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June 15, 2006

Ms. Ellie Irons
Department of Environmental Quality
Office of Environmental Impact Review
629 East Main Street, Room 633
Richmond, Virginia 23219

Re: Review of Dominion North Anna ESP Consistency with CZMA and Request for Public Hearing

Dear Ms. Irons,

As local, state, and national public interest organizations, we are writing in regards to the consistency of Dominion's North Anna Early Site Permit (ESP) application with the Coastal Zone Management Act (CZMA). Our concerns relate to the proposal's impacts on water quantity and the need for greater public involvement in the review process. We understand the Department of Environmental Quality (DEQ) is examining the issue, and we would like to request a public hearing on this certification.

In January 2006, Dominion submitted a revised ESP application to the Nuclear Regulatory Commission (NRC) for its proposal to site two new reactors at Lake Anna in Louisa County. While the revisions will likely reduce the thermal impacts on the lake, the change from a once-through cooling system to a wet-dry cooling tower will not solve the problem of water evaporation and reduced downstream flow in the North Anna River. Despite Dominion's assertion that evaporation will be reduced by one-third under the new design's "normal reactor operations," a wet-cooling tower typically loses as much or more water to evaporation as the once-through system. In fact, according to EPA, wet cooling towers actually evaporate over one and a half times as much water as once-through cooling systems.

The dry component of the proposed system could in theory be used to reduce this evaporation, but according to the revised ESP, Dominion does not intend to use the dry-tower on a regular basis. Rather, Dominion proposes that the wet tower be the normal mode of operation, and that the dry-tower only be used after the lake level falls below 250 feet for an as-yet undetermined duration of time. Even when it is used, the dry tower will only be used to remove one third of the heat, which would simply decrease the evaporation from the new system to the level of the once-through system. One of the problems with the once-through system was that it would have increased the frequency of reduced downstream flow in the North Anna River. The wet-dry cooling tower does not change this situation.

Further reducing lake levels and increasing the frequency of low downstream flow in the North Anna River would have serious impacts on Virginia's coastal resources. Water from Lake Anna runs through the York River Watershed, which includes the North Anna, Mattaponi, and Pamunkey Rivers, and out into the Chesapeake Bay. The reduction of water levels in this watershed affects the ability of fish to mature in these rivers, and will impact the health of coastal fisheries. Reduced water levels also raise questions about sufficient public drinking water supply. Three counties downstream from Lake Anna have already proposed taking water from the North Anna and Pamunkey Rivers to meet projected water supply needs.

In addition, Dominion continues to neglect potential thermal impacts on the 'hot side' of Lake Anna – the portion of the lake that is separated from the rest by dikes and serves as the nuclear reactors' "waste heat treatment facility." Dominion insists that, under state law, it may treat this part of the lake as its own private property. Lake Anna was created when Dominion built a dam along the North Anna River to trap a supply of cooling water for the nuclear plant. However, this does not justify considering as "private" any portion of the lake, nor excluding the "hot side" from required determinations of compliance with federal laws. The water in that portion of the lake is fed by natural streambeds and is already heated to abnormal levels that are not consistent with water quality standards. Rather than add to the thermal pollution of the lake with this new proposal, Dominion should take steps to reduce existing thermal impacts within the "hot side" of the lake.

We urge DEQ to conduct an extensive evaluation of these impacts, and hold a public hearing at which they can be discussed. The ESP process under NRC is the primary regulatory opportunity for evaluating the environmental impacts of new reactor construction and operation at Lake Anna. Up to this point, NRC has only performed a cursory review of these issues, and has stated that water issues fall under EPA and state agency jurisdiction. It is important that these issues be thoroughly reviewed now, as there will be no other satisfactory opportunity. If you have any questions about this letter, please contact Melissa Kemp at Public Citizen, 202 454-5176, mkemp@citizen.org.

Sincerely,

Lois Gibbs
Executive Director
Center Health Environment Justice

Mike Tidwell
Executive Director
Chesapeake Climate Action Network

Andrew Fellows
Chesapeake Program Director
Clean Water Action

Michael Mariotte
Executive Director
Nuclear Information and Resource Service
(NIRS)

Elena Day
Peoples Alliance for Clean Energy (PACE)

Tyson Slocum, Director
Energy Program
Public Citizen

Richard Ball
Energy Chair
Sierra Club, Virginia Chapter

Steve Brooks
Director
Virginia Forest Watch

Tammy Belinsky
Staff Attorney
WildLaw Virginia Office