



# COMMONWEALTH of VIRGINIA

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Secretary of Natural Resources

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August 9, 2006

Mr. Jack Cushing  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

RE: North Anna Early Site Permit Application (ESP) – Draft EIS, Supplemental  
Louisa County, Virginia  
DHR File No. 2000-1210; NUREG-1811; DEQ #06-125F

Dear Mr. Cushing:

We have received from the Virginia Department of Environmental Quality (DEQ) the above-referenced document for consideration. Previous correspondence from the Department of Historic Resources (DHR) on this proposed undertaking (see DHR letter of November 3, 2005 in DEIS, Appendix F-28) has advised the Nuclear Regulatory Commission (NRC) and Dominion Virginia Power (Dominion) of the need for a Programmatic Agreement (PA) between the NRC, DHR, and other consulting parties if the NRC does not wish to complete the identification and effect determination process prior to issuing the Early Site Permit (ESP), as required by Section 106 of the National Historic Preservation Act.

We are encouraged by the preliminary efforts of NRC and Dominion to identify historic properties that may be affected by this undertaking. Section 2.9 of the DEIS states that an archaeological site assessment has been conducted on the property (Voigt 2003) and that portions of the property appear to retain the potential to contain intact archaeological resources. This indicates to us that NRC and Dominion wish to complete the Section 106 process prior to permitting rather than addressing NRC's responsibilities programmatically. We have not, however, received the report of this assessment and cannot comment on its conclusions. We, therefore, recommend that NRC submit for our review the report of this archaeological assessment so we may provide comment on the need for further identification and evaluation studies.

In the absence of an executed PA or the completion of the Section 106 process, as laid out in 36

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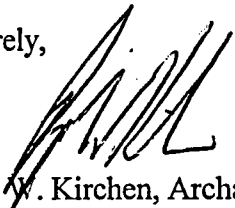
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CFR Part 800, we find NRC's site redress plan to be insufficient to fully consider this undertaking's effects on historic properties. We expect continued consultation with NRC and Dominion to resolve this matter. If you have any questions, please contact me at (804) 367-2323, ext. 153 or e-mail [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Kirchen', written over the printed name.

Roger W. Kirchen, Archaeologist  
Office of Review and Compliance

Cc: Mr. Charles H. Ellis III, DEQ  
Mr. John M. Fowler, Advisory Council on Historic Preservation