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Cc: [Beasley, Benjamin](#); [Tran, Tam](#); [Oesterle, Eric](#); [Folk, Kevin](#); [Elliott, Robert](#)
Subject: NRC Issuance of Draft Environmental Impact Statement for Surry Subsequent License Renewal, Opportunity for Public Comment, and Endangered Species Act Determinations
Date: Thursday, October 17, 2019 11:21:00 AM



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

Good morning Mr. Anderson,

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 Surry Power Station, Units 1 and 2 (Surry) in Surry 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

Surry is a two-unit nuclear power plant located along the southern shore of the James River approximately 30 river miles upstream of the river's confluence with the Chesapeake Bay. The plant lies on an 840-acre site on Gravel Neck Peninsula in Surry County, Virginia. The site is situated 8 miles east-northeast of Surry, Virginia, and 7 miles south of Williamsburg, Virginia. Dominion Energy Virginia (Dominion) operates and maintains the plant. The NRC issued facility operating licenses for Surry in May 1972 (Unit 1) and January 1973 (Unit 2), and commercial operations began in December 1972 (Unit 1) and May 1973 (Unit 2). In 2003, the NRC issued renewed facility operating licenses authorizing an additional 20 years of plant operation through May 2032 (Unit 1) and January 2033 (Unit 2).

The NRC's current Federal action is the decision whether to issue subsequent renewed operating licenses for Surry authorizing an additional 20 years of operation. If the NRC grants Dominion renewed licenses, the company could continue to operate Surry until May 2052 (Unit 1) and January 2053 (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: [ML19274C676](#).

ESA "Not Likely to Adversely Affect" Determination and Concurrence

As part of its environmental review, the NRC staff determined that the proposed Surry 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 4.8.1.2** evaluates the potential for the proposed action to affect the NLEB.
- **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 4.8.1.2 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 Surry 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 April 9, 2019, 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 December 10, 2019. 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-2018-0280. Address questions about NRC docket IDs to Jennifer Borges at 301-287-9227 or jennifer.borges@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 in November 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 in the near future.

Conclusion

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

Thank you,

Briana

Briana A. Grange

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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 September 20, 2019).
- (2) U.S. Fish and Wildlife Service. Letter from Virginia Ecological Services Field Office to B. Grange, NRC. Subject: Verification letter for the Surry 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. April 9, 2019. ADAMS Accession No. [ML19157A112](#).

Docket Nos.: 50-280 and 50-281

ADAMS Accession No.: [ML19274B587](#)

CONCURRENCE				
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