

## NAPSEISComment Resource

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**From:** Bronson, Regena D NAO [Regena.D.Bronson@usace.army.mil]  
**Sent:** Monday, March 09, 2009 2:04 PM  
**To:** Alicia Williamson  
**Subject:** EIS letter comments  
**Attachments:** North Anna EIS letter.pdf

Hello Alicia,

I am just now able to write my comment letter on the North Anna Unit 3. I hope all is well and if you have any questions please email or call. Thanks <<North Anna EIS letter.pdf>>

*Regena Bronson*

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US Army Corps of Engineers  
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**Federal Register Notice:** 73FR79196  
**Comment Number:** 9

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**Subject:** EIS letter comments  
**Sent Date:** 3/9/2009 2:04:01 PM  
**Received Date:** 3/9/2009 2:04:56 PM  
**From:** Bronson, Regena D NAO

**Created By:** Regena.D.Bronson@usace.army.mil

**Recipients:**  
"Alicia Williamson" <Alicia.Williamson@nrc.gov>  
Tracking Status: None

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North Anna EIS letter.pdf		1681898

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DEPARTMENT OF THE ARMY  
NORFOLK DISTRICT CORPS OF ENGINEERS  
FORT NORFOLK 803 FRONT STREET  
NORFOLK VIRGINIA 23510-1096

Reply to  
Attention of: 9 March 2009

Northern Virginia Regulatory Section  
NAO 2008-02534 (Lake Anna)

US Nuclear Regulatory Commission  
OWFN 11 F-1  
Attn: Ms. Alicia Williams  
Washington, DC 20555-0001

Dear Ms. Williams:

This is in reference to your request for Corps' comments for the "Supplemental Environmental Impact Statement, Combined License (COL) at North Anna Power Station Unit 3" project in Caroline County.

Based on the Supplemental EIS draft submitted by you, any fill proposed in waters of the United States regulated under Section 404 of the Clean Water Act (33 U.S.C. 1344) and may require Department of the Army authorization. We recommend you submit the following information so we may conduct a public interest review:

1. A USGS topographic map depicting the location and boundaries of the project site for the proposed Units 3 and 4.
2. The complete proposed plan of development with a depiction of all work that is subject to regulation under Section 404 of the Clean Water Act (i.e. intake and outfalls structures within jurisdictional waters and/or wetlands).
3. A survey and/or report for the federally listed threatened species; swamp pink (Helonias bullata), small whorled pogonia (Isotria medeoloides), and sensitive joint vetch (Aeschynomene virginica).
4. Evidence that discharges of dredged or fill material into waters of the United States are avoided or minimized to the maximum extent practicable at the project site.
5. A compensatory mitigation plan that addresses the loss of wetlands and streams impacts by the proposed project.

In addition, our review of the Virginia Department of Historical Resources Data Sharing System (VDHR DSS) indicates that the proposed work may affect cultural resources. These resources may be eligible for listing on the National Register of Historic Places (enclosed maps) and may be subject to compliance with Section 106 of the National Historic Preservation Act of 1966.

According to 36 CFR 800.2(a) (2):

*"...If more than one Federal agency is involved in an undertaking, some or all [of] the agencies may designate a lead Federal agency, which shall identify the appropriate official to serve as the agency official who shall act on their behalf, fulfilling their collective responsibilities under section 106. Those Federal agencies that do not designate a lead Federal agency remain individually responsible for their compliance with this part."*

Pursuant to the above provision, the United States Nuclear Regulatory Commission (USNRC) is hereby designated as the lead federal agency to fulfill the collective Federal responsibilities under Section

106 for the . North Anna Power Station Unit 3, if the USNRC determines an adverse effect on historic resources:

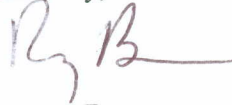
The Corps authorizes the USNRC to conduct Section 106 coordination on its behalf. If a Memorandum of Agreement is required by USNRC, under 36 CFR 800.6, the following clause should be included in the introductory text:

*“WHEREAS, pursuant to Section 404 of the Clean Water Act, a Department of the Army permit will likely be required from the Corps of Engineers for this project, and the Corps has designated USNRC as the lead federal agency to fulfill federal responsibilities under Section 106; and*

Any work in these areas may require authorization by state and local agencies. Thank you for providing us the opportunity to provide early comment on the project.

If you have any questions, please call 540-786-0080. For, and on behalf of, Deborah Massenburg, Acting Chief, and Northern Virginia Regulatory Section:

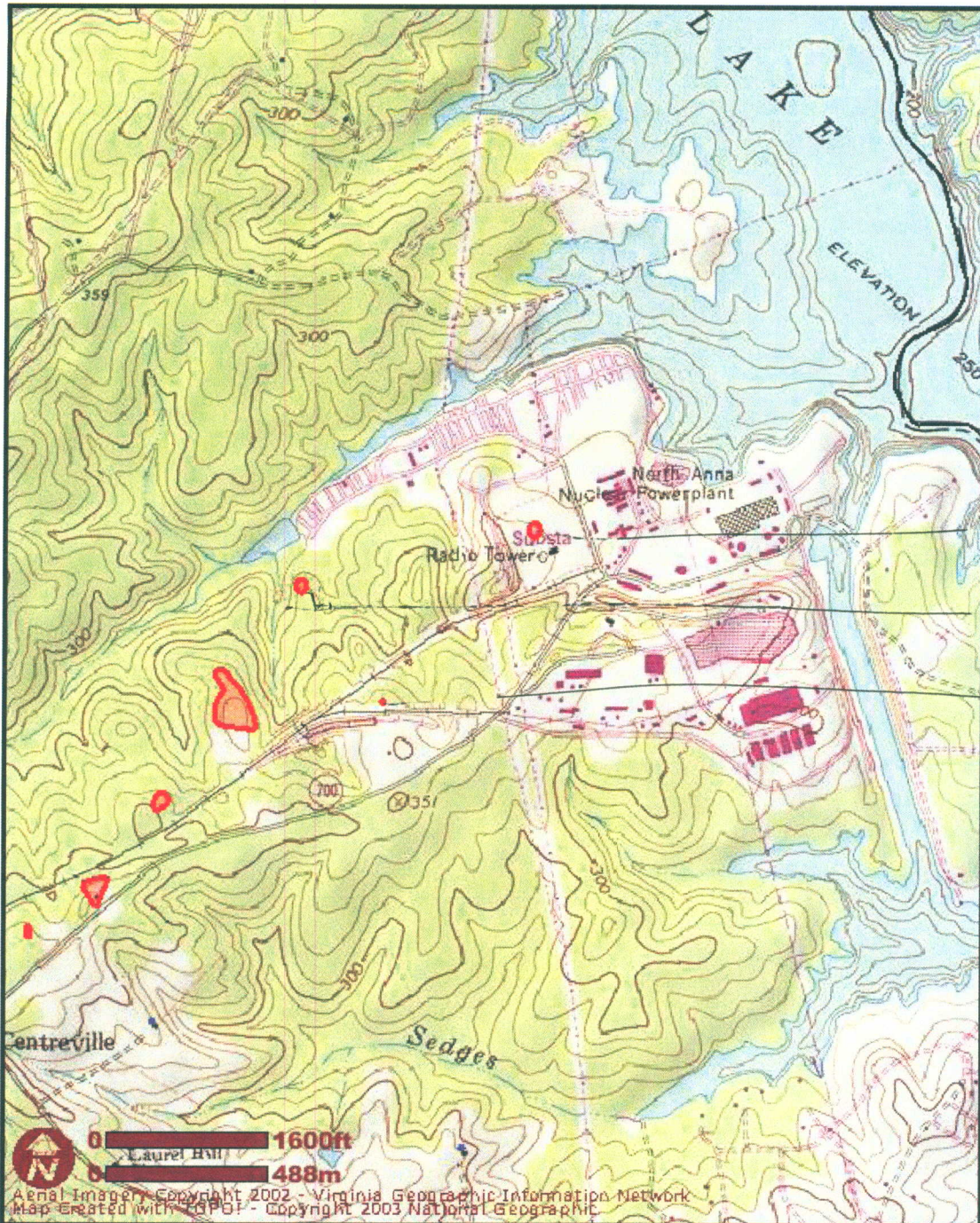
Sincerely,



Regena Bronson  
Project Manager  
Northern Virginia Regulatory Section

Enclosure

# Virginia Department of Historic Resources Data Sharing System, 03/01/2009



- LEGEND
- Interstates
  - Architecture (polygon)
  - Archaeology (polygon)
  - County Boundary
- 24k TOPO

44LS0222  
44LS0221  
44LS0227

Virginia Department of Historic Resources - February 23, 2009 9:16 am

North Anna Nuclear Power Plant  
Louisa