

April 21, 2017

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
)
DOMINION VIRGINIA POWER) Docket No. 052-017-COL
)
(North Anna Nuclear Power Station, Unit 3))

NRC STAFF SUBMISSION OF THE LETTER REGARDING REINSTATEMENT OF U.S. ARMY
CORPS OF ENGINEERS PERMIT

The staff of the U.S. Nuclear Regulatory Commission (NRC Staff) hereby provides the letter from the U.S. Army Corps of Engineers (USACE) notifying the NRC of the USACE's reinstatement of Department of the Army Permit Number NAO-2008-2534 (Permit) for impacts associated with the proposed North Anna Power Station (NAPS), Unit 3. The USACE reinstated this permit on April 17, 2017, and notified the NRC Staff of the reinstatement in a letter on that same date. The letter from the USACE is attached to this pleading in Attachment A.

/Signed (electronically) by/
Ann Hove
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O14-A44
Washington, D.C. 20555-0001
(301) 415-0963
Ann.Hove@nrc.gov

Dated at Seattle, Washington
This 21st day of April 2017

Attachment A

USACE Letter Notifying the U.S. NRC of the
Reinstatement of Permit NAO-2008-2534



Reply to
Attention of

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

APR 17 2017

Executive Office

SUBJECT: U.S. Army Corps of Engineers, Department of the Army Permit Number NAO-2008-2534, permit reinstatement

Dominion Virginia Power
Attn: Ms. Paula Hamel
Director of Generation Environmental Services
5000 Dominion Boulevard
Glen Allen, VA 23060

Dear Ms. Hamel:

On November 16, 2016, the U.S. Army Corps of Engineers (Corps) suspended the subject Department of the Army permit, Number NAO-2008-2534 (the Permit), which was issued to Dominion Virginia Power for impacts associated with the proposed North Anna Power Station (NAPS), Unit 3. We suspended this permit to allow the Nuclear Regulatory Commission (NRC), as lead Federal agency, to complete Endangered Species Act Section 7 consultation with the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS).

In a letter dated March 20, 2017, NRC notified the Corps that all consultations have been completed. The NRC, with USFWS and NMFS concurrence, has concluded that the project is not likely to adversely affect species protected under the Endangered Species Act.

After review of our record and considering current standard practices to minimize the direct and indirect physical effects of authorized activities, the Corps adds the following special conditions to the Permit:

- a. To minimize sediment transport caused during the construction and removal of the roll-off facility, the Permittee shall use a turbidity curtain applicable to the type of tidal watercourse and construction activity.
- b. Prior to the commencement of any work authorized by this permit, the turbidity curtain configuration must be submitted to and approved in writing by the Corps.

In accordance with 33 CFR §325.7(c), the Corps hereby reinstates the Permit with the addition of the above special conditions. All conditions of the initially issued permit remain in effect and fully applicable.

If you have any questions, please contact Tucker Smith, at (757) 201-7653, or tucker.smith@usace.army.mil.

Sincerely,

Jason E. Kelly, PMP
Colonel, U.S. Army
Commanding

April 21, 2017

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NUCLEAR REGULATORY COMMISSION

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(North Anna Nuclear Power Station, Unit 3)

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Docket No. 052-017-COL

CERTIFICATE OF SERVICE

I hereby certify that the document entitled NRC STAFF SUBMISSION OF THE LETTER REGARDING REINSTATEMENT OF U.S. ARMY CORPS OF ENGINEERS PERMIT, dated April 21, 2017, has been filed through the E-Filing system this 21st day of April, 2017.

/Signed (electronically) by/
Ann Hove
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O14-A44
Washington, D.C. 20555-0001
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Dated at Seattle, Washington
This 21st day of April 2017