

November 15, 2001

Chief, Rules and Directives Branch  
Division of Administrative Services, Office of Administration  
Mailstop T-6 D 59, U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Attn: Andrew Kugler

Re: Virginia Electric & Power Company,  
License Nos. DPR-32 and DPR-37, Surry  
Power Station, Surry County, Virginia.

Dear Sir:

The U.S. Department of the Interior, Fish and Wildlife Service (Service) has reviewed the Virginia Electric and Power Company (VEPCO), Appendix E Environmental Report -Operating License Renewal Stage, Surry Power Station (SPS) Units 1 and 2 and offers the following comments. The Service is responding pursuant to the Clean Water Act (33 U.S.C. § 1251 *et seq.*) and the National Environmental Policy Act (42 U.S.C. 4321-4347), and our authorities under the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e) and the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

#### General Comments

The Nuclear Regulatory Commission (NRC) published a notice of intent to prepare an environmental impact statement for the Surry Power Station license renewal. The NRC would renew the licenses for twenty years after the expiration of the existing forty-year license in 2012 and 2013. The Service recognizes the NRC for reducing the term of the license. Natural resource protection and enhancement are a rapidly advancing field and recent findings in the science have explained the variability, complexity, and importance of naturally functioning ecosystems.

The Service is providing natural resources protection comments on the Applicant's Environmental Report - Operating License Renewal Stage. VEPCO developed a scoping document to assist NRC with their preparation of a site-specific supplement to a Generic Environmental Impact Statement. The Service has concerns in the areas of fisheries, endangered species, and cumulative adverse effects at SPS. Three NRC Category 2 impacts, entrainment of fish (#25), impingement of fish (#26), and endangered species (#49) are of particular interest and should be analyzed to reduce any potential adverse impacts.

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## Specific Comments

### Entrainment of Adult and Juvenile Fish and Shellfish

§ 3.1 & 4.2,3      The Service is concerned with the impacts to fish and shellfish associated with the structures described in the report. Adverse impacts to aquatic species occur even with the best available technology. Regarding water intakes, the best technology generally minimizes the impacts to adult fish, larger than the bar width or mesh size. Any smaller life stages are provided little protection and are typically drawn into the intake tubes. Impingement of sensitive life stages of small and large fish are also a concern that may need to be mitigated.

§ 6.3      The Service believes the unavoidable adverse impacts may be significant and require mitigation. Based on studies conducted in the 1970s, impingement and entrainment impacts were identified. A survival rate of impinged fish was determined to be 94%. While this rate seems acceptable, the study design and entrainment rate are still in question. The Service anticipates recommending an entrainment study during this relicensing period.

The Service requests a copy of the most recent fish entrainment and impingement studies, as well as design information on the Ristroph traveling screen and reference 3.1-9, Olney, J.E. 2001. This information will allow us to better understand any potential environmental impacts.

### Threatened or Endangered Species

§ 4.1      The Service commends VEPCO for their description of Federal and State threatened and endangered species, and the company's efforts to initiate informal consultation on these issues. The Bald eagle (*Haliaeetus leucocephalus*) is a federally listed species and the SPS may impact a nest that is approximately one mile away. In addition, SPS is located within an eagle shoreline use area, as reported by the Service's Virginia Field Office. The Service recommends SPS continue their informal consultation.

### Cumulative Impact Assessment

§ 6.2 & App. A      The Service's main goal is the protection and restoration of ecosystems for fish and wildlife and people. During a license review, the Service' mitigation goal is to work with the license applicant to avoid, minimize, and compensate (in that order) to the fullest extent possible. SPS's determination is premature that, "All impacts of the license renewal are small and would not require mitigation." The National Environmental Policy Act calls for past, present, and future environmental impacts to be identified, as well as summarized to determine cumulative effects of the adverse impacts. The Service's responsibilities, as described in the Fish and Wildlife Coordination Act, are to protect and enhance natural resources in cooperation with state agencies. The VEPCO report

identifies potential ecosystem impacts, and we do not agree that all impacts of license renewal are small and would not require mitigation. Some mitigation activities are in place and would continue during the term of the license renewal, but additional mitigation, specifically in the areas of fisheries and endangered species, may further protect and enhance these natural resources at the SPS.

### Conclusion

The Service has provided comments on various parts of the ecosystem that may be adversely affected by SPS. Our goal is to restore the ecosystem as close to the pre-project condition as possible for the American people, while considering the utility SPS provides for the residents of Virginia and surrounding areas. The Service requests documents listed above and time for review. Some of our concerns may be obviated after the review of these documents, but it is unlikely that will be the case for all of our concerns. We welcome the opportunity to visit the SPS in the near future, and look forward to working with the staff and representatives from VEPCO.

We appreciate the opportunity to review the preliminary environmental document and provide comment on natural resource protection. If you have any questions regarding these comments, please contact David W. Sutherland of the Service's Chesapeake Bay Field Office by phone at (410) 573-4535, or by e-mail at David\_Sutherland@fws.gov.

Sincerely,

/s/

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Supervisor  
Chesapeake Bay Field Office

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