

NUCLEAR REGULATORY COMMISSION
VIRGINIA ELECTRIC AND POWER COMPANY
DOCKET NOS. 50-280 AND 50-281
[NRC-2010-0079]
SURRY POWER STATION, UNIT NOS. 1 AND 2
ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 73.5, “Specific exemptions,” from 10 CFR Part 73, “Physical protection of plants and materials,” from the implementation date for certain requirements of 10 CFR Part 73 for Facility Operating License Nos. DPR-32 and DPR-37, issued to Virginia Electric and Power Company (the licensee), for operation of the Surry Power Station, Unit Nos. 1 and 2 (Surry). In accordance with 10 CFR 51.21, “Criteria for and identification of licensing and regulatory actions requiring environmental assessments,” the NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed actions will have no significant environmental impact.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The proposed action would exempt Surry from the required implementation date of March 31, 2010, for several new requirements of 10 CFR Part 73. Specifically, Surry would be granted an exemption from being in full compliance with certain new requirements contained in Section 73.55, “Requirements for physical protection of licensed activities in nuclear power

reactors against radiological sabotage,” of 10 CFR Part 73 by the March 31, 2010, deadline. Instead, the licensee has proposed an alternate full compliance implementation date of August 31, 2010, approximately 5 months beyond the date required by 10 CFR Part 73. The proposed action, an extension of the schedule for completion of certain actions required by the revised 10 CFR Part 73, does not involve any physical changes to the reactor, fuel, plant structures, support structures, water, or land at the Surry site.

The proposed action is in accordance with the licensee’s application dated December 7, 2009.

The Need for the Proposed Action:

The proposed action is needed to provide the licensee with additional time due to the large scope of work required to meet the requirements of the new 10 CFR 73.55.

Environmental Impacts of the Proposed Action:

The NRC has completed its environmental assessment of the proposed exemption. The staff has concluded that the proposed action to extend the implementation deadline would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring.

The proposed action would not result in an increased radiological hazard beyond those previously analyzed in the environmental assessment and finding of no significant impact made by the Commission in promulgating its revisions to 10 CFR Part 73 as discussed in a *Federal Register* notice dated March 29, 2009 (74 FR 13967). There will be no change to radioactive effluents that effect radiation exposures to plant workers and members of the public. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

The proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National

Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Steven's Act are expected. There are no impacts to the air or ambient air quality.

There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes to or different types of non-radiological environmental impacts are expected as a result of the proposed exemption.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action. In addition, in promulgating its revisions to 10 CFR Part 73, the Commission proposed an environmental assessment and published a finding of no significant impact (Part 73, Power Reactor Security Requirements (74 FR 13926), March 27, 2009).

If this exemption is granted, the NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed actions, the NRC staff considered denial of the proposed actions (i.e., the "no-action" alternative). Denial of the exemption request would result in no change in current environmental impacts. If the proposed action was denied, the licensee would have to comply with the March 31, 2010, implementation deadline. The environmental impacts of the proposed exemption and the "no action" alternative are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those considered in the "Final Environmental Statement Related to the Continuation of Construction and the Operation of Units 1 and 2, Surry Power Station," dated May 1972 and June 1972, respectively,

as supplemented through the “Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 6 Regarding Surry Power Station, Units 1 and 2 – Final Report (NUREG-1437, Supplement 6),” dated November 2002.

Agencies and Persons Consulted:

In accordance with its stated policy, on February 3, 2010, the NRC staff consulted with the Virginia State official, Mr. Leslie Foldesi, Division of Radiological Health of the Virginia Department of Health, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated December 7, 2009. The attachments to the licensee’s December 7, 2009, letter requesting this exemption, contain safeguards information and, accordingly, are not available to the public. Publicly available parts of these documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, Public File Area O-1F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available records will be accessible electronically from the Agencywide Document Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Website:

<http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at -800-397-4209 or 301-415-4737, or send an e-mail to pdr.resource@nrc.gov.

Dated at Rockville, Maryland, this 24th day of February 2010.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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