

PMFermiCOLPEm Resource

From: Olson, Bruce
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To: Randall D Westmoreland; LaGory, Kirk E.
Cc: FermiCOL Resource
Subject: Conference Call Notes--12-21-09 Meeting



Conference call
notes bao rev-...

Thanks.....

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Section 106 Conference Call for the Fermi 3 COL Project

December 21, 2009

Purpose

To discuss National Historic Preservation Act Section 106 consultation related to the Fermi 3 project.

Participants

U.S. Nuclear Regulatory Commission (NRC): Bruce Olson, John Fringer

Argonne National Laboratory (Argonne): Kirk LaGory

Detroit Edison: Randy Westmoreland, Craig Tylenda, Chris Becker, Lynn Goodman

Black & Veatch: Lisa Fewins

Ecology and Environment: Natasha Snyder

Michigan State Historic Preservation Office: Brian Grennell

Summary of Discussions and Associated Action Items

The summary of discussions during the conference call is presented below. Action items are identified below as **[ACTION ITEM]**.

- A brief introduction to the Fermi project and past interactions with the SHPO was provided by Olson and LaGory. Olson explained that NRC's role is related to operations and safety-related construction, and that other construction activities (e.g., of transmission lines) would be under the jurisdiction of the U.S. Army Corps of Engineers (USACE). Non-NRC-regulated construction activities would require a separate consultation that would be led by the USACE.
- Olson and Westmoreland explained that the NRC would be submitting the Section 106 consultation form in the near future (probably January 2010) **[ACTION ITEM]**. Westmoreland indicated that supplementary information (e.g., Phase I report) would be provided on CD.
- There was considerable discussion regarding Section 106 consultation for the decommissioning of Fermi 1 and construction and operation of Fermi 3. Grennell indicated that it would be best if the two projects were considered as separate actions with separate Section 106 consultations. This would require submission by NRC of two separate Section 106 consultation forms. Olson agreed to pursue this with the Fermi 1 lead at NRC (Ted Smith) **[ACTION ITEM]**. Grennell recommended the Fermi 1 consultation begin soon because the process could take some time assuming the likelihood of an adverse effect determination and the need to develop mitigation.
- Grennell asked if there had been a determination of National Register of Historic Places (NRHP) eligibility for Fermi 2. Westmoreland indicated that the eligibility criteria had been

reviewed and a determination made that Fermi 2 was not eligible. This information would be included in the Section 106 information submitted for Fermi 3 **[ACTION ITEM]**.

- The desired level of detail in the Section 106 form was discussed. Grennell indicated that the SHPO will be looking at the overall picture and that detail would only be needed for those areas where ground disturbing activities are planned around known sites. He also expressed concern for impacts to submerged sites in Lake Erie.
- Mitigation was discussed. Goodman noted that the Section 106 form did not include opportunities for discussions of mitigation. Grennell indicated that the form only deals with determination of effect and not mitigation. He stated that once a determination is made by the NRC and concurred on by the SHPO, the Advisory Council must be notified. The Council then has the opportunity to comment on the determination and become involved in mitigation planning. Mitigation would be developed in consultation with the SHPO and potentially the Advisory Council. There also could be a need for public involvement, although previous public involvement related to scoping may be considered adequate. Grennell also indicated that the SHPO prefers to look at the alternatives being considered when determining the need for mitigation. Grennell suggested NRC and Detroit Edison look at the Section 106 documentation and mitigation related to the decommissioning of the Big Rock nuclear reactor **[ACTION ITEM]**.
- Becker stated that the Michigan Chapter of the American Nuclear Society was an interested party for the decommissioning of Fermi 1. Grennell stated it would be useful to have a supporting letter from this organization as part of the Section 106 consultation package **[ACTION ITEM]**.
- There will be a followup discussion to discuss the status of Section 106 consultation materials on January 11, 2010 (tentative 2:00 PM Eastern) between Olson, Goodman, Snyder, LaGory, Westmoreland, and Becker **[ACTION ITEM]**.