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To: ["Cindy_Schulz@fws.gov"](mailto:Cindy_Schulz@fws.gov); ["Virginia Field Office, FW5"](#)
Cc: [Tran, Tam](#); [Elliott, Robert](#)
Subject: NRC Issuance of Draft Environmental Impact Statement for North Anna Subsequent License Renewal, Opportunity for Public Comment, and Endangered Species Act Determinations
Date: Tuesday, September 7, 2021 12:10:00 PM



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

Good morning Ms. Schulz,

The purpose of this email is to notify you that the U.S. Nuclear Regulatory Commission (NRC) has issued a draft supplemental environmental impact statement (SEIS) for the proposed subsequent license renewal of North Anna Power Station, Units 1 and 2 (North Anna) in Louisa County, Virginia. This email describes the proposed action, summarizes the NRC's environmental review, and explains how the U.S. Fish and Wildlife Service (FWS) may submit public comments on the draft SEIS.

During preparation of the SEIS, the NRC staff determined that the proposed action may affect but is not likely to adversely affect the northern long-eared bat (*Myotis septentrionalis*) (NLEB). The staff sought and received the FWS's concurrence with this determination under Section 7 of the Endangered Species Act of 1973, as amended (ESA), as described below.

Proposed Action

North Anna is a two-unit nuclear power plant located on a peninsula on the southern shore of Lake Anna, a 17-mile-long manmade impoundment of the North Anna River. The North Anna site is 1,803-acre site, of which 760 acres are covered by water. Dominion Energy Virginia (Dominion) operates and maintains the plant. The NRC issued facility operating licenses for North Anna in April 1978 (Unit 1) and August 1980 (Unit 2), and commercial operations began in June 1978 (Unit 1) and December 1980 (Unit 2). In 2003, the NRC issued renewed facility operating licenses authorizing an additional 20 years of plant operation through April 2038 (Unit 1) and August 2040 (Unit 2).

The NRC's current Federal action is the decision whether to issue subsequent renewed operating licenses for North Anna authorizing an additional 20 years of operation. If the NRC grants Dominion renewed licenses, the company could continue to operate North Anna until April 2058 (Unit 1) and August 2060 (Unit 2).

Supplemental Environmental Impact Statement

In support of its review of the proposed action, the NRC staff prepared a draft SEIS to comply with the National Environmental Policy Act of 1969, as amended (NEPA) and the NRC's environmental regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 that implement NEPA. The draft SEIS addresses the environmental impacts of the proposed action and relevant alternatives. The draft SEIS is available online at: [ML21228A084](#).

ESA "Not Likely to Adversely Affect" Determination and Concurrence

As part of its environmental review, the NRC staff determined that the proposed North Anna

license renewal may affect but is not likely to adversely affect the NLEB. The NRC's ESA analysis appears within the following sections of the draft SEIS.

- **Section 3.8.1.1** describes the ESA action area.
- **Section 3.8.1.2** describes the NLEB's biology, habitat, distribution and relative abundance, and occurrence within the action area.
- **Section 3.8.2.1** evaluates the potential for the proposed action to affect the NLEB.
- **Section 3.8.2.3** addresses cumulative effects.
- **Appendix C.1** describes the NRC's obligations under Section 7 of the ESA and relevant correspondence with the FWS in connection with the NRC staff's review of the proposed action.

In Section 3.8.2.1 of the draft SEIS, the NRC staff finds that the proposed action may affect but is not likely to adversely affect the NLEB. During its review, the NRC staff evaluated the potential for the NLEB to be affected by several stressors, all of which the staff determined would result in no more than insignificant or discountable effects. The potential stressors that the staff evaluated include: mortality or injury from collisions with plant structures and vehicles; habitat loss, degradation, disturbance, or fragmentation, and associated effects; and behavioral changes resulting from refurbishment or other site activities.

FWS Concurrence under the NLEB 4(d) Programmatic Biological Opinion

The NRC staff used the FWS's Information for Planning and Conservation (IPaC) system to determine that the proposed action is consistent with the activities analyzed in the FWS's 2016 *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions*.⁽¹⁾ Within IPaC, the staff used the NLEB Determination Key to determine that although the proposed North Anna license renewal may affect the NLEB, the insignificant and discountable effects that may occur from the proposed action are not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR 17.40(o). On October 26, 2020, the FWS provided the NRC with a letter verifying this determination.⁽²⁾ Since that time, the NRC staff has not identified any new information that would affect this determination or require further consultation.

NEPA Comment Period and Public Meeting

With respect to the NEPA process, the NRC staff is seeking general public comments on the draft SEIS pursuant to NEPA through October 11, 2021. You may submit NEPA comments either online or via U.S. mail.

- **Online:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2020-0234. Address questions about NRC docket IDs to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov.
- **U.S. Mail:** Address comments to: Office of Administration, Mail Stop TWFN-7-A60M, ATTN: Program Management, Announcements and Editing Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

The staff will also hold a webinar on the draft SEIS on September 29, 2021, that will include a presentation on the preliminary findings and an opportunity for members of the public to submit oral comments. Webinar details will be announced on NRC's [public meeting website](#) in the near future.

Conclusion

Should you need to discuss the information in this email or any other matters related to North Anna and ESA Section 7 consultation, please reach out to me by phone at 301-415-1042 or email at Briana.Arlene@nrc.gov.

Thank you,

Briana

Briana S. Arlene

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References

1. U.S. Fish and Wildlife Service. Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions. January 5, 2016. 109 p. Available at <https://www.fws.gov/Midwest/Endangered/mammals/nleb/pdf/BOnlebFinal4d.pdf> (accessed June 1, 2021).
2. U.S. Fish and Wildlife Service. Letter from Virginia Ecological Services Field Office to B. Arlene, NRC. Subject: Verification letter for the North Anna Power Station, Unit 1 and 2, Subsequent License Renewal project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions. October 26, 2020. ADAMS Accession No. [ML20300A512](#).

Docket Nos.: 50-338 and 50-339

ADAMS Accession No.: [ML21152A172](#)

CONCURRENCE				
OFFICE	PM:ELRB:REFS	BC:ELRB:REFS	OGC(NLO)	CB:ELRB:REFS
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DATE	8/16/2021	8/17/2021	9/7/2021	9/7/2021
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