

Tran, Tam

From: Tran, Tam
Sent: Wednesday, February 05, 2020 3:37 PM
To: Daniel.g.stoddard@dominionenergy.com
Cc: Oesterle, Eric; Elliott, Robert; Paul Aitken; Roth (OGC), David; Gamin, Kayla; Burnell, Scott; Adams, DA; Pelchat, John; Lea, Edwin; Hannah, Roger; Ledford, Joey; Carey, Mac; Downey, Steven; Cooper, Paula; Tappert, John; Woods, Mary; Keith J Miller; Folk, Kevin; Rayfield, Bettina; Wellman, Julia
Subject: Request for Additional Information - Surry SLRA Environmental Review (EPID No. L-2018-RNW-0024)
Attachments: Surry CZMA RAI_Revised_020520.docx

Dear Mr. Stoddard,

By letters dated October 15, 2018, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML18291A842), Dominion Energy submitted an application for subsequent license renewal of Renewed Facility Operating License Nos. DPR-32 and DPR-37 for the Surry Power Station, Unit Nos. 1 and 2 (Surry) to the U.S. Nuclear Regulatory Commission (NRC) pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, and part 54 of title 10 of the *Code of Federal Regulations*, "Requirements for renewal of operating licenses for nuclear power plants."

The NRC staff is reviewing the information contained in the subsequent license renewal application and has identified, in the enclosure, areas where additional information is needed to complete the review.

This request for additional information was discussed with Mr. Keith Miller of your staff on January 27, 2020, and a date for the response is no later than March 5, 2020.

If you have any questions, please contact me by e-mail Tam.tran@nrc.gov.

Sincerely,

Tam Tran, Project Manager
Division of Rulemaking, Environmental, and Financial Support
Office of Nuclear Material Safety and Safeguard (NMSS)
U.S. Nuclear Regulatory Commission

Docket Nos. 50-280 and 281
ADAMS Accession No.: ML20029D838.
Enclosure:
As stated

cc w/encl: Listserv

RAI – Surry Coastal Zone Management Act (CZMA) status of compliance

Background:

In a February 2, 2018 letter, Virginia Department of Environmental Quality (DEQ) issued a Conditional Concurrence finding on Virginia Electric and Power Company's (Dominion's) application for coastal zone management act (CZMA) consistency certification. The conditions relate to concerns raised by the Virginia Department of Game and Inland Fisheries (VDGIF) regarding measures to minimize impacts to fishery resources from operation of Surry's cooling water intake.

In December 2019, Virginia DEQ provided consolidated agency comments (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML19344C112](#)) on the Surry draft Supplemental Environmental Impact Statement (issued in October 2019, ADAMS Accession No. [ML19274C676](#)). In part, the consolidated comments include the following findings/recommendations:

- The Virginia Marine Resource Commission (VMRC) notes that "Dominion's application for renewal does not include a proposal to incorporate any additional intake technologies for reducing impingement and entrainment at the intake, such as 1 mm slot size wedge wire screen, with through slot velocities of 0.25 feet per second, or other best management practices..." VMRC further recommends that license renewal be contingent upon addition of best technology available or other measures to minimize impacts to fishery resources.
- VDGIF recommends that Dominion consider redesign/retrofit of its cooling water intake structure to reflect best technology available.

The CZMA regulations at Title 15 of the *Code of Federal Regulations* (10 CFR) Part 930, "Federal Consistency with Approved Coastal Management Program," state, in part that: "The Federal agency, applicant, person or applicant agency shall immediately notify the State agency if the State agency's conditions are not acceptable..." (15 CFR 930.4(a)(2)).

The CZMA regulations at 15 CFR 930.4(b) state in part that: "If the requirements of paragraphs (a)(1) through (3) of this section are not met, then all parties shall treat the State agency's conditional concurrence as an objection..." As stated at 15 CFR 930.64, "Following receipt of a State agency objection to a consistency certification, the Federal agency shall not issue the federal license or permit except as provided in subpart H of this part."

Issue:

The Commonwealth of Virginia has issued a Conditional Concurrence for Surry's CZMA consistency certification. According to 16 U.S.C. § [1456\(c\)\(3\)\(A\)](#), "[n]o license or permit shall be granted by the Federal agency until the state or its designated agency has concurred with the applicant's certification."

Information Request:

NRC Request for Additional Information LU-2 (ADAMS Accession No. [ML19114A423](#)) stated, "Given the conditional nature of the CZMA certification, describe the steps that Dominion

proposes to undertake to complete the CZMA consistency certification process with VDEQ, including the projected timeframe for completion of all anticipated activities requested by VDEQ.” In response, Dominion stated that it was “continuing consultation with other federal and state agencies (ADAMS Accession No. ML19148A441).” Provide a revised CZMA consistency certification determination for Surry subsequent license renewal or other updated correspondence issued by the Commonwealth of Virginia that updates the status of the CZMA consistency certification process. This documentation should show that either the conditions specified in VDEQ’s February 2, 2018 letter have been resolved or that Dominion and the Commonwealth of Virginia have reached other terms that resolve the Commonwealth’s Conditional Concurrence finding. Alternatively, provide information as to any notice of appeal that has been filed with the Secretary of Commerce by Dominion in accordance with 15 CFR 930.125.

*concurrence via e-mail

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DATE	2/4/2020	2/5/2020	2/5/2020	2/5/2020

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