

November 1, 2021

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY

In the Matter of)
Virginia Electric Power Co.) Docket Nos. 50-338/339 SLR
North Anna Power Station Units 1 & 2)
_____)

**REPLY BY BEYOND NUCLEAR, INC., SIERRA CLUB, INC., AND
ALLIANCE FOR A PROGRESSIVE VIRGINIA, INC. TO OPPOSITIONS TO
THEIR MOTION TO AMEND CONTENTION OUT OF TIME**

I. INTRODUCTION

Pursuant to 10 C.F.R. § 2.309(i)(2), Petitioners/Appellants Beyond Nuclear, Inc., the Sierra Club, Inc. (“Sierra Club”), and Alliance for a Progressive Virginia, Inc. hereby reply to a portion of the oppositions submitted by Virginia Electric Power Co. (“VEPCO”) and the U.S. Nuclear Regulatory Commission (“NRC” or “Commission”) Staff to Petitioners’ Motion to Amend Contention Out of Time and to Reopen the Record (Sept. 29, 2021) (“Motion”).¹

As permitted by 10 C.F.R. § 2.309(i)(2), this Reply demonstrates that the arguments made by VEPCO and the Staff in opposition to Petitioners/Appellants’ Motion to File Amended Basis Statement After the Deadline for Initial Hearing Requests (“Motion to Amend”) (presented in Sections III and IV of Petitioners/Appellants’ Motion) have no merit. The Commission should permit the amendment of Petitioners/Appellants’ basis statement to address a new statement in the Draft Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 7, Second Renewal Regarding Subsequent License Renewal for North Anna Power

¹ Applicant’s Answer Opposing Motion to Amend Contention Out of Time and Motion to Reopen the Record by Beyond Nuclear, Sierra Club, and Alliance for Progressive Virginia (Oct. 25, 2021) (“VEPCO Answer”); NRC Staff’s Response to Petitioners’ Motion to Amend Contention Out of Time and Motion to Re-Open the Record (Oct. 25, 2021) (“Staff Response”).

Station Units 1 and 2 (August 2021) (“Draft SGEIS”), not previously appearing in VEPCO’s Environmental Report, which attempts to provide erroneous legal support for VEPCO’s and the NRC Staff’s failure to address the environmental significance of the occurrence of the beyond-design-basis Mineral Earthquake in 2011, in violation of the National Environmental Policy Act (“NEPA”) and NRC implementing regulations.²

II. BACKGROUND

In their Motion to Amend, Petitioners/Appellants seek to amend the basis statement of their single contention in this proceeding for review of VEPCO’s application for subsequent license renewal (“SLR”) for the North Anna nuclear power plant, Units 1 and 2, as follows.

In LBP-21-04, the ASLB [Atomic Safety and Licensing Board] described the 2011 Mineral Earthquake as a “happenstance” and stated it is “evident that the potential for a beyond DBE is not unique to North Anna, but an essential assumption associated with the design and licensing of all nuclear power plants.”¹² Consistent with the ASLB’s holding, the Draft SGEIS for North Anna License Renewal contains the statement that “[m]any of these design-basis accidents may occur, but are unlikely to occur, even once during the life of the plant.”¹³

The Staff’s statement suggests that in licensing nuclear reactors, the NRC anticipates that a design-basis accident – such as a design-basis earthquake – may occur more than once at a single reactor, without raising safety or environmental concerns. But this assertion is inconsistent with the NRC’s basic principles of nuclear reactor licensing and regulation, as reflected in NRC Staff guidance documents. The NRC’s Standard Review Plan, for example, makes clear that the NRC does not anticipate that a design-basis accident will occur at all. “Postulated accidents” (*i.e.*, design basis accidents) are defined as “unanticipated occurrences (*i.e.*, they are postulated but *not expected to occur during the life of the nuclear power plant.*)”¹⁴ In contrast, “Anticipated Operational Occurrences” or “AOOs” “are those conditions of normal operation that are expected to occur one or more

² Although the filing of a motion to re-open the now-closed record of this proceeding was necessary to Petitioners/Appellants’ effort to obtain consideration of their effort to amend their contention based on the recently-issued Draft SGEIS, NRC regulations provide no comparable right of reply for motions to re-open the record. *See* 10 C.F.R. § 2.323(c). Therefore, this Reply does not address VEPCO’s and the Staff’s oppositions to Petitioners/Appellants’ Motion to Re-Open the Record (“Motion to Re-Open”) (presented in Section IV of Petitioners/Appellants’ Motion). Petitioners/Appellants’ compliance with 10 C.F.R. § 2.323(c) should not be taken to imply agreement with or concession to any of the arguments made by VEPCO or the Staff in opposition to Petitioners/Appellants’ Motion to Re-Open.

times during the life of the nuclear power plant.”¹⁵ A license application must include a categorization of events as “either an AOO or a postulated accident.”¹⁶ As required by the Standard Review Plan, VEPCO categorized the design-basis earthquake as a postulated accident, stating that it “took what was found to be the largest reported shock in the Piedmont Province and postulated its occurrence in the vicinity of the site.”¹⁷

The ASLB, in characterizing the Mineral Earthquake as “happenstance,” confused design basis accidents with anticipated operational occurrences. For instance, the ASLB correctly observed that 10 C.F.R. Part 100 § V(a)(2) provides that “a facility’s OBE [operating basis earthquake] may be exceeded without causing a severe accident, directing in such a circumstance the actions that must be completed prior to resuming operation after such an incident.”¹⁸ While an OBE may occur more than once without causing a severe accident, that is not the case for a design-basis earthquake (“DBE”, also known as a Safe Shutdown Earthquake (“SSE”)). The value of an OBE “typically” is only half the value of the DBE or SSE, and this is also the case for North Anna Units 1 and 2.¹⁹ Thus, North Anna was not licensed to experience more than one earthquake that met or exceeded its design basis. *Id.*

Thus, the SGEIS’ assertion that “many” design basis accidents can be expected to occur is inconsistent with the NRC’s regulatory scheme. As discussed above in Section III.A, it is also inconsistent with the design basis accident analyses in all previous iterations of the License Renewal GEIS.

Finally, the Staff’s attempt to quietly insert a new and unlawful analytical concept into its description of a well-established and longstanding environmental analysis, as if it had always been there, must be rejected because it lacks the transparency and scientific integrity required by NEPA. *Hughes River Watershed Conservancy v. Agriculture Dept.*, 81 F.3d 437, 446 (4th Cir. 1996) (rejecting environmental analysis based on “misleading” assumptions); *Calvert Cliffs Coordinating Committee v. AEC*, 449 F.2d 1109, 1115 (D.C. Cir. 1971) (requiring “good faith consideration of environmental factors).

¹² LBP-21-04, slip op. at 22-23.

¹³ *Id.* at F-1 – F-2 (emphasis added).

¹⁴ NUREG-0800, Standard Review Plan at 15.0-3 (Rev. 3, March 2007) (emphasis added). The Standard Review Plan defines “design-basis accidents” as “Postulated accidents that are used to set design criteria and limits for the design and sizing of safety-related systems and components.” *Id.* at 15.0-14.

¹⁵ *Id.* at 15.0-2.

¹⁶ *Id.* at 15.0-8.

¹⁷ UFSAR at 2C-2. *See also id.* at 2C-7, stating that “[w]e do not feel that events larger than those postulated in our original report are probable for this portion of the Virginia Piedmont.”

¹⁸ *Id.*

¹⁹ See NUREG/CR-7230, Seismic Design Standards and Computational Methods in the United States and Japan” at 25 (May 2017) (ML17131A127)). The Updated Final Safety Analysis Report (“UFSAR”) for North Anna Units 1 and 2 represents that Class I piping systems are qualified to withstand “a total of five operational-basis earthquake (OBE) (one-half safe-shutdown earthquake) and one design-basis earthquake (DBE).” *Id.* at 3.7-35.

Motion at 7-9.

III. ARGUMENT

A. Petitioners/Appellants’ Amended Contention Presents New, Significant and Materially Different Information.

Petitioners/Appellants Amended Contention and Motion to Amend seeks to challenge a statement in the Draft SGEIS that “Many of these design-basis accidents may occur, but are unlikely to occur, even once during the life of the plant.” Motion at 7 (citing Draft SGEIS at F-1 – F-2). This statement does not appear in the 1996 GEIS, the 2013 Revised GEIS, or the Environmental Report.³ Petitioners/Appellants seek to challenge the Staff’s implication that in licensing nuclear reactors, the NRC anticipates that a design-basis accident – such as a design-basis earthquake – may occur more than once at a single reactor, without raising safety or environmental concerns. *Id.*

³ The NRC Staff points out that language similar to the Draft SGEIS for North Anna can be found in other supplements to the License Renewal GEIS. NRC Staff Response at 11 and n. 44. But none of these supplemental GEISs are applicable to North Anna. The 1996 License Renewal GEIS remains the original and key document explaining that the NRC’s generic no significant impact finding for reactor operations is based in significant part on the assumption that reactors will operate in compliance with their design bases during the license renewal term. As stated in the License Renewal GEIS (at xliii-xliv):

All plants have had a previous evaluation of the environmental impacts of design-basis accidents. In addition, the licensee will be required to maintain acceptable design and performance criteria throughout the renewal period. Therefore, the calculated releases from design-basis accidents would not be expected to change. Since the consequences of these events are evaluated for the hypothetical maximally exposed individual at the time of licensing, changes in the plant environment will not affect these evaluations. Therefore, the staff concludes that the environmental impacts of design-basis accidents are of small significance for all plants.

VEPCO argues that Petitioners/Appellants' Motion to Amend should be rejected because it is "incorrect." VEPCO Answer at 9. *See also* Staff Response at 12. VEPCO focuses on the phrase describing a design-basis accident as "unlikely to occur, even once during the life of the plant." *Id.* According to VEPCO, the unlikelihood of a design-basis accident is the message of the sentence. *Id.* But VEPCO ignores the word "many," which suggests that the same design-basis accident may occur more than once. And VEPCO ignores the regulatory significance of the occurrence, even once, of a design-basis accident, *i.e.*, that no nuclear plant is expected to experience a design-basis accident. Nor is this point addressed in the Draft SGEIS. Thus, Petitioners/Appellants have raised a legitimate concern that the Draft SGEIS misrepresents the regulatory significance of a design-basis accident like the Mineral Earthquake.

VEPCO also argues that Petitioners/Appellants fail to state how the Amended Basis statement relates to their contention. *Id.* at 9. But VEPCO ignores Petitioners/Appellants' statement that the characterization of design-basis accidents as "many" and as accidents that "may" happen is a "subterfuge" that "appears designed to buttress the ASLB's characterization of design-basis accidents as 'happenstance' and justify VEPCO's and the Staff's utter failure to address the environmental significance for North Anna of the occurrence of the Mineral Earthquake." Motion at 6. As VEPCO correctly notes, this false characterization cannot be found in the 1996 License Renewal GEIS.⁴

⁴ Contrary to VEPCO's assertion, Petitioners/Appellants do not contend that the likelihood of a design-basis accident is "absolute zero." VEPCO Answer at 10 n.39. Petitioners/Appellants contend that the NRC's regulatory scheme for design of nuclear reactors does not contemplate the occurrence of a design-basis accident. Thus, once a design-basis accident occurs – as did the Mineral Earthquake – the risk of a future earthquake becomes significant, as a matter of law, under NEPA.

Finally, VEPCO argues that the Commission may not entertain an amendment to a contention that was rejected by the ASLB in LBP-21-04. VEPCO Answer at 12. But the validity of LBP-21-04 is now on appeal to the Commissioners, and therefore it may not be presumed. Petitioners/Appellants are not required to re-litigate the issues they raised on appeal of LBP-21-04 here; that appeal is already lodged.

B. Petitioners/Appellants’ Motion to Amend was Timely Filed.

According to VEPCO, Petitioners/Appellants’ Motion to Amend, filed September 29, was not timely filed because the Draft SGEIS was posted on the NRC’s Agencywide Documents Access and Management System (“ADAMS”) more than 30 days earlier on August 19, 2021; and the NRC published a Federal Register notice of availability of the Draft SGEIS on August 25, 2021. VEPCO Answer at 7.

While the NRC often uses 30 days after a document becomes available as a rule of thumb for evaluating timeliness, the 30-day time period is not fixed by NRC regulations. Instead, the question of timeliness “is subject to a reasonableness standard, depending on the facts and circumstances of each situation.” *Entergy Nuclear Vt. Yankee* (Vt. Yankee Nuclear Power Station), LBP-07-15, 66 N.R.C. 261, 266 n.11 (2997). Here, Petitioners/Appellants reasonably interpreted an NRC e-mail, sent to VEPCO and other parties (including Petitioners/Appellants’ counsel) on August 30, 2021, as providing formal notice of the availability of the Draft SGEIS. *See* E-mail from Scheera Whitaker to Paul Aitken, et al. re: Distribution North Anna Power Station Subsequent License Renewal Draft SGEIS NOA FRN – Letter to the applicant (Aug. 30, 20121) (“Whitaker E-mail”).

The entirety of the Whitaker E-mail’s message reads as follows:

ADAMS ML21222A197
To: Mr. Daniel G. Stoddard

From: Robert B. Elliott, Chief
Date: 08/24/2021

Title: NOTICE OF AVAILABILITY OF THE DRAFT PLANT-SPECIFIC SUPPLEMENT 7, SECOND RENEWAL TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING SUBSEQUENT LICENSE RENEWAL FOR NORTH ANNA POWER STATION UNITS AND 2 (EPID NO. L-2020-SLE-0000) (DOCKET: 50-338 AND 50-339)

Please see attached document

Scheera M. Whitaker
Administrative Assistant
NMSS/Rulemaking, environmental & Financial Support (REFS)
OWFN/02-C08
(301) 415-5828
Scheera.Whitaker@nrc.gov

The “attached document” referred to in the Whitaker E-mail is a letter from R.B. Elliott, NRC, to Daniel G. Stoddard, VEPCO, re: NOTICE OF AVAILABILITY OF THE DRAFT PLANT-SPECIFIC SUPPLEMENT 7, SECOND RENEWAL TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING SUBSEQUENT LICENSE RENEWAL FOR NORTH ANNA POWER STATION UNITS AND 2 (EPID NO. L-2020-SLE-0000) (DOCKET: 50-338 AND 50-339) (Aug. 24, 2021) (“Elliott Letter”). The Elliott Letter provided ADAMS Accession Numbers for the Draft SGEIS and a Federal Register notice that had been prepared by NRC for future publication. *Id.* at 1.

The Whitaker E-mail and the appended Elliott Letter are attached to this Reply as Attachment 1.⁵

⁵ While VEPCO complains that the Whitaker E-mail “does not appear to be publicly available” (VEPCO Answer at 7 n.29), the Whitaker E-mail lists VEPCO (*i.e.*, Dominion) officials Paul Aitken, Keith J. Miller and Kathryn H. Barrett as recipients.

Petitioners/Appellants' combined reading of the Whitaker E-mail and the attached Elliott letter raised a reasonable inference that the Whitaker E-mail constituted an early notification of the availability of the Draft SGEIS, in advance of publication of a Federal Register notice of availability, as follows:

- The Whitaker E-mail and the attached Elliott Letter were both entitled “NOTICE OF AVAILABILITY OF THE DRAFT PLANT-SPECIFIC SUPPLEMENT 7, SECOND RENEWAL TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING SUBSEQUENT LICENSE RENEWAL FOR NORTH ANNA POWER STATION UNITS AND 2” (capitalization in originals), thus demonstrating they constituted formal notifications of the availability of the Draft SGEIS;
- The Elliott letter stated that a Notice of Availability of the Draft SGEIS “*will* be placed in the Federal Register” (emphasis added) without specifying a date, thus indicating it had not been published.
- The Elliott Letter provided an ADAMS accession number for the Federal Register notice that had been “prepared by the NRC Staff” for the Federal Register (Elliott Letter at 1, citing ML2122A163), *not* the Federal Register notice issued by the National Archives.
- While the Whitaker E-mail was sent August 30, five days after actual publication of the Federal Register notice on August 25, the Whitaker E-mail contained no citation to the August 25 Federal Register notice.

Thus, based on these two pieces of NRC correspondence, Petitioners/Appellants reasonably assumed that the Whitaker E-mail was providing them with *early* formal notice of the availability of the Draft SGEIS in advance of some future Federal Register notice. In reasonable

reliance on this formal notification, Petitioners/Appellants did not second-guess the government by conducting a search of ADAMS or the Federal Register website to find out whether actual “availability” had occurred earlier.⁶

The purpose of NRC deadlines for filing and amending contentions is to ensure the fairness and efficiency of the hearing process. *Statement of Policy on Conduct of Adjudicatory Proceedings*, CLI-98-12, 48 N.R.C. 18, 19 (1998) (“[T]he Commission’s objectives are to provide a fair hearing process, to avoid unnecessary delays in the NRC’s review and hearing process, and to produce an informed adjudicatory record that supports agency decision making on matters related to the NRC’s responsibilities for protecting public health and safety, the common defense and security, and the environment.”). For an important licensing document such as the Draft SGEIS, the NRC reasonably provided a formal Notice of Availability, and Petitioners/Appellants reasonably relied on that notice. VEPCO has not suggested any purpose related to fairness or efficiency that would be served by requiring Petitioners/Appellants to look behind that formal Notice of Availability for some earlier date they could have obtained the document. And even if Petitioners/Appellants had done so, the lapse of time between August 19 and September 29 is 41 days (11 days longer than 30 days), and the lapse of time between August 25 and September 29 is 35 days (5 days longer than 30 days). These are not significant time periods for purposes of managing a hearing process. Thus, VEPCO’s attempt to

⁶ Oddly, while an ADAMS search now shows that the Draft SGEIS was posted on ADAMS on August 19, 2021, ADAMS gives the Draft SGEIS itself a date of August 31, 2021 – *i.e.*, the document was given a date that is twelve days later than the date the document was posted on ADAMS. *See* Attachment 2. While the reason for this discrepancy is unclear, it seems reasonable to infer that the Draft SGEIS may have been posted prematurely. Certainly, the NRC did not take any formal steps to notify VEPCO or the Petitioners/Appellants of the availability of the Draft SGEIS until late August of 2021.

delegitimize the NRC’s formal notification process regarding the Draft SGEIS and transform the application of 10 C.F.R. § 2.309(c)(1)(iii) into a game of “Gotcha” should be rejected.⁷

IV. CONCLUSION

For the foregoing reasons, VEPCO’s and the NRC Staff’s arguments against Petitioners/Appellants’ Motion to Amend should be rejected, and the amended basis statement should be admitted for a hearing.

Respectfully submitted,

 /signed electronically by/

Diane Curran
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November 1, 2021

⁷ The NRC Staff is also wrong that Petitioners/Appellants Motion to Amend is untimely because it seeks to challenge an element of LBP-21-04, which was previously available before issuance of the SGEIS. NRC Staff Response at 12. But Petitioners/Appellants are merely following the necessary steps for maintaining a viable challenge to an environmental impact statement in an NRC proceeding: by first submitting a hearing request on the applicant’s environmental report, and then amending their contention if and when the draft environmental impact statement and/or final environmental impact statement presents “new information,” in order to preserve the viability of the legal challenge. *See* 54 Fed. Reg. 33,168, 33,172 (Aug. 11, 1989) (aff’d, *Union of Concerned Scientists v. NRC*, 920 F.2d 50 (D.C. Cir. 1989)). While the SGEIS may repeat some of the assertions of LBP-21-04, it constitutes new information in relation to the Environmental Report and the 1996 License Renewal GEIS, and therefore it is subject to challenge in an amended contention.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE SECRETARY

_____)
In the Matter of)
Virginia Electric Power Co.) Docket Nos. 50-338/339 SLR
North Anna Power Station, Units 1 and 2)
_____)

CERTIFICATE OF SERVICE

I certify that on November 1, 2021, I posted REPLY BY BEYOND NUCLEAR, INC., SIERRA CLUB, INC., AND ALLIANCE FOR A PROGRESSIVE VIRGINIA, INC. TO OPPOSITIONS TO THEIR MOTION TO AMEND CONTENTION OUT OF TIME and ATTACHMENTS 1 AND 2 on the NRC's Electronic Information Exchange.

 /signed electronically by/
Diane Curran

ATTACHMENT 1

Diane Curran

From: Whitaker, Scheera <Scheera.Whitaker@nrc.gov>
Sent: Monday, August 30, 2021 1:10 PM
To: Paul.Aitken@dominionenergy.com; Keith.J.Miller@dominionenergy.com; Kathryn.H.Barret@dominionenergy.com; jcruckshank4@gmail.com; billatthelake@comcast.net; dianaatthelake@comcast.net; vmccorm205@verizon.net; ballroomvet@hotmail.com; edbogs15@gmail.com; SVMDDuggan@aol.com; elena.day@gmail.com; paulachow132@gmail.com; esandtner@gmail.com; natcpie1@gmail.com; callpromo@cox.net; jplynch@crosslink.net; veggielady@yahoo.com; awade@louisiana.org; dsafer@comcast.net; fred.mladen@dominionenergy.com; rbabyokjr@yahoo.com; saporito@gmx.com; Nevshehirlan.Stepan@epa.gov; bettina.rayfield@deq.virginia.gov; Lisa_Treichel@ios.doi.gov; Diane Curran; opayne@jmrl.org
Cc: Whitaker, Scheera; Tran, Tam
Subject: Distribution North Anna Power Station Subsequent License Renewal Draft SEIS NOA FRN - Letter to the applicant
Attachments: North Anna Power Station Subsequent License Renewal Draft SEIS NOA FRN - Letter to the Applicant (2).pdf

ADAMS ML21222A197

To: Mr. Daniel G. Stoddard
From: Robert B. Elliott, Chief
Date: 08/24/2021

Title: NOTICE OF AVAILABILITY OF THE DRAFT PLANT-SPECIFIC SUPPLEMENT 7, SECOND RENEWAL TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING SUBSEQUENT LICENSE RENEWAL FOR NORTH ANNA POWER STATION UNITS 1 AND 2 (EPID NO. L-2020-SLE-0000) (DOCKET: 50-338 AND 50-339)

Please see attached document

[Scheera M. Whitaker](#)

Administrative Assistant
NMSS/Rulemaking, Environmental &
Financial Support (REFS)
OWFN/02-C08
(301) 415-5828
Scheera.Whitaker@nrc.gov

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

August 24, 2021

Mr. Daniel G. Stoddard
Senior Vice President and
Chief Nuclear Officer
Innsbrook Technical Center
5000 Dominion Blvd
Glen Allen, VA 23060

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT PLANT-SPECIFIC SUPPLEMENT 7, SECOND RENEWAL TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR LICENSE RENEWAL OF NUCLEAR PLANTS REGARDING SUBSEQUENT LICENSE RENEWAL FOR NORTH ANNA POWER STATION UNITS 1 AND 2 (EPID NO. L-2020-SLE-0000) (DOCKET: 50-338 AND 50-339)

Dear Mr. Stoddard:

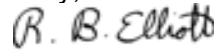
The U.S. Nuclear Regulatory Commission (NRC) staff has completed the draft plant-specific Supplement 10, Second Renewal to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), regarding the subsequent renewal of Renewed Facility Operating License Nos. NPF-4 and NPF-7 for an additional 20 years of operation for North Anna Power Station, Units 1 and 2, respectively (North Anna). The NRC staff has prepared a *Federal Register* Notice of Availability (ML21222A163) to advise the public that the draft supplement is publicly available from the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/readingrm/adams.html>. The ADAMS accession number for draft Supplement 7, Second Renewal, to the GEIS is ML21228A084. In addition, the draft Supplement 7, Second Renewal will be available to the public near the site at the following location: Louisa Library, 881 Davis Hwy, Mineral, VA 23117, or at the following library website: <https://jmrl.org/br-louisa.htm>.

As discussed in Chapter 4 of the draft supplement, the NRC staff's preliminary recommendation is that the adverse environmental impacts of subsequent license renewal for North Anna are not so great that preserving the option of subsequent license renewal for energy-planning decisionmakers would be unreasonable. This recommendation is based on: (1) the analysis and findings in the GEIS; (2) the Dominion Energy Virginia Environmental Report; (3) the NRC staff's consultation with Federal, State, Local, and Tribal government agencies; (4) the NRC staff's independent environmental review; and (5) the NRC staff's consideration of public comments.

A separate Notice of Availability of the draft supplemental environmental impact statement will be placed in the Federal Register through the U.S. Environmental Protection Agency (EPA). The comment period ends October 12, 2021.

Should you have any questions concerning the staff's environmental review of this subsequent license renewal application, please contact the Project Manager, Tam Tran at 301-415-3617 or by e-mail at Tam.Tran@nrc.gov.

Sincerely,



Signed by Elliott, Robert
on 08/24/21


Robert B. Elliott, Chief
Environmental Review License Renewal Branch
Division of Rulemaking, Environmental and
Financial Support
Office of Nuclear Material Safety and Safeguards

Docket Nos. 50-338 and 50-339

Enclosure:
As stated

cc w/encl: Distribution via Listserv

ATTACHMENT 2

<input type="checkbox"/>	Document Title	Accession Number	Date Added	Document Date	Size
<input type="checkbox"/>	 NUREG-1437 DFC, Supplement 7, Second Renewal "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Supplement 7, Second Renewal Regarding Subsequent License Renewal for North Anna Power Station Units 1 and 2"	ML21228A084	08/19/2021 09:58 AM EDT	08/31/2021	6.69 Mb