

PMFermiCOLPEm Resource

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Sent: Thursday, December 02, 2010 8:38 AM
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Cc: Whited, Ryan; LaGory, Kirk E.; Luff, Colette M LRE; Hayse, John; Fringer, John; Masnik, Michael; Doub, Peyton; Mussatti, Daniel; Barnhurst, Daniel; Carpentier, Marcia; Harvey, Brad; Hale, Jerry; FermiCOL Resource; Lee, Jay; Emch, Richard; Bauer, Laurel; Hinson, Charles; Cicotte, George; Karimi, Roohollah; Snyder, Natasha B.; Guerin, Jone; David Weeks (dweeks@ene.com); Zalcman, Barry; Cushing, Jack
Subject: Conference Call Notes from the Fermi 3 COLA Environmental Review Teleconference Meeting--Monday November 29, 2010
Attachments: Conference Call Notes bao rev-11-29-10.docx

Distribution of these notes has been expanded as development of the Fermi 3 DEIS has evolved.

Please review and comment.

Thanks.....

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Subject: Conference Call Notes from the Fermi 3 COLA Environmental Review
Teleconference Meeting--Monday November 29, 2010
Sent Date: 12/2/2010 8:38:17 AM
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Conference Call for the Fermi 3 COL Environmental Review

Monday, November 29, 2010, 2:00 PM Eastern Time

Purpose

To discuss the status of RAIs and other items related to the Fermi 3 COL Environmental Review

Participants

U.S. Nuclear Regulatory Commission (NRC): Bruce Olson, John Fringer
Argonne National Laboratory (Argonne): Kirk LaGory
Detroit Edison: Randall Westmoreland, Craig Tylenda, Chris Becker
Public: Michael Keegan (Don't Waste Michigan)

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]**.

RAIs

- Awaiting reviews on several RAI responses including: SE2.5.2-1, SE2.5.2-2, TE 4.3.1-1, and TE4.3.1-9. Reviews are expected to be complete by December 13 **[ACTION ITEM]**.

Section 404 Permitting

- USACE 1 and 2. Collette Luff of the Detroit District USACE provided written review comments to Detroit Edison on November 19, 2010. Detroit Edison plans to provide requested information by January 10, 2011. **[ACTION ITEM]**.
- The USACE sent their jurisdictional determination to Detroit Edison on November 9, 2010. Detroit Edison is reviewing the determination and will incorporate information in their onsite alternative analysis **[ACTION ITEM]**.
- Detroit Edison is planning to provide results of their onsite alternatives analysis required by the USACE in their January 10, 2011 response. Negotiations related to Michigan Department of Natural Resources and Environment (MDNRE) permitting and certifications are being pursued by Detroit Edison with the goal to resolve requirements by the end of the year (2010), but the path forward is uncertain at this time. Detroit Edison will keep NRC and the USACE apprised of progress **[ACTION ITEM]**.
- A mitigation strategy for wetland impacts will be developed by Detroit Edison **[ACTION ITEM]**. Feedback from the MDNRE or USACE could result in some changes from the strategy currently presented in the EIS draft. The full scope and nature of those required changes is not known, but Detroit Edison plans to address the bounding parameter requirements set by the MDNRE and USACE by January 2011 **[ACTION ITEM]**.

Section 106

- The Section 106 submittal form for the Fermi 1 decommissioning (ML101790146) is being reviewed for consistency with NRC policy and is expected to be submitted by NRC to the SHPO before the end of the year. The Fermi 3 submittal (ML101820297) is also undergoing review and will include the modified Maritime Assessment Report as an attachment to the Section 106 form. The Fermi 3 submittal may be sent separately from the Fermi 1 package, pending the outcome of legal reviews, but consistency will be maintained. Olson and Fringer will follow up with the SHPO once the Fermi 3 package has been submitted **[ACTION ITEM]**.

Fermi COL EIS

- Argonne has completed a preliminary working draft of the Fermi COL EIS. That November 15, 2010 draft is being reviewed by the NRC and review comments have been requested by the end of the year. The review should identify any information gaps and need for revision. Information gaps may be discussed in future calls **[ACTION ITEM]**.
- Olson and LaGory met with Region 5 of the U.S. Environmental Protection Agency (USEPA) on November 17, 2010 to discuss the Fermi COL EIS. The USEPA asked if the USACE had contacted USEPA wetlands staff about the project. Contact has not been made, but the USACE will investigate coordination with USEPA or other agency personnel. **[ACTION ITEM]**.

Comments from the Public

- Keegan asked for confirmation that the public draft EIS would be published at the end of 2011 and asked in which month publication is expected. Olson indicated that there was too much uncertainty to determine the month of publication, but that the draft would be published at the end of 2011.
- Keegan asked if a Certificate of Need had to be obtained prior to publication of the FEIS. The Certificate of Need is a requirement of the Michigan Public Service Commission, and is not directly tied to the EIS. The relation of the Michigan Power Commission policies to issuance of the COL by the NRC will be considered as a separate matter.

Future Calls Planned

- The next call will be held on Monday, December 13, 2010. Topics will include follow-up to items from the November 29, 2010 call. This call will be open to the public.