

PMNorthAnna3COLPEmails Resource

From: Alicia Williamson
Sent: Wednesday, October 08, 2008 12:14 PM
To: mpmurphy@deq.virginia.gov
Cc: NorthAnna3COL Resource; Sandusky, William F III
Subject: NRC Response to LACA FOLA LLTF & LABR (public)
Attachments: NRC Response to request by FOLA LACA etc.pdf

Mike

Attached is the letter to Mr. Ruth and other civic associations regarding the IFIM study request made to NRC, July 10, 2008. I do not have email addresses for all the VDEQ coordination organizations who were on the call held in early August. Would you mind forwarding the letter on to them? If you have any questions, please don't hesitate to give me a call at the information below.

Thanx

Alicia

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Subject: NRC Response to LACA FOLA LLTF & LABR (public)
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From: Alicia Williamson

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"Sandusky, William F III" <bill.sandusky@pnl.gov>
Tracking Status: None
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Options

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October 3, 2008

Mr. Harry Ruth
Friends of Lake Anna
230 Heather Drive
Bumpass, VA 23024

Mr. Doug Smith
Lake Anna Civic Association
4147 Chalk Level Road
Louisa, Va 23093

Mr. Dale Jones
Lake Anna Boating and Recreation
2561 Peach Grove Road
Louisa, Va 23093

SUBJECT: NRC RESPONSE TO REQUEST SUBMITTED BY FOLA, LACA, LLTF,
LABR, REGARDING NORTH ANNA UNIT 3 COMBINED LICENSE
APPLICATION

Dear Sirs:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated July 10, 2008. Specifically, you request NRC's assistance in ensuring the total impacts to recreation are properly included within the following reviews for the North Anna Power Station (North Anna), Unit 3: the Instream Flow Incremental Monitoring Program (IFIM) study being conducted by Dominion Nuclear North Anna, LLC (Dominion) and the Commonwealth of Virginia; the Coastal Zone Management Act (CZMA) certification for the Early Site Permit (ESP) for North Anna; and the NRC's combined license environmental review for North Anna Unit 3.

On November 27, 2007, the NRC issued ESP-003 to Dominion for the North Anna ESP Site (the site of proposed Unit 3). As part of the permitting conditions of the ESP, the NRC directed Dominion to conduct a comprehensive IFIM study, designed in cooperation with the Virginia Department of Game and Inland Fisheries (VDGIF) and Virginia Department of Environmental Quality (VDEQ) to address potential impacts of the proposed North Anna Units 3 and 4 on the fishes and other aquatic resources of Lake Anna and the downstream waters. In addition, the permit directs Dominion to conduct an IFIM study in accordance with the CZMA consistency determination.

In March 2007, Dominion produced an IFIM study plan as directed by the NRC's ESP permitting condition in coordination and consultation with various state resource agencies (i.e. VDGIF and, VDEQ) as well as in part with the Virginia Coastal Consistency Certification. The study plan was developed and agreed to by all the appropriate state agencies including VDEQ, VDGIF, and VDCR. The detailed study area of the plan is comprised of approximately 70 miles of

stream between the North Anna Dam and the Pamunkey River. This area was chosen because of the potential for a reduction in water released from the North Anna Dam to the river due to a new unit. A reduction in dam releases could have a significant impact on aquatic resources below the dam in the river. As part of the study, recreational activities in the North Anna River are being considered. The study results are tentatively expected in December of 2008. As part of the combined license (COL) application for North Anna Unit 3, the staff investigated Dominion's progress on the IFIM study and found no issues. In addition, the staff has met with various members of the Commonwealth of Virginia consulting and coordinating agencies (including the VDCR) about the IFIM study, and they did not express dissatisfaction with how the study was being conducted. As a result, the NRC considers the study appropriately being conducted as directed by the ESP. The ESP permitting condition explicitly states that the study must be conducted in coordination with the aforementioned state agencies with all appropriate prescriptions related to surface water management, release, and instream flow conditions enforced through appropriate Federal, State and local permits. The NRC will continue to monitor the progress of the IFIM study until completion as stipulated by the ESP.

Another part of your letter asks the NRC to consider referenced supplemental data as part of the environmental review of the COL application for North Anna Unit 3 submitted by Dominion in November 2007. For a COL application that references an ESP, the NRC staff, pursuant to Title 10, Part 51, of the *Code of Federal Regulations* (10 CFR Part 51.75(c)), prepares a supplement to the ESP final Environmental Impact Statement (FEIS) in accordance with 10 CFR 51.92(e). The NRC's detailed review of the environmental impacts of constructing and operating new units at the North Anna ESP site is documented in NUREG-1811, Environmental Impact Statement for an Early Site Permit (ESP) at the North Anna ESP Site, published in December 2006. The NRC staff is preparing a supplemental EIS (SEIS) to NUREG-1811, the ESP FEIS, in support of the COL application for Unit 3 at the NAPS ESP site.

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. The NRC evaluated the environmental impacts of recreation on Lake Anna in NUREG-1811, ESP FEIS, and the matter is resolved. The analysis for North Anna Unit 3 SEIS will only address new and significant information to determine if the impact level of recreation has changed. Therefore, the staff will consider the supplemental data information in its review, in terms of new and significant information.

If you would like to review any of the documents mentioned in this letter, they are 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 IFIM study plan, NUREG-1811 Volumes 1 and 2, and the COL application for North Anna Unit 3 are listed under ADAMS accession numbers ML082200149, ML063480261, ML063480263, and ML073321238 respectively. The North Anna COL application as well as information on the

H. Ruth, et al.

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Unit 3 COL licensing process is also available on the Internet at <http://www.nrc.gov/reactors/new-licensing/col/north-anna.html>. We appreciate your time and efforts to comment on the staff's environmental review.

Sincerely,

/RA/

Alicia R. Williamson, Project Manager
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-017

cc:

Mr. Doug Smith
Lake Anna Civic Association
4147 Chalk Level Road
Louisa, VA

Mr. Dale Jones
Lake Anna Boating and Recreation
2561 Peach Grove Road
Louisa, VA 23093

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Sincerely,

/RA/

Alicia R. Williamson, Project Manager
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