January 27, 2009

Chief Kenneth Adams
Upper Mattaponi Tribe
PO Box 184
King William, VA 23086

SUBJECT: NOTIFICATION OF THE ISSUANCE OF THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE NORTH ANNA POWER STATION, UNIT 3 COMBINED LICENSE

The Honorable Chief Adams:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Virginia Electric Power Company, doing business as Dominion Virginia Power and the Old Dominion Electric Cooperative (collectively referred to as Dominion) for a combined license (COL) for construction and operation of one new nuclear power plant at its North Anna Power Station Unit 3 (NAPS) site near Mineral, Virginia. As part of its review of the proposed action, the NRC staff has prepared NUREG-1917; draft "Supplemental Environmental Impact Statement for the Combined License (COL) for North Anna Unit 3" (SEIS). The draft SEIS includes analyses of relevant environmental issues, including potential impacts to historic properties that reflect consultation and document the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of one new nuclear plant.

As stated in our April 4, 2008, letter the NRC staff has determined that the area of potential effect (APE) for the COL action is the area at the power plant site and its immediate environs that may be impacted by land-disturbing activities associated with the construction and operation of the new unit. The NRC staff also notified you that in accordance with 36 CFR 800.8(c), the NRC staff is using the process required by NEPA for the preparation of the SEIS to comply with the obligations imposed under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

Through this letter, the NRC staff is forwarding the draft SEIS to the Upper Mattaponi Tribe for your review and comment and will address your comments in the final SEIS, regarding the Dominion COL application. Pursuant to 36 CFR 800.8(c), we are requesting your comments on the draft SEIS and on our preliminary conclusions regarding historic properties. In accordance with our letter to you dated April 4, 2008, a copy of the draft SEIS is enclosed.

The NRC staff has conducted an environmental audit at the site and has reviewed historic and archaeological records. The NRC staff also contacted 15 other Native American Tribes identified as having potential interest in the proposed undertaking. To date, no comments have been received. In the context of the National Environmental Policy Act of 1969, under which the draft SEIS was prepared, the NRC staff's preliminary determination is that the impacts of proposed plant on historical and archaeological resources is small and the draft SEIS describes the potential mitigation warranted. Under the provisions of the National Historic Preservation Act of 1966, the NRC staff's preliminary determination is that no historic properties will be affected by the proposed action.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in any potential historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional, religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The NRC plans to hold a public meeting to go over the analysis and results in the draft SEIS on Tuesday, February 3, 2009, at the Louisa County High School, 757 Davis Highway, Mineral, Virginia. The meeting will convene at 6:00 p.m. and will continue until 10:00 p.m., as necessary. The meeting will be preceded by an open house from 5:00 p.m. to 6:00 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 provide any information, comments, or concerns you feel are appropriate on the draft SEIS during the comment period, which ends on March 20, 2009. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or by e-mail to NorthAnna.COLAEIS@nrc.gov

If you have any questions concerning the NRC staff's environmental review of this COL application, please contact Ms. Alicia Williamson, Environmental Project Manager at (301) 415-1878 or by e-mail at Alicia.Williamson@nrc.gov.

Sincerely,

/RA TDozier for/

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket No.: 52-017

Enclosure: As stated

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Sincerely,
/RA TDozier for/

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

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Enclosure: As stated

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