



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

July 22, 2016

John Daugherty
Site Vice President-Millstone
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

RE: **PETITION NO. 1233** - Dominion Nuclear Connecticut, Inc. petition for a declaratory ruling that neither a new Certificate of Environmental Compatibility and Public Need (Certificate) nor a modification of the existing Certificate is required for the proposed construction, maintenance and operation of an on-site horizontal storage module fabrication area at the Millstone Power Station, Rope Ferry Road, Waterford, Connecticut.

Dear Mr. Daugherty:

At a public meeting held on July 21, 2016, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. Approval of any minor project changes be delegated to Council staff;
4. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
5. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Waterford;

6. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
7. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
8. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
9. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated June 9, 2016.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,



Robert Stein
Chairman

RS/RDM/lm

Enclosure: Staff Report dated July 21, 2016

- c: The Honorable Daniel M. Steward, First Selectman, Town of Waterford
Abby Piersall, AICP, Planning Director, Town of Waterford
Mark A. Wujtecwicz, Planner, Town of Waterford
Kenneth C. Baldwin, Esq., Robinson & Cole LLP



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Petition No. 1233

Dominion Nuclear Connecticut, Inc.

Millstone Power Station – Storage Module Fabrication Area

Waterford, Connecticut

Staff Report

July 21, 2016

Introduction

On June 10, 2016, the Connecticut Siting Council (Council) received a petition (Petition) from Dominion Nuclear Connecticut, Inc. (DNC) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need (Certificate) is required for the construction of a horizontal storage module (HSM) fabrication area at the Millstone Power Station (MPS) in Waterford, Connecticut. On May 2, 2013, under Docket 265A, the Council approved an amendment to the Docket 265 Certificate to allow DNC to install a concrete pad to house up to 135 HSMs within the Independent Spent Fuel Storage Installation (ISFSI) located within a secured area on the MPS property. The ISFSI was approved by the Council on May 27, 2004 in Docket 265. During the Docket 265A proceeding, DNC indicated it may elect to install a HSM fabrication area on the MPS property rather than having the HSMs transported by rail from a fabrication facility in Virginia to avoid potential delivery delays and would file a Petition with the Council if DNC pursued on-site fabrication.

Proposed Project

The proposed 2.5-acre fabrication site is within a controlled access area of the MPS property and is adjacent to an electrical substation, other Millstone infrastructure and an Amtrak rail line that traverses the MPS property. The proposed site is currently cleared and is used for exterior equipment storage.

At the proposed site, DNC would remove existing fencing and equipment within the storage area, except for a section at the north end. DNC would remove soil within the area to a depth of 15 inches. The generally level site would be graded as necessary and compacted to heavy equipment standards. DNC would install a 60-foot wide by 250-foot long by 15 inches thick concrete pad on the west side of the site.

The new pad would be used to support HSM fabrication molds that would cure concrete into HSM sections for later assembly. Concrete used in the mold process would be trucked into the MPS property from an off-property location. Other areas of the proposed site would be used for staging and storage of the forms and completed sections of the modules. The proposed site would be enclosed by new perimeter fencing on the east, west and south sides and tied into existing fencing at the north end of the site. Site access would be from an existing driveway into the storage area.

Environmental Effects

The proposed site has been the subject of previous remediation activities and ongoing groundwater monitoring by DEEP. Prior to construction, DNC, under the guidance of a LEP, would sample and characterize the soil to determine proper disposition. Excavated soils determined to contain contaminants that exceed regulatory standards would be removed from the MPS property and disposed of in accordance with appropriate regulatory criteria. Soils that are determined not to be hazardous would be disposed of in an existing soil disposal area on MPS property.



Erosion and sedimentation controls would be established prior to construction and would be maintained throughout the construction period. No wetlands would be directly impacted by the project. A wetland is approximately 100 feet west of the proposed site and would be isolated from construction activities using appropriate erosion and sedimentation controls as well as maintaining a grass strip on an embankment between the wetland and the site. The Town of Waterford Environmental Planner submitted correspondence to DNC indicating that wetland impact would be minimal as long as the grass filter strip to the west of the site is maintained and the area around the new fencing is reseeded.

A gravel surface would be established around the concrete pad to control any stormwater runoff from the pad. Grassy areas on the east and west sides of the site would be maintained.

Municipal Consultation

DNC met with Town of Waterford officials in September and November 2015 to discuss the project. Upon the Town's request, DNC submitted additional information to the Town in April 2016. After reviewing the additional information, on May 20, 2016, the Town Planning and Zoning Commission approved the project. Additionally, the Town's Conservation Commission determined the project would not involve regulated wetland activities and would not impact coastal resources.

Staff Recommendations

Staff recommends the following:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes; and
3. Approval of any minor project changes be delegated to Council staff.



(google earth image of site location - site boundaries show in red are approximate)