February 01, 2011

Mr. Neil Patterson, Jr., Director
Tuscarora Environment Program
Tuscarora Nation
2045 Upper Mountain Road
Sanborn, New York 14132

SUBJECT: REINITIATION OF SECTION 106 PROCESS FOR THE NORTH ANNA POWER STATION UNIT 3 SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Dear Mr. Patterson:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a June 2010, revision to the combined license (COL) application submitted in November 2007, by Dominion Virginia Power (Dominion) to construct and operate a new nuclear power plant, Unit 3 at its North Anna Power Station (NAPS) site in Louisa County, Virginia. The revised application reflects Dominion's decision to change the type of reactor design referenced in their original application from the Economic Simplified Boiling Water Reactor (ESBWR) design to the US Advanced Pressurized Water Reactor (US–APWR) design. This change in the referenced reactor technology occurred after the NRC staff completed its environmental review resulting in the publication of NUREG-1917, "Supplemental Environmental Impact Statement for the Combined License (COL) for North Anna Power Station Unit 3," in February 2010. As part of the staff's review of this revision to Dominion's COL application, the NRC is preparing a supplemental environmental impact statement (SEIS) to NUREG-1917, "Supplemental Environmental Impact Statement for the Combined License (COL) for North Anna Power Station Unit 3." NUREG-1917 supplemented the final environmental impact statement developed for Dominion Nuclear North Anna, LLC Early Site Permit (ESP). NUREG-1811, "Environmental Impact Statement for an Early Site Permit at the North Anna ESP Site," was published in December 2006.

This is to inform you that the NRC staff is reinitiating consultation under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended with the Advisory Council of Historic Preservation (ACHP) and the Virginia Department of Historic Resources (VDHR) regarding the revised application for a COL for Unit 3 at NAPS. In a letter to your office dated April 4, 2008, the NRC indicated that it would use the procedures in Title 36 *Code of Federal Regulations* (CFR) 800.8(c) to comply with the obligations imposed under Section 106 of the NHPA in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Consequently, the NRC staff will be contacting parties identified previously to inform them of our plans to reinitiate consultation as a result of the revisions to the proposed project.

Additionally, the NRC staff requests your participation in the scoping process to help identify any potential effects that the change in the reactor technology might have on our previous determination of impacts to historic properties on the NAPS site. Also, to complete consultation under 36 CFR 800.8(c), the NRC staff will forward the draft supplement to consulting parties,

including your office, for review and comment and will address the comments in the final supplement. The draft supplement may include any changes to our previous determination of the impacts, if warranted.

Furthermore, we did receive a letter dated February 3, 2009, from the VDHR concurring with our determination of no effect for historic properties. A copy of that letter is enclosed. In its revised environmental report (ER), Dominion does not indicate that the new reactor design will cause a change to the area of potential affect (APE) which was previously evaluated. The NRC staff will independently verify that the APE is unchanged.

NUREG-1811, NUREG-1917 and the ER from Dominion's revised application are available through the web-based version of the NRC Agencywide Documents Access and Management System (ADAMS), which can be found at http://www.nrc.gov/reading-rm/adams.html. NUREG-1811 is listed under ADAMS accession number ML063470314, NUREG-1917 is listed as ML100680117 and the revised environmental report is ML102040545. These documents are also available on the Internet at http://www.nrc.gov/reactors/new-licensing/col/north-anna.html.

Please submit any written comments your office may have to offer on the scope of the environmental review by March 10, 2011. Comments should be submitted either by mail to the Chief, Rulemaking, Announcements, and Directives Branch, Division of Administrative Services, Mail Stop T5-B01M, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or via e-mail at NorthAnnaCOLEIS@nrc.gov.

If you have any questions or require additional information, please contact Ms. Tamsen Dozier, NRC Environmental Project Manager at (301) 415-2272 or via e-mail at Tamsen.Dozier@nrc.gov.

Sincerely,

/RA/

Gregory P. Hatchett, Chief
Environmental Projects Branch 1
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Office of New Reactors

Docket No.: 52-017

Enclosures:
As stated

cc: w/o enclosures

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If you have any questions or require additional information, please contact Ms. Tamsen Dozier, NRC Environmental Project Manager at (301) 415-2272 or via e-mail at Tamsen.Dozier@nrc.gov.

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ADAMS Accession No.: ML110100830 [ML110070686-pkg] **NRO-002**

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OFFICIAL RECORD COPY

Letter to Neil Patterson, Jr., Director from Gregory P. Hatchett dated February 1, 2011

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