

## PSEGESPEnvDocsPEm Resource

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**From:** Robillard, David L [David.Robillard@pseg.com]  
**Sent:** Tuesday, January 20, 2015 3:12 PM  
**To:** Fetter, Allen  
**Subject:** RE: Draft trip report on site visit (January 9, 2015) pertaining to Section 106 consultation for the PSEG ESP project  
**Attachments:** PSEG Site Visit Trip Report 1-9-15 2015\_draft\_DLR.docx

Allen,

Please see attached for our minor comments.

Dave

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**From:** Fetter, Allen [mailto:Allen.Fetter@nrc.gov]  
**Sent:** Tuesday, January 20, 2015 10:42 AM  
**To:** Cushing, Jack; Davis (NRO), Jennifer; 'O'Rourke, Daniel J.' (danorourke@anl.gov); Bonner, Edward E NAP (Edward.E.Bonner@usace.army.mil); Dan Saunders (Dan.Saunders@dep.nj.gov); nicole.c.minnichbach@usace.army.mil; Vincent Maresca (Vincent.Maresca@dep.nj.gov); Michelle Craren (Michelle.Craren@dep.nj.gov); Robillard, David L  
**Subject:** FW: Draft trip report on site visit (January 9, 2015) pertaining to Section 106 consultation for the PSEG ESP project

**Email sent from outside of PSEG. Use caution before using links/attachments.**

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Please see Janet's comments in the attached. If you have additional input, please provide by COB today. Thanks.

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**From:** Janet Sheridan [mailto:jlsheridan@verizon.net]  
**Sent:** Friday, January 16, 2015 1:52 PM  
**To:** Fetter, Allen  
**Subject:** Re: Draft trip report on site visit (January 9, 2015) pertaining to Section 106 consultation for the PSEG ESP project

Allen -

Here are my comments.

Thanks

Janet

On 1/16/2015 10:14 AM, Fetter, Allen wrote:

Greetings,

Attached is the draft trip report from our January 9, 2015 site visit. Please review the document any make any edits using track-changes to help ensure that all inputs are captured. I kindly request that you provide comments/edits to me by COB on Tuesday, January 20, 2015. If you need to discuss anything by phone, my contact information is below.

Thanks,

Allen H. Fetter, Senior Project Manager  
US Nuclear Regulatory Commission  
Office of New Reactors  
Division of New Reactor Licensing  
Environmental Projects Branch  
Washington, D.C.

301-415-8556 (Office)  
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**Subject:** RE: Draft trip report on site visit (January 9, 2015) pertaining to Section 106 consultation for the PSEG ESP project  
**Sent Date:** 1/20/2015 3:12:10 PM  
**Received Date:** 1/20/2015 3:12:18 PM  
**From:** Robillard, David L

**Created By:** David.Robillard@pseg.com

**Recipients:**  
"Fetter, Allen" <Allen.Fetter@nrc.gov>  
Tracking Status: None

**Post Office:** NJNBUMX06.enterprise.pseg.com

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	2701	1/20/2015 3:12:18 PM
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**Recipients Received:**

**DRAFT Trip Report for PSEG Early Site Permit Application**  
**National Historic Preservation Act Section 106 Consultation**  
**Visit on January 9, 2015 to Salem County, New Jersey**

The purpose of the site visit was to discuss the National Historic Preservation Act (NHPA) Section 106 (Section 106) consultation comments submitted by the New Jersey Historic Preservation Office (NJ HPO) on the draft environmental impact statement (DEIS) for the proposed PSEG Early Site Permit (ESP) at the PSEG site in Salem County. Participants included representatives from the U.S. Nuclear Regulatory Commission (NRC), U.S. Army Corps of Engineers (USACE), NJ HPO, PSEG (the applicant), and Ms. Janet Sheridan (an interested party). Enclosure 1 is a list of individuals who attended the visit. Enclosure 2 provides the agenda. Enclosure 3 contains the pictures taken during the site visit.

By letter dated December 4, 2014 ([ML15005A040](#)), Mr. Daniel Saunders, the Deputy Historic Preservation Officer, provided detailed comments on the DEIS. In preparation for the meeting, Ms. Michelle Craren of the NJ HPO, in an email dated January 6, 2015 ([ML15007A522](#)), clarified the comments and identified two individuals (Ms. Janet Sheridan and Mr. Ron Magill) who expressed interest in being a consulting party to the proceeding. The NRC invited both Ms. Sheridan and Mr. Magill to the site visit, however, only Ms. Sheridan was able to attend.

All the parties met at the PSEG Energy and Environmental Resource Center ([EERC](#)) to discuss the NJ HPO comments prior to visiting the historic properties.

Mr. Allen Fetter, the NRC project manager for the PSEG ESP environmental review, opened the meeting by welcoming and expressing appreciation to everyone for attending the visit. He explained that the goal of visit was to address the NJ HPO comments on the NRC's DEIS on the proposed project.

Mr. Jack Cushing, from the NRC facilitated the discussions and went through the agenda. The first part of the meeting included a discussion, so that all parties could understand the comments. Following the discussion, all parties visited four historic sites. At the conclusion of the tour, the parties returned to [the Resource Center EERC](#) with the goal reaching agreement on eligibility and effects on the properties listed in the agenda, determine if the report on prehistoric soils was sufficient to address the comment by the NJ HPO and discuss the path forward to completing consultation between the NRC and NJ HPO. In addition, the USACE and the NJ HPO were to determine the next steps for consultation regarding the Money Island access road.

A question was asked about the roles of the NRC and the USACE in the Section 106 process for the proposed project. Mr. Cushing explained that both agencies are consulting under Section 106 for their respective parts of the proposed project. For this project, the NRC is consulting on the effects associated with the direct area of potential effects (Artificial Island) and the visual effects to historic properties from potentially two 590-foot tall natural draft cooling

towers. The USACE is consulting on the dredging associated with the proposed project and the effects to the permit area for the Money Island access road. The NJ HPO has concurred on the no effect determination for the proposed site (Artificial Island) and the dredging associated with the proposed project. Consultation is ongoing regarding the visual effects to historic properties (NRC) and the Money Island access road (USACE).

The NRC explained its permitting process for an ESP and a combined license (COL) and how it was different from the USACE's permitting process. An ESP resolves issues involving site safety and environmental characteristics and emergency preparedness that are independent of a specific nuclear reactor design. This permitting approach provides an applicant with an opportunity to "bank" a site for up to 20 years, reduces licensing uncertainty, and resolves siting issues before construction. The ESP does not license a nuclear power plant to be built. If the applicant decides to build and operate a nuclear power plant then it has to apply for a combined license. The NRC will issue a supplemental environmental impacts statement (EIS) and perform Section 106 consultation for the combined license undertaking. For the supplemental EIS, if there is no new and significant information, then the NRC relies on the final EIS issued for the ESP. For the COL Section 106 review, the NRC would rely on the consultation performed at the ESP stage to inform the required consultation at the ESP-COL stage. The USACE permit application process is a one step process where they issue a permit for dredging and filling and the permittee is allowed to conduct those activities subject to the permit conditions.

#### Report on Prehistoric soils

Mr. Vincent Maresca of the NJ HPO stated that the 2009 PSEG report on prehistoric soils for Artificial Island was sufficient to address the comment in the December 4, 2014 letter. Mr. Maresca indicated that an unanticipated discovery procedure would be appropriate for this location.

#### Abel and Mary Nicholson House

Mr. Ken Strait from PSEG explained PSEG's efforts to date concerning historic preservation and the Abel and Mary Nicholson and Mason-Waddington Houses. As a result of PSEG's estuary enhancement project, PSEG acquired the Nicholson House. PSEG determined that it did not need to own the Nicholson house to accomplish the estuary enhancement project and donated the property to a local historical society. PSEG replaced the roof to stabilize the property and prevent further deterioration due to roof damage.

The Abel and Mary Nicholson House is a national historic landmark that the NRC determined was not adversely affected by the visual effects from two proposed natural draft cooling towers. The basis for the NRC decision was that there is an existing cooling tower for the Hope Creek nuclear power plant and that the addition of two taller cooling towers would not change the viewshed in a manner that would adversely affect the Nicholson house. In its letter dated December 4, 2014, the NJ HPO determined that the cooling towers would adversely affect the Nicholson house. At the meeting, Mr. Saunders explained that it was cumulative effect of the addition of two taller towers on the viewshed that causes the adverse effect. All the parties visited the Nicholson house to view the existing cooling tower and to reach agreement on the

visual impacts. During the close out of the meeting, Mr. Dan O'Rourke, the contractor assisting the NRC on the Section 106 review, and Ms. Jennifer Davis from the NRC agreed with Mr. Saunders that there would be a minor adverse visual impact to the Abel and Mary Nicholson house.

The NRC inquired about Section 106 notification process for an adverse effect determination to a National Historic Landmark. Mr. Saunders stated that the NRC would need to notify the Advisory Council ~~in~~on Historic Preservation (ACHP) and the Secretary of the Interior, who typically refers the matter to the U.S. Park Service (NPS) Landmarks Division. It was acknowledged that the NPS and the ACHP would need to be involved in negotiations regarding appropriate mitigation. Potential mitigation measures mentioned by Mr. Saunders included an architectural survey of area around Nicholson House or additional documentation of the Nicholson House. All parties agreed that additional meeting to discuss the adverse effects and potential mitigation strategies is warranted. It was decided that the next meeting should be held in Salem County, New Jersey and include a visit to all affected properties. Mr. Jamie Mallon from PSEG inquired if possible mitigation strategy could include building a bank to address the water intrusion that is damaging the foundation of the house. Ms. Sheridan, an interested party, thought that the proposed mitigation could help stabilize the house.

#### Next steps for NRC

The NRC will notify the Secretary of the Interior, NPS Landmark Division (Ms. Bonnie Halda), and the ACHP by letter regarding the revised determination of adverse effects to the Nicholson House. Included with the letter, the NRC will also prepare a summary package containing a description of the proposed project, reports and studies completed to date, and the final trip report. All consulting parties will be copied on NRC's letter to the NPS. In addition, the NRC will arrange a follow-up meeting and site visit to discuss mitigation strategies with the parties from the January 9<sup>th</sup> meeting, Mr. Ron Magill (Nicholson property caretaker), the NPS, and ACHP. All agreed upon mitigation would be captured in an Memorandum of Agreement (MOA).

#### Eligibility Determinations

John Maddox Denn House and the house at 349 Fort Elfsborg Road (Sarah Mason House) were visited by the parties and were determined to be eligible but because the cooling towers were partially obscured by trees, it was determined that there was no adverse effect to these properties.

Two additional properties were identified during the tour; 116 Mason Point Road and 130 Money Island Road (the Mason-Waddington House). The NJ HPO offered to investigate their records and share with the parties its conclusion on eligibility.

#### Money Island Access Road

The USACE is consulting on the effects associated with the Money Island access road. Mr. Ed Bonner from the USACE indicated that the permit area for project still needs to be defined. Additionally, Mr. Bonner stressed that the USACE must resolve adverse effects prior to

issuing their permit. In order to define the permit area, PSEG will need to provide the USACE with the width of the road. PSEG agreed to provide the USACE with this information. Ms. Nikki Minnichbach, the USACE's archaeologist, noted that the permit area will determine the survey area and whether the structures on Money Island Road location are within the permit area. Mr. Maresca mentioned that even if it is outside the USACE's permit area, PSEG would need to consult with the NJ HPO under the State of New Jersey Coastal Area Facility Review Act (CAFRA) requirements. Mr. Bonner stated that a programmatic agreement to perform further Phase II archeological studies of land to be disturbed during construction of the proposed causeway is not a viable option for the USACE because it cannot ensure compliance once the permit has been issued. Ms. Sheridan asked what happens if PSEG needs to alter the right of way after the permit has been issued. Mr. Bonner stated that a permit modification would be required. Mr. Maresca mentioned that there may be landscape effects to the properties along Money Island Road. Mr. Bonner agrees that this may be a USACE's issue and that will be determined when the permit area is defined.

### Next Steps for USACE

The USACE will define the permit area for the Money Island access road once the applicant provides the road width. Next, the USACE will determine if any additional archaeological surveys are required and if any historic structures are located within the permit area. If there is an adverse effect on historic properties, then the NJ HPO and the USACE would sign an MOA. Mr. Bonner noted that 2 MOAs will be needed, one for each agency.

The next steps for the NRC and USACE are discussed above. Below are actions not captured in the next steps.

### NRC Actions

1. Prepare a draft trip report and send it to all parties who attended the January 9<sup>th</sup> site visit for comment. The NRC will then revise the draft report and issue a final trip report.
2. NRC will send photographs to PSEG for inclusion on the CD.
3. After the trip report is finalized, the NRC will take the next steps identified above.

### PSEG Actions

1. Provide the width of the Money Island access road to the USACE in order to determine the permit area.
2. All parties agreed to send their photographs from the January 9<sup>th</sup> site visit to PSEG. PSEG agreed to compile the photographs on a CD, send copies to all attendees and to the NRC for docketing.

### NJ HPO Actions

NJ HPO will make a determination of eligibility on 116 Mason Point Road property and the Mason-Waddington House (130 Money Island Road). It was determined that no additional information is needed from NRC.

## Conclusion

At the end of the meeting Mr. Fetter, Mr. Saunders and Mr. Mallon thanked everyone for attending and working to resolve issues.



## **Attendees**

### **NRC**

Allen Fetter (allen.fetter@nrc.gov)

Jack Cushing (jack.cushing@nrc.gov)

Jennifer Davis (jennifer.davis@nrc.gov)

Dan O'Rourke, Argonne National Laboratory (djorourke@anl.gov)

### **USACE**

Ed Bonner (Edward.e.bonner@usace.army.mil)

Nikki Minnichbach (Nicole.c.minnichbach@usace.army.mil)

### **NJ HPO**

Dan Saunders (dan.saunders@dep.nj.gov)

Vincent Maresca (vincebt.maresca@dep.nj.gov)

Michelle Craren (michelle.craren@dep.nj.gov)

### **Interested Local Party**

Janet Sheridan ([jlsheridan@verizon.net](mailto:jlsheridan@verizon.net))

### **PSEG**

Dave Robillard (david.robillard@pseg.com)

James Mallon (james.mallon@pseg.com)

Gary Ruf (gary.ruf@pseg.com)

Mike Wiwel (nichael.wiwel@pseg.com)

Ken Strait (kenneth.strait@pseg.com)

Gary Bickel, AKRF (gbickle@akrf.com)

Molly McDonald, AKRF (mmcdonald@akrf.com)

Agenda  
PSEG Early Site Permit Application  
National Historic Preservation Act Section 106 Consultation  
Visit Salem County New Jersey  
January 9, 2014

- |             |   |
|-------------|---|
| 10:30-10:45 | Introductions at the PSEG Energy and Environmental Resource Center  |
| 10:45-11:30 | Discuss State Historic Preservation Office December 14, 2014 comments on DEIS and January 7, 2015 email concerns including report on prehistoric soils  |
| 11:30-12:00 | Working lunch at the Energy and Environmental Resource Center   |
| 12:00-3:00  | Visit historic properties to reach agreement on eligibility and effects<br>Abel and Mary Nicholson House (visual Impacts)<br>John Maddox Denn House (eligibility)<br>Sara Mason House (eligibility)<br>Mason-Waddington House at 130 Moneys Island Road (eligibility)<br>Money Island Access Road |
| 3:00-4:00   | Close out - Return to PSEG Energy and Environmental Resource Center summarize agreement on eligibility and effects. Document next steps to complete consultation.   |