

PMFermiCOLPEm Resource

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Sent: Wednesday, November 24, 2010 11:16 AM
To: 'Randall D Westmoreland'; 'Craig D Tylenda'; 'Chris Becker 'beckerc@dteenergy.com"
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
Subject: Conference Call Notes from the Fermi 3 COLA Environmental Review Teleconference Meeting--Monday November 22, 2010
Attachments: Conference Call Notes bao rev-11-22-10.docx

Notes from Monday November 15, 2010 Teleconference are attached.
The next telecon is set for Monday, November 29, 2010 at 2:00 PM ET.

Thanks.....

Bruce Olson
Environmental Project Manager
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Hearing Identifier: Fermi_COL_Public
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Teleconference Meeting--Monday November 22, 2010
Sent Date: 11/24/2010 11:16:01 AM
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Conference Call for the Fermi 3 COL Environmental Review

Monday, November 22, 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
Argonne National Laboratory (Argonne): Kirk LaGory
Detroit Edison: Randall Westmoreland, Craig Tylenda, Chris Becker
U.S. Army Corps of Engineers: Colette Luff
Public: Michael Keegan

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 and 2.5.2-2. NRC requested a month by month breakdown of the number of onsite workers during the construction period. Detroit Edison provided a response on October 29, 2010 and that response is under review **[ACTION ITEM]**.
 - TE 4.3.1-1. Inconsistencies in the Environmental Report (ER) were noted for acreage reported for different habitat types and for acreage of different habitats along the undeveloped 10.8 mi corridor. Detroit Edison provided a response on October 29, and that response is under review **[ACTION ITEM]**.
 - TE4.3.1-9. E&E had previously identified the need for additional details from Detroit Edison on how vehicle related mortality of the eastern fox snake would be mitigated during construction and operations. The preliminary indication is that the issue was addressed in the Detroit Edison response on October 29, but the overall adequacy of the response is under detailed review **[ACTION ITEM]**.

Section 404 Permitting

- USACE1 and 2. Collette Luff of the Detroit District USACE provided written review comments to Detroit Edison on November 19, 2010. An earlier meeting was held between the USACE and Detroit Edison on November 16 to go over these comments. The USACE has requested that Detroit Edison 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 **[ACTION ITEM]**. Argonne has

updated the RAI status table to indicate that the jurisdictional determination has been received.

- 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]**.
- Luff indicated that the wetlands delineation map prepared for Detroit Edison by Ducks Unlimited did not include some areas identified by the MDNRE or the USACE, and requested that that information be included Detroit Edison's analysis and in the EIS **[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 in the near future. 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. 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 draft is being reviewed by the NRC. The review will 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 Luff will investigate coordination with USEPA or other agency personnel. **[ACTION ITEM]**.
- Olson is trying to establish a schedule for publication of the draft EIS. A revised schedule will be based on an assumed March 1, 2011 date for resolution of all outstanding issues, including settlement of the onsite alternatives analysis, acceptance of the wetlands mitigation plan, responses to USACE RAIs, and receipt of USACE's review comments on the preliminary working draft EIS. With this assumed date, NRC will proceed to develop the draft EIS in mid-2011.

Comments from the Public

- Keegan asked when the public draft EIS would be published and what the length of the comment period would be. Olson indicated that the draft would be published at the end of 2011 if all information is obtained by March 1, 2011, and that there would be a 75-day public comment period.
- Keegan indicated that the public web site was not kept up to date in the past year. Timely posting of important documents on the public web site, such as the revised Environmental Report from Detroit Edison, will be done in the future. **[ACTION ITEM]**.

Future Calls Planned

- The next call will be held on Monday, November 29, 2010. Topics will include follow-up to items from the November 22, 2010 call. This call will be open to the public.