

VIRGINIA ELECTRIC AND POWER COMPANY
RICHMOND, VIRGINIA 23261

April 8, 2021

10 CFR 50
10 CFR 51
10 CFR 54

United States Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

Serial No.: 20-060G
NRA/DEA: R0
Docket Nos.: 50-280/281
License Nos.: DPR-32/37

VIRGINIA ELECTRIC AND POWER COMPANY
SURRY POWER STATION (SPS) UNITS 1 AND 2
SUBSEQUENT LICENSE RENEWAL APPLICATION (SLRA)
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION
REGARDING THE ENVIRONMENTAL REVIEW
COASTAL ZONE MANAGEMENT ACT (CZMA) CONSISTENCY CERTIFICATION

By letter dated August 3, 2017, Dominion Energy submitted a Coastal Zone Management Act (CZMA) Consistency Certification to the Virginia Department of Environmental Quality (DEQ) to support the subsequent license renewal of SPS, Units 1 and 2. By letter dated February 2, 2018, the DEQ provided a conditional concurrence that the subsequent license renewal was consistent with the Coastal Zone Management Program.

In a February 5, 2020 email, the US Nuclear Regulatory Commission (NRC) staff issued a request for additional information (RAI) [Agencywide Documents Access and Management System (ADAMS) Accession No. ML20029D838] to Dominion Energy that acknowledged the conditional concurrence letter and indicated the renewed operating licenses could not be issued until the state concurred with Dominion Energy's CZMA Consistency Certification.

The RAI letter indicated the following:

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.

Subsequent to the February 5, 2020 RAI, Dominion Energy continued to correspond with VDEQ and the Virginia Department of Game and Inland Fisheries (now Virginia Wildlife

cc: U. S. Nuclear Regulatory Commission, Region II
Marquis One Tower
245 Peachtree Center Avenue, NE
Suite 1200
Atlanta, Georgia 30303-1257

NRC Senior Resident Inspector
Surry Power Station

Ms. Angela Wu
NRC Project Manager
U. S. Nuclear Regulatory Commission
One White Flint North
Mail Stop O-11F1
11555 Rockville Pike
Rockville, Maryland 20852-2738

Mr. Tam Tran
NRC Project Manager
U. S. Nuclear Regulatory Commission
One White Flint North
Mail Stop O-11F1
11555 Rockville Pike
Rockville, Maryland 20852-2738

Mr. G. Edward Miller
NRC Senior Project Manager
U. S. Nuclear Regulatory Commission
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Rockville, Maryland 20852-2738

Mr. Vaughn Thomas
NRC Project Manager
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Rockville, Maryland 20852-2738

State Health Commissioner
Virginia Department of Health
James Madison Building – 7th Floor
109 Governor Street
Room 730
Richmond, Virginia 23219

Mr. David K. Paylor, Director
Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

Ms. Melanie D. Davenport, Director
Water Permitting Division
Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

Ms. Bettina Rayfield, Manager
Office of Environmental Impact Review
Virginia Department of Environmental Quality
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Richmond, VA 23218

Mr. Michael Dowd, Director
Air Division
Virginia Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

Ms. Kathryn Perszyk
Land Division Director
Virginia Department of Environmental Quality
1111 East Main Street
Suite 1400
Richmond, VA 23219

Mr. James Golden, Regional Director
Virginia Department of Environmental Quality
Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060

Ms. Jewel Bronaugh, Commissioner
Virginia Department of Agriculture & Consumer Services
102 Governor Street
Richmond, Virginia 23219

Mr. Jason Bulluck, Director
Virginia Department of Conservation & Recreation
Virginia Natural Heritage Program
600 East Main Street, 24th Floor
Richmond, VA 23219

Mr. Ryan Brown, Executive Director
Director's Office
Virginia Department of Wildlife Resources
P.O. Box 90778
Henrico, VA 23228

Mr. Allen Knapp, Director
Virginia Department of Health
Office of Environmental Health Services
109 Governor St, 5th Floor
Richmond, VA 23129

Ms. Julie Langan, Director
Virginia Department of Historic Resources
State Historic Preservation Office
2801 Kensington Avenue
Richmond, VA 23221

Mr. Steven G. Bowman, Commissioner
Virginia Marine Resources Commission
380 Fenwick Road
Building 98
Fort Monroe, VA 23651

Ms. Angel Deem, Director
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, VA 23219

Mr. Stephen Moret, President
Virginia Economic Development Partnership
901 East Byrd Street
Richmond, VA 23219

Mr. William F. Stephens, Director
Virginia State Corporation Commission
Division of Public Utility Regulation
1300 East Main St, 4th Fl, Tyler Bldg
Richmond, VA 23219

Mr. Jeff Caldwell, Director
Virginia Department of Emergency Management
10501 Trade Road
Richmond, VA 23236

Mr. Bruce Sterling, Chief Regional Coordinator
Virginia Department of Emergency Management
7511 Burbage Drive
Suffolk, VA 23435

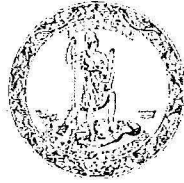
Mr. Jonathan Lynn, Administrator
Surry County
45 School Street
Surry, VA 23883

Enclosure

**RESPONSE TO NRC REQUEST FOR ADDITIONAL INFORMATION
SPS SLRA ENVIRONMENTAL REVIEW**

**LETTER FROM VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY
UNCONDITIONAL CONCURRENCE WITH CONSISTENCY CERTIFICATION
dated April 1, 2021**

**Virginia Electric and Power Company
(Dominion Energy Virginia)
Surry Power Station Units 1 and 2**



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4000

April 1, 2021

Dominion Energy
Attn: Amanda B. Tornabene
Vice President and Chief Environmental Officer
Dominion Energy
120 Tredegar St
Richmond, VA 23019

RE: Federal Consistency Certification for the VEPCO Surry Power Station Units 1 and 2 Subsequent License Renewal, US Nuclear Regulatory Commission, Surry County, (DEQ 17-121F)

Dear Ms. Tornabene:

On February 2, 2018, the Commonwealth of Virginia completed its review of the above-referenced Federal Consistency Certification (FCC). The Department of Environmental Quality (DEQ) is responsible for coordinating Virginia's review of federal consistency documents submitted pursuant to the Coastal Zone Management Act (CZMA) and providing the state's response. As a result of that review, DEQ issued a conditional concurrence. The concurrence was conditioned upon the Department of Wildlife Resources' (DWR, formerly the Department of Game and Inland Fisheries) input and concurrence with intake technology to minimize impacts to fishery resources.

SUBSEQUENT COORDINATION

In association with the Virginia Pollution Discharge Elimination (VPDES) permit currently under review by DEQ, Dominion Energy prepared reports in accordance with Clean Water Act 40 CFR 316(b) Section 122.21(r)(2)-(9) and two collegially developed reports: a White Paper and the Oyster Report. The Virginia Institute of Marine Science (VIMS), the Virginia Marine Resource (VMRC) and the DWR reviewed these reports and conducted significant coordination with Dominion Energy during the early part of 2021.

On February 22, 2021, VIMS, at the direction of the VMRC, and with the concurrence of the Director of the DEQ and the Executive Director of DWR, provided their assessment of Dominion Energy's proposed mitigative strategy of reducing river water intake volume at the Surry Nuclear Power Station (SNPS) by approximately 25% during May and June

of each year. On March 4, 2021, DWR provided comment to staff of DEQ supporting Dominion Energy's proposal for 25% seasonal flow (intake) reductions in May to June of each year but requested seasonal reductions from April - June (at a minimum) to best protect anadromous fishes and perhaps during a period in the fall, when federal Endangered Atlantic Sturgeon are spawning (August 1 - November 15). In addition, DWR recommended additional mitigation strategies be implemented.

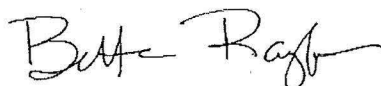
On March 15, 2021, VMRC responded to both the VIMS and DWR assessments requesting that Dominion Energy consider adding flow reductions for the month of April. VMRC also agreed with the VIMS and DWR positions that further mitigative measures be evaluated. Included in this response, VMRC provided two mitigation proposals (Alosine recruitment and James River connectivity) to Dominion Energy. On March 18, 2021, Dominion Energy agreed to additional flow reductions in April, where practicable, and on March 31, 2021, Dominion Energy provided a letter VMRC stating that Dominion Energy "fully expects and commits to evaluating mitigation with the agencies during the Surry Power Station's 316(b) process currently being performed." In response, on March 31, 2021, DWR and VMRC provided unconditional concurrence with the FCC.

FEDERAL CONSISTENCY CONCURRENCE

Based on our review of the FCC, subsequent coordination and the comments and recommendations submitted by agencies administering the enforceable policies of the Virginia CZM Program, DEQ concurs that the Proposed Action is consistent with the Virginia CZM Program. If, prior to construction, project activities should change significantly and any of the enforceable policies of the Virginia CZM Program would be affected, pursuant to 15 CFR §930.66, Dominion Energy must submit supplemental consistency certification to DEQ for review and concurrence.

Thank you cooperation and continued coordination on this project. Please contact me at (804) 698-4204 for clarification of these comments.

Sincerely,



Bettina Rayfield, Program Manager
Environmental Impact Review and Long-Range
Priorities

Enclosures

Ec: David Paylor, DEQ
Ryan Brown, DWR
Ray Fernald, DWR
Amy Ewing, DWR
Steven Bowman, VMRC

Randy Owen, VMRC
Lyle Varnell, VIMS
Tam Tran, NRC

February 22, 2021

Steve G. Bowman, Commissioner
Virginia Marine Resources Commission
380 Fenwick Road, Building 96
Fort Monroe, VA 23651

David K. Paylor, Director
Virginia Department of Environmental Quality
1111 East Main Street, Suite 1400
Richmond, VA 23219

Ryan J. Brown, Executive Director
Virginia Department of Wildlife Resources
7870 Villa Park Drive, Suite 400
Henrico, VA 23228-0778

Messrs. Bowman, Brown, and Paylor,

At the direction of the Virginia Commissioner of Marine Resources, with the concurrence of the Director of the Virginia Department of Environmental Quality and the Executive Director of the Virginia Department of Wildlife Resources, the Virginia Institute of Marine Science (VIMS) and Dominion Energy representatives assessed the ecological value of Dominion Energy's proposed mitigative strategy of reducing river water intake volume at the Surry Nuclear Power Station (SNPS) by approximately 25% during May and June of each year. The objective of this proposal is to reduce the mortality of eggs, larvae, and juveniles of fauna that inhabit the James River during peak times for these life stages of select species. These data and analyses were requested as necessary information for use by Virginia natural resource agencies in decisions affecting the SNPS relicensing process.

Two collegially developed reports resulted from this effort: a White Paper, focusing primarily on ASMFC managed species, but including all collected species; and the Oyster Report, specific to entrainment impacts to oyster larvae. Scientists from VIMS and Dominion Energy are in agreement with the reliability of the data, the sampling and analyses methods, and the assumptions on which the analyses are based. Dominion Energy data used in the White Paper and also presented in the recent Clean Water Act §316(b) (the Act) Compliance Submittal were collected and analyzed consistent with the Act's requirements. These requirements result in credible information with reasonable confidence in the summary results, but it is important to understand that these data result from monitoring schemes that generally are less rigorous than most research-based studies designed specifically to develop robust population loss estimates and confidence intervals used in statistical comparisons. A more research-based approach, which is well beyond the Act's legal requirements, would likely result in reduced uncertainty in mortality estimates but would significantly increase effort and costs.

The Oyster Report showed that mortality to oyster larvae was high (and likely overestimated due to difficulties in species identification of early bivalve larval stages), but were proportionally minimal to the annual level of oyster spawn in the James River as estimated by VIMS. We agree with Dominion's conclusions of minimal impact to James River oyster resources from normal SNPS water withdrawals.

The results presented in the White Paper show that the proposed pumping reduction reduces potential impingement and entrainment mortality for some species of commercial and recreational fisheries concern, and also for many species critical to overall river ecology. Projections of losses to adult populations from

larvae, egg, and juvenile mortality estimates are emphasized, especially for ASMFC-regulated species. These “adult equivalency” estimates add context to the egg, larva, and juvenile loss data, and are the primary endpoint estimates of data analyses used to demonstrate probable species mortalities. Calculating these estimates relies heavily on the particular model applied and the accuracy of natural mortality rates presented in the scientific literature. It is important to understand, however, that egg, larva, and juvenile mortality from intake operation removes these organisms from the ecosystem and therefore they do not contribute to the overall local ecology — some individuals of these life stages would succumb naturally as a food source for other species.

Unlike the recent §316(b) report that used these same data, the White Paper provides some data ranges (minimum-maximum) and broad-level confidence limits that provide further context and serve to demonstrate the variability surrounding the mortality estimates. High variability associated with estimates of wild population metrics from limited sampling is expected and the analytical methods were appropriate. The report clearly states the challenges resulting from multi-level compounding of error estimates (i.e., combining error rates for mortality from egg to larval to juvenile to adult stages). We recognize the limitation this places on the confidence underlying the mortality estimates in the White Paper.

The implication of this low confidence in the adult equivalency mortality estimates is such that, while we can have confidence that the proposed 25% reduction in withdrawal volume during May and June will result in reduced impingement and entrainment, translating those into actual increased numbers of adult fish faces the same uncertainty.

Although there are large inherent uncertainties accompanying the projected levels of mortality and resource savings from the proposed temporary withdrawal reductions, we agree in principle with the stated conclusion in the White Paper that the 25% reduction in withdrawal volume during May and June provides “immediate, meaningful improvements to important fisheries.” However, we further consider the reported range of mortality reductions of 10% – 23% for the select ASMFC-regulated species of Atlantic menhaden, weakfish, spot, and striped bass to be relatively small. Projected reductions for other ecologically important species were also considered small but meaningful. Most importantly, we lack the information needed to place the estimated loss of fishes in the context of population sizes and other cumulative impacts within the James River.

In conclusion, these studies use the best available data to provide evidence of reduced mortality for some fish species and oysters. Application of the reduced withdrawal volumes during May and June will serve to reduce aquatic fauna mortality. Despite the reductions in mortality that are projected as a result of the proposed reduced withdrawal volume, overall mortality estimates for some species remain high. Because we lack a strong basis for putting these mortality rates in a meaningful ecological context, we recommend that further mitigative measures be thoroughly evaluated.

We can provide no guidance on how these recommendations, if acceptable, should be pursued procedurally with respect to federal consistency determinations. We are aware that further protective measures that best address the intended ecological goals of federal consistency have been investigated, and should be considered. Although not applicable to the immediate decision regarding federal consistency, we take this opportunity to mention that the Commonwealth may be best served in the future by more rigorous and timely information requirements than those outlined in the Final §316(b) Rule.

We stand ready to provide additional support if needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Lyle Varnell", written in a cursive style.

Lyle Varnell
Associate Director for Advisory Services



Rayfield, Bettina <bettina.rayfield@deq.virginia.gov>

Surry Power Station - staff discussion (ESSLog# 38468)

1 message

Ewing, Amy <amy.ewing@dwr.virginia.gov>

Thu, Mar 4, 2021 at 11:46 AM

To: Bettina Rayfield <bettina.rayfield@deq.virginia.gov>, Joy Abel <joy.abel@deq.virginia.gov>, Allison Lay <allison.lay@mrc.virginia.gov>, Justin Worrell <justin.worrell@mrc.virginia.gov>, Randy Owen <randy.owen@mrc.virginia.gov>, Lyle M Varnell <lyle@vims.edu>

Cc: Fernald Raymond dvs93356 <ray.fernald@dwr.virginia.gov>, Clinton Morgeson <clinton.morgeson@dwr.virginia.gov>, Weaver Lawless ure27863 <alan.weaver@dwr.virginia.gov>, Scott Smith <scott.smith@dwr.virginia.gov>

Hi everyone,

We, DWR, have reviewed and discussed the most recent (Feb 4th) submission from Dominion and VIMS' response to it (both attached). I am writing to open up discussion among staff working on the project so that we understand our respective positions. I have included below a bulleted list of our thoughts to date:

- We agree that the 25% seasonal flow (intake) reductions that Dominion offers to implement in May and June will likely reduce take of aquatic fauna present in the river during those months. However, we would prefer to see seasonal reductions from April - June (at a minimum) to best protect anadromous fishes and perhaps during a period in the fall, when federal Endangered Atlantic Sturgeon are spawning (August 1 - November 15).
- If the 25% seasonal flow reduction is the only additional minimization method Dominion proposes, we believe that needs to be coupled with mitigation for ongoing and long-term impacts upon aquatic fauna in the James River not addressed by the proposed seasonal reductions. We have discussed mitigation opportunities in-house and have some good ideas we'd be happy to share and discuss.

Get in touch if you have thoughts, want to discuss, etc.

Thanks, Amy

**Amy Martin Ewing***Environmental Services Biologist**Manager; Wildlife Information**she/her/hers*

P 804.367.2211

Department of Wildlife Resources*CONSERVE. CONNECT. PROTECT.*

A 7870 Villa Park Drive, P.O. Box 90778, Henrico, VA 23228

www.VirginiaWildlife.gov**2 attachments****VIMS Comments Surry NPS.pdf**

98K

**SPS Final VIMS CZMA Response Letter and Reports_for email (1).pdf**

4770K



COMMONWEALTH of VIRGINIA

Marine Resources Commission

Building 96

380 Fenwick Road

Fort Monroe, VA 23651

Matthew J. Strickler
Secretary of Natural Resources

Steven G. Bowman
Commissioner

March 15, 2021

Dominion Energy
Attn: Amanda B. Tornabene
Vice President and Chief Environmental Officer
Dominion Energy
120 Tredegar St
Richmond, VA 23019

RE: Federal Consistency Certification for the VEPCO Surry Power Station Units 1 and 2
Subsequent License Renewal, U.S. Nuclear Regulatory Commission, Surry County
DEQ 17-121F

Dear Ms. Tornabene:

Let me begin by thanking you and Dominion Energy for the dialogue and discussions to date regarding the Commonwealth's review of the U. S. Nuclear Regulatory Commission's (NRC) proposed relicensing of the Surry Power Station (SPS). VMRC is committed to working towards an agreeable solution that will allow the Commonwealth to meet its charge to ensure consistency with the enforceable policies of the Virginia Coastal Zone Management Program while recognizing the critical need and unquestionable public and private benefits of a reliable energy supply for Virginia's economic stability.

As you are aware, on February 2, 2018, the Department of Environmental Quality (DEQ) issued a conditional concurrence to Dominion's federal consistency determination in accordance with 15 CFR 930.4. The consistency was conditioned upon the Department of Wildlife Resources' input and concurrence with intake technology to minimize impacts to fishery resources. VMRC, after considerable consultation between your team and the Virginia Institute of Marine Science, continues to recommend that the NRC license renewal be contingent on improvements to the existing cooling water intake structure that reflect the best technology available to protect important Virginia fisheries given the current mortality rates of aquatic organisms associated with the ongoing impingement and entrainment rates at SPS.

This letter is provided in response to both the VIMS and DWR assessments of the ecological value of Dominion Energy's current proposed mitigative strategy of reducing river water intake volume at the SPS by approximately 25% during May and June of each year. DWR recently advised that the VIMS review observes that overall mortality rates for some species

An Agency of the Natural Resources Secretariat

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remain high even with the reduction in withdrawal volumes during the months of May and June, and that VIMS recommends that further mitigative measures be evaluated. In light of this finding, DWR recommends that volumes be reduced during the month of April as well, where practicable, and that the attached two DWR proposals be considered as further mitigation.

Based on my and my staff's review of the collective DWR and VIMS advisory guidance to date, I would ask for your consideration of the addition of the month of April for the reduction in river water intake volumes, where practicable. We additionally agree with the VIMS and DWR positions that further mitigative measures be evaluated given the expected high mortality rates for certain aquatic species that will result from the continued operation of the SPS.

In conclusion, while all of the species impacted by the SPS are important to the Commonwealth, we are particularly concerned about the continued lack of recovery of our anadromous alosine (shad and river herring) populations in the James River and Chesapeake Bay watershed. I concur with DWR's position that "rigorously analyzing the complex factors affecting alosine recruitment will have positive and persisting effects on the management and recovery of these species in Virginia."

Should you or your staff have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "St G Bowman". The signature is written in a cursive, somewhat stylized font.

Steven G. Bowman



March 18, 2021

Marine Resources Commission, Building 96
Attention: Commissioner Steven G. Bowman
380 Fenwick Road
Fort Monroe, VA 23651

RE: Federal Consistency Certification for the VEPCO (Dominion Energy Virginia) Surry Power Station
Units 1 and 2 Subsequent License Renewal, U.S. Nuclear Regulatory Commission, Surry County

Dear Commissioner Bowman:

Thank you for your March 15, 2021 letter regarding the review, pursuant to the Virginia Coastal Zone Management Program (CZMP), of the U.S. Nuclear Regulatory Commission's (NRC) Surry Power Station (SPS) proposed license renewal. We appreciate your clarification of the March 15 letter as well as the dialogue with Dominion Energy Virginia to work towards concurrence with our determination that NRC's renewal of SPS' license is consistent with the enforceable policies of Virginia's CZMP.

As summarized in your March 15 letter, on February 2, 2018, the Department of Environmental Quality (DEQ) issued a conditional concurrence to Dominion Energy Virginia's federal consistency determination in accordance with 15 CFR 930.4. The concurrence was conditioned because of concerns expressed by the Department of Wildlife Resources' (DWR) (at the time, the Department of Game and Inland Fisheries) regarding impacts on fishery resources from SPS' cooling water intake flows.

It is our understanding that the Virginia Marine Resources Commission (VMRC), on the advice of DWR and the Virginia Institute of Marine Science, is willing to provide an unconditional concurrence to Dominion Energy Virginia's federal consistency determination if Dominion Energy Virginia agrees to additional annual interim intake flow reductions, when practicable, in April. These flow reductions would be in addition to the intake flow reductions already offered for May and June outlined in your March 15 letter, the additional studies and information already provided by Dominion Energy Virginia, and Dominion Energy Virginia's ongoing efforts to examine improvements to the existing cooling water intake structure through the Clean Water Act Section 316(b) review process.

Dominion Energy Virginia agrees to provide the requested additional annual interim flow reductions, when practicable, in April. Accordingly, we request that VMRC provide to DEQ its unconditional concurrence with our determination that NRC's renewal of SPS' license is consistent with the enforceable policies of Virginia's CZMP.

Sincerely,

A handwritten signature in black ink that reads "Amanda B. Tornabene".

Amanda B. Tornabene
Vice President and Chief Environmental Officer



Rayfield, Bettina <bettina.rayfield@deq.virginia.gov>

Fwd: Follow-Up

1 message

Paylor, David <david.paylor@deq.virginia.gov>
To: "Rayfield, Bettina" <bettina.rayfield@deq.virginia.gov>
Cc: Baxter Sharon dku34917 <sharon.baxter@deq.virginia.gov>

Wed, Mar 31, 2021 at 1:41 PM

Is the next step ours?
David K. Paylor
804-698-4020

----- Forwarded message -----

From: **Bowman, Steven** <steve.bowman@mrc.virginia.gov>
Date: Wed, Mar 31, 2021 at 1:36 PM
Subject: Re: Follow-Up
To: amanda.b.tornabene@dominionenergy.com <amanda.b.tornabene@dominionenergy.com>
Cc: Brown, Ryan <ryan.brown@dwr.virginia.gov>, Paylor, David <david.paylor@deq.virginia.gov>, mark.sartain@dominionenergy.com <mark.sartain@dominionenergy.com>, katharine.bond@dominionenergy.com <katharine.bond@dominionenergy.com>, Bob Burnley <rgburnleyllc@comcast.net>, Randy Owen <randy.owen@mrc.virginia.gov>, Anthony Watkinson <tony.watkinson@mrc.virginia.gov>, Matthew Strickler <matt.strickler@governor.virginia.gov>

Dear Ms. Tornabene:

I am in receipt of your letter today that delineates the mitigation conditions pursuant to the re-licensure of the Surry Nuclear Power Station. By virtue of this correspondence, copied to the Director David Paylor of the Department of Environmental Quality, the Virginia Marine Resources Commission provides our unconditional concurrence with your determination that Nuclear Regulatory Commission's renewal of Surry Nuclear Power Station's license is consistent with the enforceable policies of Virginia's Coastal Zone Management Plan.

I would like to thank you and your highly professional staff for the dialogue we have had during this process. Because of our collaborative deliberations, I believe the customers you serve as well as our environment are all the better, and all parties have exercised due diligence.

Thank you again.

Steven G. Bowman
Commissioner of Marine Resources for the Commonwealth of Virginia

On Wed, Mar 31, 2021 at 11:28 AM amanda.b.tornabene@dominionenergy.com <amanda.b.tornabene@dominionenergy.com> wrote:

Commissioner Bowman,

An additional follow-up to our March 19, 2021 letter. Any questions or you would like to discuss please give me a call on cell.

Mandy

Mandy Beasley Tornabene

Vice President and Chief Environmental Officer

Dominion Energy

120 Tredegar St
Richmond, VA 23019
(c): 804-239-6304
Amanda.b.tornabene@dominionenergy.com

*Due to COVID-19 I will be working remotely. I am available by email and the cell number above.

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--
Steven G. Bowman
Commissioner of Marine Resources for the Commonwealth of Virginia
380 Fenwick Road, Building 96
Fort Monroe, Virginia 23651
757-247-2205



Rayfield, Bettina <bettina.rayfield@deq.virginia.gov>

Regarding Surry Nuclear Consistency

1 message

Fernald, Raymond <ray.fernald@dwr.virginia.gov>

Wed, Mar 31, 2021 at 4:00 PM

To: "Rayfield, Bettina" <bettina.rayfield@deq.virginia.gov>

Cc: "Sharon K. Baxter" <sharon.baxter@deq.virginia.gov>, Amy Ewing <amy.ewing@dwr.virginia.gov>, Ryan Brown <ryan.brown@dwr.virginia.gov>, Michael Bednarski <mike.bednarski@dwr.virginia.gov>

Tina and Sharon;

As you know, this has been a complex review, including consideration of both the NRC licensing and Coastal Zone Consistency Review, and the ongoing 316(b) process.

Dominion recognizes that the VIMS analysis advised that additional mitigation will be necessary, and as such Dominion commits to addressing this issue with the agencies during the 316(b) process. With this commitment to future evaluation and addressing of necessary mitigation, along with the flow reductions reflected in the VMRC and Dominion letters, we find VMRC's unconditionally consistent determination with respect to this process to be acceptable. We will look forward to working with Dominion and others on the mitigation noted by VIMS during the course of the 316(b) process.

I have attached today's letter from Dominion to VMRC committing to working with us to resolve these issues.

Please feel free to contact me or Amy Ewing if you have any additional questions.

Thanks,

ray

--

Raymond T. Fernald (Ray)
Manager, Wildlife Information and Environmental Services
Virginia Department of Wildlife Resources
PO Box 90778
7870 Villa Park Drive
Henrico, VA 23228-0778
Phone: 804-367-8364
E-mail: ray.fernald@dwr.virginia.gov

 SurryNuclear_DominionToVMRCReIntakeMitigationAndConsistency_Dominion20210331.pdf
331K



Rayfield, Bettina <bettina.rayfield@deq.virginia.gov>

Fwd: Re: Follow-Up

1 message

Paylor, David <david.paylor@deq.virginia.gov>
To: "Rayfield, Bettina" <bettina.rayfield@deq.virginia.gov>
Cc: Baxter Sharon dku34917 <sharon.baxter@deq.virginia.gov>

Wed, Mar 31, 2021 at 3:47 PM

David K. Paylor
804-698-4020

----- Forwarded message -----

From: **Ryan Brown** <ryan.brown@dwr.virginia.gov>
Date: Wed, Mar 31, 2021 at 3:40 PM
Subject: RE: Re: Follow-Up
To: <amanda.b.tornabene@dominionenergy.com>, Steven Bowman <steve.bowman@mrc.virginia.gov>
Cc: David Paylor <david.paylor@deq.virginia.gov>, <mark.sartain@dominionenergy.com>, <katharine.bond@dominionenergy.com>, Bob Burnley <rgburnleyllc@comcast.net>, Randy Owen <randy.owen@mrc.virginia.gov>, Anthony Watkinson <tony.watkinson@mrc.virginia.gov>, Matthew Strickler <matt.strickler@governor.virginia.gov>

With today's letter to Commissioner Bowman from Dominion recognizing the advice in the VIMS analysis that additional mitigation will need to be evaluated, and Dominion's commitment to evaluating this with the agencies during the 316(b) process, DWR is in concurrence with Commissioner Bowman's finding below. Thanks to your team for your approach and we look forward to working together as we move forward.

**Ryan J. Brown***Executive Director*

P 804.367.9231

Virginia Department of Wildlife Resources*CONSERVE. CONNECT. PROTECT.*

A 7870 Villa Park Dr., P.O. Box 90778, Henrico, VA 23228-0778

www.virginiawildlife.gov

From: amanda.b.tornabene@dominionenergy.com <amanda.b.tornabene@dominionenergy.com>
Sent: Wednesday, March 31, 2021 2:57 PM
To: 'Bowman, Steven' <steve.bowman@mrc.virginia.gov>
Cc: Brown, Ryan <ryan.brown@dwr.virginia.gov>; Paylor, David <david.paylor@deq.virginia.gov>; mark.sartain@dominionenergy.com; katharine.bond@dominionenergy.com; Bob Burnley <rgburnleyllc@comcast.net>; Randy Owen <randy.owen@mrc.virginia.gov>; Anthony Watkinson <tony.watkinson@mrc.virginia.gov>; Matthew Strickler <matt.strickler@governor.virginia.gov>
Subject: RE: Re: Follow-Up

Thank you, and I echo your thoughts on staff and dialogue. I greatly appreciate all the time and effort spent on the CZMA discussions.

Director Paylor and Director Brown, we would greatly appreciate your confirmation that DEQ and DWR are in agreement with VMRC.

Thank you,

Mandy

From: Bowman, Steven <steve.bowman@mrc.virginia.gov>
Sent: Wednesday, March 31, 2021 1:37 PM
To: Amanda B Tornabene (Services - 6) <amanda.b.tornabene@dominionenergy.com>
Cc: Brown, Ryan <ryan.brown@dwr.virginia.gov>; Paylor, David <david.paylor@deq.virginia.gov>; Mark Sartain (Services - 6) <mark.sartain@dominionenergy.com>; Katharine Bond (Services - 6) <katharine.bond@dominionenergy.com>; Bob Burnley <rgburnleyllc@comcast.net>; Randy Owen <randy.owen@mrc.virginia.gov>; Anthony Watkinson <tony.watkinson@mrc.virginia.gov>; Matthew Strickler <matt.strickler@governor.virginia.gov>
Subject: [EXTERNAL] Re: Follow-Up

This is an EXTERNAL email that was NOT sent from Dominion Energy. Are you expecting this message? Are you expecting a link or attachment? DO NOT click links or open attachments until you verify them

Dear Ms. Tornabene:

I am in receipt of your letter today that delineates the mitigation conditions pursuant to the re-licensure of the Surry Nuclear Power Station. By virtue of this correspondence, copied to the Director David Paylor of the Department of Environmental Quality, the Virginia Marine Resources Commission provides our unconditional concurrence with your determination that Nuclear Regulatory Commission's renewal of Surry Nuclear Power Station's license is consistent with the enforceable policies of Virginia's Coastal Zone Management Plan.

I would like to thank you and your highly professional staff for the dialogue we have had during this process. Because of our collaborative deliberations, I believe the customers you serve as well as our environment are all the better, and all parties have exercised due diligence.

Thank you again.

Steven G. Bowman

Commissioner of Marine Resources for the Commonwealth of Virginia

On Wed, Mar 31, 2021 at 11:28 AM amanda.b.tornabene@dominionenergy.com <amanda.b.tornabene@dominionenergy.com> wrote:

Commissioner Bowman,

An additional follow-up to our March 19, 2021 letter. Any questions or you would like to discuss please give me a call on cell.

Mandy

Mandy Beasley Tornabene

Vice President and Chief Environmental Officer

Dominion Energy

120 Tredegar St

Richmond, VA 23019

(c): 804-239-6304

Amanda.b.tornabene@dominionenergy.com

*Due to COVID-19 I will be working remotely. I am available by email and the cell number above.

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Steven G. Bowman

Commissioner of Marine Resources for the Commonwealth of Virginia

380 Fenwick Road, Building 96

Fort Monroe, Virginia 23651

757-247-2205

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March 31, 2021

Marine Resources Commission, Building 96
Attention: Commissioner Steven G. Bowman
380 Fenwick Road
Fort Monroe, VA 23651

RE: Federal Consistency Certification for the VEPCO (Dominion Energy Virginia) Surry Power Station Units 1 and 2 Subsequent License Renewal, U.S. Nuclear Regulatory Commission, Surry County

Dear Commissioner Bowman:

Thank you for your March 15, 2021 letter regarding the review, pursuant to the Virginia Coastal Zone Management Program (CZMP), of the U.S. Nuclear Regulatory Commission's (NRC) Surry Power Station (SPS) proposed license renewal. We appreciate your clarification of the March 15 letter as well as the dialogue with Dominion Energy Virginia to work towards concurrence with our determination that NRC's renewal of SPS' license is consistent with the enforceable policies of Virginia's CZMP.

In a response sent on March 19, 2021, Dominion Energy Virginia agreed to intake flow reductions, when practicable, in April, May and June. These flow reductions would be in addition to the studies and information already provided by Dominion Energy Virginia, and Dominion Energy Virginia's ongoing efforts to examine improvements to the existing cooling water intake structure through the Clean Water Act Section 316(b) review process.

Further, Dominion Energy Virginia recognizes the Department of Wildlife Resources' request in your March 15, 2021 letter that additional mitigation be evaluated in line with advice received from the Virginia Institute of Marine Science. Dominion Energy Virginia fully expects and commits to evaluating mitigation with the agencies during the Surry Power Station's 316(b) process currently being performed.

Accordingly, we request that VMRC provide to DEQ its unconditional concurrence with our determination that NRC's renewal of SPS' license is consistent with the enforceable policies of Virginia's CZMP.

Sincerely,

Amanda Tornabene

Amanda Tornabene (Mar 31, 2021 10:09 EDT)

Amanda B. Tornabene
Vice President and Chief Environmental Officer