

September 29, 2011

MEMORANDUM TO: Ryan Whited, Chief
Environmental Projects Branch 2
Division of Site and Environmental Reviews
Office of New Reactors

FROM: Bruce A. Olson, Environmental Project Manager /RA/
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Office of New Reactors

SUBJECT: MEETING BETWEEN THE U.S. NUCLEAR REGULATORY
COMMISSION STAFF AND DETROIT EDISON COMPANY TO
DISCUSS RESPONSES TO REQUEST FOR ADDITIONAL
INFORMATION FOR THE FERMI 3 PROJECT
ENVIRONMENTAL REVIEW

On September 26, 2011, the U.S. Nuclear Regulatory Commission (NRC) staff held a teleconference meeting with the Detroit Edison Company (Detroit Edison) to discuss request for information responses received from Detroit Edison and issues raised during the environmental review of the Fermi 3 combined construction and operating license (COL) application leading to preparation of the draft environmental impact statement (EIS). Enclosure 1 lists the meeting attendees.

A public meeting notice was issued on September 1, 2011, and was posted on the NRC's external (public) webpage (NRC Agencywide Documents Access and Management System Accession No. ML112420193). The notice included a brief meeting agenda.

A summary of discussions included the status of: (1) cultural resource activities, (2) air quality analysis findings, (3) Detroit Edison's Joint Permit Application to the Michigan Department of Environmental Quality (MDEQ), and (4) the Fermi 3 COL draft EIS, all presented below. Action items are identified as **[ACTION ITEM]**.

Cultural Resources

- NRC has developed a Memorandum of Agreement (MOA) regarding the demolition of Fermi 1. The draft MOA was submitted to the Michigan State Historic Preservation Office (SHPO) on August 26, 2011. Comments from SHPO are due on September 29, 2011.
- On August 22, 2011, NRC submitted a concurrence request letter to the Michigan SHPO regarding the *Application for Section 106 Review* dated December 16, 2010. Comments from SHPO were due on September 26, 2011. To date, no comments have been received.
- Once the MOA is finalized, NRC will solicit comments from interested parties.

Air Quality

- Table 4.8-1 of the environmental report describes the construction/preconstruction contribution split as 70/30 and provides a brief justification of the basis for that split. NRC is preparing a conformity applicability analysis for construction activities and requested supporting information used by Detroit Edison to calculate the 70/30 split.
- Detroit Edison provided a written response to this request on July 7, 2011. NRC is reviewing this response and will identify additional questions if needed **[ACTION ITEM]**.
- NRC is working on a conformity applicability analysis that will be completed once the draft EIS has been published. **[ACTION ITEM]**.

Joint Permit Application

- Detroit Edison submitted a Joint Permit Application (JPA) for actions affecting wetlands on the Fermi site on June 17, 2011. Detroit Edison provided a courtesy copy to NRC. MDEQ requested additional information from Detroit Edison and this information was sent to MDEQ on August 26, 2011. A few changes were made to the JPA as a consequence of MDEQ's request and the revised JPA was submitted to the USACE on September 9, 2011.
- A meeting and site visit with Detroit Edison, NRC, U.S. Army Corps of Engineers, MDEQ, and the U.S. Fish and Wildlife Service was held at the Fermi site on August 8 - 9, 2011, to go over the current site layout and discuss wetland and other issues. A meeting report has been developed and is under review. It will be docketed once approved **[ACTION ITEM]**.

Fermi 3 COL EIS

- The EIS is on schedule for publication in October. Public meetings will be held on December 15, 2011, in Monroe, Michigan.
- The Biological Assessment (BA) will not be included in the draft EIS, but will instead be a standalone document.
- The 75-day public review period for the draft EIS will start on the publication date for the draft EIS.
- A question from the public arose regarding the need for Detroit Edison to make application for certificate of public convenience and necessity.

ANSWER: That action has no applicability to the NRC regarding issuance of the Environmental Impact Statement, the COL, or the NEPA process. Detroit Edison may decide to proceed with that optional process when it chooses.

Future Calls Planned

- The next call will be held on Monday, October 24, 2011. Topics will include follow-up to items from the September 26, 2011, call as well as an update on the overall project. This call will be open to the public.

Docket No.: 52-033

Enclosure:
As stated

cc: See next page

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cc: See next page

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NAME	BOlson	ARedden	BOlson
DATE	09/29/11	09/29/11	09/29/11

OFFICIAL RECORD COPY

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CONFERENCE CALL REGARDING THE FERMI 3 COL ENVIRONMENTAL REVIEW

MONDAY, SEPTEMBER 26, 2011

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DSER = Division of Site and Environmental Reviews
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RAP2 = Environmental Projects Branch 2
RENV = Environmental Technical Support Branch
USACE = US Army Corps of Engineers
USEPA = US Environmental Protection Agency
USFWS = US Fish and Wildlife Service
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