

CERTIFIED MAIL
RETURN RECEIPT REQUESTED



VIRGINIA POWER

June 9, 1994

Ms. Susan Warner
USEPA Region III
839 Bestgate Road
Annapolis, MD 21401

RE: NORTH ANNA POWER STATION, VPDES PERMIT #VA0052451

Dear Ms. Warner:

This is in response to the Inspection Report and "Deficiency Notice" received at North Anna Power Station following your March 22, 1994, inspection. On the date of that inspection, you deemed the station operation to be "a model lab," and only a few minor concerns were identified during that inspection. This was also reflected in the body of the written inspection report. However, we were disappointed that the minor concerns were characterized as "deficiencies" in a "Deficiency Notice" which appears to have a high degree of significance. Considering the actual nature of the concerns described in the inspection report and the significance of the changes, updates and/or improvements needed, it would seem more appropriate to convey such items in a comment section of the inspection report rather than as a "Deficiency Notice." Virginia Power practices a policy of going beyond mere compliance with environmental laws and regulations. While minor isolated errors may have been made, we feel that they were truly insignificant, and damage has neither been done to our overall state of compliance nor to the environment.

The following points address the specific issues identified in the notice and inspection report:

• Standard Methods

North Anna Power Station had obtained the 18th edition of Standard Methods prior to the inspection and copies of the publication are on order for the System Lab. The new edition is now being used as the reference for analysis methods instead of the 17th, for parameters where Standard Methods is cited.

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We do not agree that this issue should be characterized as a "deficiency" in the report. It should be noted that, in the 1-31-94 Federal Register notice of the change from the 17th to the 18th edition of Standard Methods, the USEPA stated that "the 18th edition methods were found to be technically equivalent to the approved 17th edition methods." Also, in substantiating its decision to forego notice to the rulemaking, EPA said "the updates to method references do not change the methods contained therein." Since the EPA had deemed the methods in use as technically equivalent and had claimed that they were not changed, no urgency to change a cited methods source existed. Further, since there was no prior notice of the rule change, any impacted permittees should be allowed reasonable time to come into compliance with any changes.

- Total Chlorine/Additional Samples

At the time of this inspection, we provided you with information which related to the station's QC/QA methods. Some of those data were from sampling and analyses conducted by the Station Chemistry department as internal process control, as opposed to discharge sampling conducted by the VPDES laboratory staff. Station Chemistry samples are, intentionally, taken from upstream locations within the station processes and facilities other than the outfalls and/or sampling locations covered by the discharge permit to provide an opportunity to adjust any process inadequacies in order to meet effluent discharge limitations. These data are not reported on the DMR since they are not equivalent to VPDES sampling and not representative of any discharges.

Records of VPDES sampling data indicate that all relevant data have been properly reported on the DMRs, including extra samples. If this concern is based on data from Station Chemistry sampling as opposed to data related to VPDES sampling, this item should be deleted from the Deficiency Notice.

- Chain-of-Custody Form

The use of a chain-of-custody form, as recommended, will be implemented as of 6-1-94.

- Total Suspended Solids

Forms and procedures are currently being reviewed and will be revised where necessary to incorporate the appropriate weighing time notation and to provide for demonstration of sufficient drying time.

- pH and Residual Chlorine Holding Times

All sampling where "immediate" analysis is required shall be done in compliance with the 15 minute limitation indicated in 40 CFR 136. This has already been implemented.

However, we do not agree to this item being characterized as a "deficiency" since a 30 minute limitation was being applied at the direction of our delegated Virginia regulatory agency. In instances where there is inconsistency over a procedure, interpretation, etc., between USEPA and the Virginia DEQ, which issues the permit and provides guidance to the permittee, that inconsistency should be resolved between the agencies and the regulated community informed of the specifics of the resolution prior to holding the permittee accountable in the issue.

- July 1992 DMR Data

During preparation of the July 1992 DMR, the values for Total Chlorine and Chlorine Maximum were incorrectly transcribed from the data sheet to the DMR form.

The average value for Oil & Grease was correctly listed as 2.65. The values for samples taken were 2.40 and 2.90. This item should be removed from the report.

- Laboratory Recommendations

As recommended, the use of duplicate and spiked samples will be evaluated and they will be used when found to be helpful to improve validity of analyses.

An apparatus to capture Freon from the Oil & Grease analysis for recovery has been purchased for North Anna Power Station and will be put into use when installation can be accomplished.

The presence of zinc in the field and trip blanks associated with Outfall 010 toxicity samples has been recognized. But, one purpose of the blanks should be to identify contaminants from sampling and analysis methods and equipment so that they are not attributed to the discharge being sampled. However, we are currently evaluating "clean" sampling techniques which may alleviate problems with extraneous contaminants.

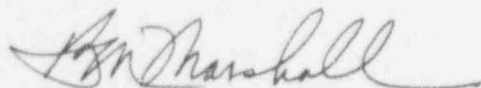
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Should EPA insist that a Deficiency Notice remain a part of the record in this matter, we respectfully request that an amended notice be issued which construes the factual nature of those items. For example, the Sample Collection/Holding Time item should indicate that we were complying with the state agency's interpretation of the generic term "immediate" as requiring analysis within 30 minutes rather than EPA's interpretation as within 15 minutes. It should also be considered that, if the time frame for the procedure has analytical significance, the method itself should indicate a specific measurement rather than a generic term.

Accordingly, the Test Procedures item should state that the source publication of the procedures had recently been changed from the 17th to the 18th edition of Standard Methods. At the time of this inspection, EPA was on record that the procedures had not been changed by this reference source update. We feel that this should have been a mere informational update as opposed to a deficiency in our procedures.

We feel that the changes already begun, or to be implemented, satisfy EPA requirements and that the issues raised by your report have been resolved. I hope that you will honor our request to change the characterization of those items as we suggested. If you have any further questions, please feel free to call me at (804) 273-2990 or Daniel James at (804) 273-2996.

Sincerely,



B. M. Marshall, P.E.
Manager
Water Quality

cc: Mr. William Purcell
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Department of Environmental Quality
P.O. Box 11143
Richmond, VA 23230-1143

Ms. Carol Amend-Lovell (3WM55)
Water Compliance Section
EPA Permits Enforcement Branch
841 Chestnut Street
Philadelphia, PA 19107

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cc: U.S. Nuclear Regulatory Commission
Region II
101 Marietta St., NW
Suite 2900
Atlanta, GA 30323
Re: North Anna Units 1 & 2
Docket Nos. 50-338/50-339
License Nos. NPF-4/NPF-7

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555
Re: North Anna Units 1 & 2
Docket Nos. 50-338/50-339
License Nos. NPF-4/NPF-7

Mr. R. D. McWhorter
NRC Senior Resident Inspector
North Anna Power Station