jones

Friends of Lake Anna

Lake Anna Civic Assoc.

Lake Anna Boating and Recreation

230 Heather Drive, Bumpass, Va. 23024

4147 Chalk Level Rd, Louisa, VA

2561 Peach Grove Rd, Louisa, Va.

Phone 540-872-3632

Phone 540-894-9094

Phone 540-967-9523

Hearing Identifier: NorthAnna3_Public_EX
Email Number: 160

Mail Envelope Properties (003501c8c683\$44f54800\$525691d1)

Subject: Request help from Dir VDEQ re Lake Anna & INFIM study
Sent Date: 6/4/2008 4:40:43 PM
Received Date: 6/4/2008 4:41:23 PM
From: Harry Ruth

Created By: HC.RUTH@LOUISA.NET

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 "Director David Paylor (VDEQ)" <dkpaylor@deq.virginia.gov>
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Post Office: HarryCarolRuth

Files	Size	Date & Time	
MESSAGE	2292	6/4/2008 4:41:23 PM	
VDEQ - Request for meeting with D-VDEQ re INFIM study -4 June 2008.doc			38976

Options

Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

LAKE ANNA (VIRGINIA) LAKE LEVEL TASK FORCE (FOIA, LACA, LABARA)

4 June 2008

To: David Paylor (Director of Virginia Dept of Environmental Quality)

(Via email)

Reference: Virginia Dept of Environmental Quality November 21, 2006 letter to Dominion Virginia Power Company re the Federal Consistency Certification under Coastal Zone Management Act, Virginia Coastal Resources Management Program: North Anna Early Site Permit Application – DEQ 05-079F

Dear David,

A. We are writing today as members of the Lake Anna Lake Level Task Force to request a personal meeting with you and the task force to discuss what tasks are or are not being accomplished in accordance with the referenced letter and as part of the conditional certification for the Early Site Permit. As you are aware, Dominion, with their 3rd nuclear reactor cooling method, is proposing to cause up to an additional 24 million gallons a day to be evaporated from Lake Anna which will reduce lake levels faster in drought times and impact the water flow downstream to Hanover County quicker. It appears that your IFIM study, under the direction of Mr. Joe Hassell from your staff, is not looking at all the impacts to Lake Anna recreation and downstream as specifically defined as a requirement in the referenced letter and the Lake Anna Contingency Plan. We have asked for a meeting to discuss this with Mr. Hassell and he indicated that he was “too busy” and “he did not believe that the public had anything to contribute to this study “. Note that this refusal by a state agency to meet with the public may be in violation of the National Environmental Policy Act (NEPA).

FOIA previously sent email’s on 10 Jan, 31 Jan, 19 Feb and 23 Feb 08 to both Ellie Irons and Joe Hassell of your staff to identify the specific areas that were not being accomplished and was informed by Ellie Irons that Joe Hassell is the VDEQ Point of Contact. Unfortunately Mr. Hassell has never provided a written response to any of the emails. In a 23 May 08 telephone conference, Mr. Hassell said he would not respond in writing but would review the emails. On 2 June 08, Mr. Hassell in a telephone call said:

(1) “that no one in VDEQ was interested in looking at the impacts to all the recreation on Lake Anna as required by the reference letter and the most that he would do is to look at the impact of declining lake water level’s to boat ramps”

(2) “He had no means of determining any other dollar value impacts to recreation on Lake Anna, although our task force offered to supply many details on the loss of customers to Lake Business and the surrounding counties and he would not consider any suggestions that I made unless their was a scientific basis for it.”

(3) He further stated “as long as there was two feet of water level left at some parts of Lake Anna that boaters could boat and navigate through those parts of the lake and that was all that was important. He might produce a map that indicates what parts of Lake Anna would still be useable as the lake water declines. He did not think that it presented any safety problems for the public so he was not going to study it.”

(4) “There would be no impact to the aquatic life in Lake Anna as long as the lake level does not drop more than 12 inches in one week, so therefore there was no need to study this.”

LAKE ANNA (VIRGINIA) LAKE LEVEL TASK FORCE (FOLA, LACA, LABARA)

(5) When I indicated that low water levels in the lake would make the dry fire hydrants in many Lake Anna communities unusable, Mr. Hassell indicated “that he talked to the Fire Chief in Bedford County and that the local county fire departments could get longer hoses to go to the part of the lake that still had water remaining and the fact that no water was available at the end of the dry fire hydrants was not a problem.”

(6) “He only intended to study the impacts of declining water levels on downstream users of North Anna and suggested that if our task force wanted the impacts to Lake Anna recreation studied as a part of the conditional certification for the Early Site Permit that we should have the Virginia Dept of Conservation and Recreation talk to Dominion.”

(7) “He was too busy to meet with us because he thought the public had nothing to add to the process.”

B. Lake Anna Lake Level Task Force— The Lake Anna Lake Level Task Force consists of representatives from three Lake Anna citizen organizations: (1) The Friends of Lake Anna (FOLA), (2) Lake Anna Civic Association (LACA) and (3) Lake Anna Boating and Recreation Association (LABARA). All three of these organizations have the common interest to protect the Lake Anna environment (both main reservoir and cooling lagoons) and its surrounding landscape for the health, safety and welfare of current residents/users and for future generations. None of the organizations are anti-nuclear, but do support a wise and safe use of nuclear energy. The common goal for all of the organizations is simply to protect Lake Anna for its 500,000 plus annual users and insure compliance with the law.

We applaud Dominion Resources for their past stewardship of Lake Anna and are not opposed to the North Anna Project. We do support the addition of the 3rd reactor at the North Anna plant, but want to ensure that all environmental issues are responsibly addressed in accordance with the November 21, 2006 referenced letter and prior to VDEQ certifying that the referenced IFIM study is complete as part of the conditional certification of the Early Site Permit. Note that the lake was constructed for both cooling of the North Anna Plant and also the enabling legislation set forth very clearly that Lake Anna was also created as a recreational lake for the public to enjoy. One use is no more important than the other.

C. David, we look forward to meeting with you to discuss the above. The task force has collected over 6,400 petitions and letters of support from businesses, homeowners and lake users requesting public participation in each step/review of the Instream Flow Incremental Methodology (IFIM) study for Lake Anna and the North Anna River being conducted as part of Virginia and the U.S. North Anna Early Site Permit (ESP) approval process. We ask that VDEQ does not certify that the study as complete until all the recreational impacts to Lake Anna, including the State Park, are full analyzed, with public participation in the entire process and resolved as part of the study. We feel certain that you, as a dedicated protector of the environment and also a boater on Lake Anna will want the same. Please call Harry (540-872-3632) so we can coordinate a convenient time to meet and discuss the above.

Sincerely,

Harry Ruth

Doug Smith

Dale Jones

Friends of Lake Anna

Lake Anna Civic Assoc.

Lake Anna Boating and Recreation

230 Heather Drive, Bumpass, Va. 23024

4147 Chalk Level Rd, Louisa, VA

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Phone 540-872-3632

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LAKE ANNA (VIRGINIA) LAKE LEVEL TASK FORCE (FOLA, LACA, LABARA)

CC: Senator Edward Houck
Senator Charles Colgan
Senator Ryan McDougle
Delegate Edward Scott
Delegate Robert Orrock, Sr.
Delegate William Janis
Louisa County Supervisor – Dan Byers
Louisa County Supervisor – Willie Gentry
Spotsylvania County Supervisor – T.C. Waddy
Spotsylvania County Supervisor – Emmit Marshal
Orange County Supervisor – Zack Burkett
Orange County Supervisor – Teri L. Pace
John Kauffman, Dept of Game and Inland Fisheries
Brian Watson, Dept of Game and Inland Fisheries
Ellie Irons – DEQ
Joseph Hassell - - DEQ
Mike Murphey -- DEQ
Robert Munson – Dept of Conservation and Recreation
Alicia Williamson – Nuclear Regulatory Agency
Michael Masnik – Nuclear Regulatory Agency
Christopher Cook – Nuclear Regulatory Agency
Francis (Chip) Cameron – Nuclear Regulatory Agency
David Kaiser – National Oceanic and Atmospheric Administration
John Kuriawa – National Oceanic and Atmospheric Administration
Kevin Magerr, Environmental Protection Agency
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