

Dominion Nuclear Connecticut, Inc.  
Rope Ferry Rd., Waterford, CT 06385  
Mailing Address: P.O. Box 128  
Waterford, CT 06385  
dom.com



**JUN 09 2016**

Serial No. RA-16-021  
MPS NSSL/GJC R0

Robert Stein, Chairman  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**Re: Petition for Declaratory Ruling - Installation Having No Substantial Adverse  
Environmental Effect**

Dear Chairman Stein:

Enclosed please find the original and fifteen (15) copies of a Petition for Declaratory Ruling related to the installation of a horizontal storage module fabrication area at Millstone Power Station in Waterford, Connecticut.

Also enclosed is a check in the amount of \$625.00 for the required filing fee.

If you have any questions regarding the petition, please feel free to contact Thomas Bransfield at (860) 447-1791, extension 6000.

Thank you in advance for your assistance and cooperation in this matter.

Sincerely,

  
John Daugherty  
Site Vice President — Millstone

Enclosures: Petition and exhibits  
Filing Fee

cc (with enclosures):  
Daniel Steward, First Selectman, Town of Waterford  
Abby Piersall, Planning Director, Town of Waterford  
Lillian M. Cuoco, Esq.  
Thomas J. Bransfield  
Chip Combs  
Steven G Horn  
J. David Dakers

Serial No.  
MPS NSSL/GJC

RA-16-020  
R0

**PETITION FOR DECLARATORY RULING:  
INSTALLATION HAVING NO SUBSTANTIAL ENVIRONMENTAL EFFECT**

**MILLSTONE POWER STATION  
DOMINION NUCLEAR CONNECTICUT, INC. (DNC)**

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE: :  
: :  
A PETITION OF DOMINION NUCLEAR : PETITION NO. \_\_\_\_  
CONNECTICUT, INC. FOR A :  
DECLARATORY RULING ON THE NEED :  
TO OBTAIN A NEW OR MODIFY AN :  
EXISTING SITING COUNCIL :  
CERTIFICATE FOR CONSTRUCTION OF :  
A HORIZONTAL STORAGE MODULE :  
FABRICATION AREA AT THE : June 9, 2016  
MILLSTONE POWER STATION,  
WATERFORD, CONNECTICUT

PETITION FOR A DECLARATORY RULING:  
INSTALLATION HAVING NO  
SUBSTANTIAL ADVERSE ENVIRONMENTAL EFFECT

I. Introduction

Pursuant to Sections 16-50j-38 and 16-50j-39 of the Regulations of Connecticut State Agencies, Dominion Nuclear Connecticut, Inc. (DNC) hereby petitions the Connecticut Siting Council (Council) for a declaratory ruling that neither a new Certificate of Environmental Compatibility and Public Need (Certificate) nor a modification of the existing Certificate (Docket No. 265 and 265A) is required under Section 16-50k(a) of the Connecticut General Statutes (C.G.S.) for the construction of an on-site horizontal storage module (HSM) fabrication area at the Millstone Power Station (MPS) in Waterford, Connecticut.

II. Background

DNC owns and operates MPS<sup>1</sup> pursuant to licenses issued by the U.S. Nuclear

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<sup>1</sup> DNC owns MPS Units 1 and 2 (MPS1 and MPS2) in their entirety and owns 93.47% of MPS Unit 3 (MPS3). The remaining interest in MPS3 is owned by the Massachusetts Municipal Wholesale Electric Company (4.8%) and Green Mountain Power Corporation (1.73%).

Regulatory Commission (NRC). On May 27, 2004, the Council approved the Docket No. 265 Certificate to permit DNC to construct, operate and maintain an Independent Spent Fuel Storage Installation (ISFSI) at MPS. On October 31, 2012, DNC filed an application with the Council to modify and amend the Docket No. 265 Certificate, in particular, Condition No. 15 to allow DNC to construct a concrete pad large enough to accommodate 135 HSMs for the full build-out of the ISFSI (Docket No. 265A). The Council approved the Docket 265A application on May 2, 2013. During the course of the Docket 265A proceeding, DNC informed the Council that it was considering the fabrication of future HSMs on-site at MPS and would submit appropriate information to the Council if it intends to pursue on-site fabrication.<sup>2</sup> This Petition along with the attached exhibits support DNC's request for a declaratory ruling confirming that the proposed establishment of an HSM fabrication area at MPS will not have a significant adverse environmental effect.

### III. Installation Plan

The proposed HSM fabrication area is an approximately 2.5 acre area, located south of the Amtrak rail line, north of the ISFSI, and northwest of the existing MPS switchyard (HSM fabrication area). See Exhibit 1 – MPS Site Plan, with a notation identifying the location of the HSM Fabrication Area. The HSM fabrication area is outside of the MPS Protected Area but within the owner controlled area of the plant and is currently used for outside equipment storage. See Exhibit 2 – HSM Fabrication Area – Proposed Location. The HSM fabrication area, maintains a generally level grade with a gravel surface and some overgrowth. Minor grading of the HSM fabrication area is required to accommodate the proposed site improvements. See Exhibit 3 – Plan Sheet C3.0 – Site Plan.

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<sup>2</sup> As discussed in Docket No. 265A, Finding of Fact No. 42, HSMs are currently manufactured by Transnuclear and shipped from Virginia, by rail, “creating “delivery time issues.”

In the HSM fabrication area, DNC will install a fifteen (15) inch thick concrete pad with dimensions of sixty (60) feet by two hundred and fifty (250) feet. DNC has determined that existing soils conditions in the area surrounding the concrete pad are likely unsuitable for the heavy equipment use planned as part of the HSM fabrication process. These existing soils will be removed to a minimum depth of approximately fifteen (15) inches and replaced with more suitable compacted structural fill material as needed to support HSM fabrication operations. See Exhibit 3 – Plan Sheet C5.0. – Proposed Conditions-Details.

The HSM fabrication area has also been the subject of previous remediation and construction debris removal activities, contains monitoring wells for post remediation sampling, and continues to be monitored by the Connecticut Department of Energy and Environmental Protection (DEEP) as part of the MPS Property Transfer Program.<sup>3</sup>

Prior to construction activities, the areas to be disturbed will be sampled under the guidance of a Licensed Environmental Professional to determine if removed soils/construction debris meets the DEEP Remediation Standard Regulations as appropriate for reuse. Material appropriate for reuse will be relocated to the on-site soil disposal area depicted on Exhibit 3 – Plan Sheet C4.0 – Proposed Soil Disposal Location. Material not suitable for reuse will be removed from MPS and disposed in accordance with applicable regulations. DNC will maintain the ability to monitor ground water in accordance with its commitments under the Property Transfer Program after completion of the HSM fabrication area improvements.

No on-site concrete batch plant is planned. Concrete used to construct the HSMs will be trucked to MPS and placed in the form work for the modules on the proposed concrete pad. Other portions of the 2.5 acre HSM fabrication area will be used for the staging of fabrication

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<sup>3</sup> Annual Review of Investigation and Remediation Activities, Property Transfer Program, Millstone Power Station. – Dominion Electric Environmental Services update to Connecticut Department of Energy and Environmental Protection (May 13, 2014).

material and the storage of the completed module sections and forms. No buildings, structures or weather protection is planned or necessary for the HSM fabrication area once the “at grade” concrete pad is constructed.

Storm water run-off from the new 60’ by 250’ concrete pad will be minimal and will infiltrate through the porous gravel surface treatment around the pad. During construction of the HSM fabrication area additional measures, including a perimeter straw bale/silt fence barrier berm, and grass strips on east and west sides of the HSM fabrication area will be installed to control and filter any sediment in the storm water run-off. Intermediate berms will be placed in the construction area as needed by the sequence of construction and as directed by project engineers monitoring storm water controls. See Exhibit 3 – Plan Sheet C2.0 – Sediment and Erosion Control/Demolition Plan. Dust control will be provided by water trucks misting the area during construction.

#### IV. Local Input

On September 16, 2015, DNC met with Town of Waterford officials, and discussed the plans to fabricate HSMs on-site at MPS. Following that meeting, the Town asked for some additional information on the project. DNC met with the Town and discussed the additional information on November 17, 2015. DNC responded to the request for additional information on April 25, 2016. On May 9, 2016, the Town of Waterford Planning and Zoning Commission granted permanent location approval for the HSM fabrication area improvements and determined that the project is “consistent with the Planning and Zoning Commission’s order of May 20, 1985, its management guidelines and approved ISFSI plans.” In addition, the Waterford Conservation Commission determined that the HSM fabrication project would not involve any regulated wetlands activity and no impact on coastal resources is anticipated. The Town’s May 17, 2016 letter is attached as Exhibit 4.

V. The Proposed Establishment of an HSM Fabrication Area Does Not Constitute A Modification And/Or Will Not Have A Substantial Adverse Environmental Effect

The Public Utility Environmental Standards Act (the Act), C.G.S. § 16-50g et seq., provides for environmentally compatible development of electric generating facilities in the State to avoid “a significant impact on the environment and ecology of the State of Connecticut.” C.G.S. § 16-50g. To achieve these goals, the Act established the Council, and requires the issuance of a Certificate for the “construction” or “modification” of electric generating facilities “that may, as determined by the council, have a substantial adverse environmental effect.” C.G.S. § 16-50k(a).

The proposed installation of the HSM fabrication area described above will not involve a significant alteration in the physical or environmental characteristics of the MPS site. The proposed location of the HSM fabrication area is previously disturbed and is currently used for equipment storage. The closest wetland area is located approximately 100 feet to the west of the HSM Fabrication Area. This wetland area will not be impacted by the site development activity described in this Petition. Access to the HSM fabrication area would extend from the main MPS access road, located approximately 500 feet to the south over an existing drive. The physical attributes of the HSM fabrication area will not be altered, as no substantial clearing or grading is required. Proper soil erosion and sedimentation controls will be installed prior to commencement of construction activity. See Exhibit 3 – Plan Sheet C2.0 – Sediment and Erosion Control/Demolition Plan.

Based on the description of the proposed activity above, DNC respectfully submits that the proposed installation of the HSM fabrication area improvements at MPS does not constitute a “modification” of the existing generating facility as defined in C.G.S. § 16-50i(d) and therefore does not require the issuance of a Certificate. If, however the Council were to deem the

proposed improvements a “modification,” such a modification would not have a “substantial adverse environmental effect” and therefore would likewise not require the issuance of a Certificate.

IVI. Conclusion

Based on the foregoing, DNC respectfully requests that the Council issue a determination in the form of a declaratory ruling that the proposed installation of the HSM fabrication area at MPS does not constitute a modification and/or will not have a substantial adverse environmental effect and does not require the issuance of a Certificate pursuant to § 16-50k(a) of the Connecticut General Statutes.

Respectfully submitted,

By:   
\_\_\_\_\_  
John Daugherty  
Site Vice President – Millstone  
Dominion Nuclear Connecticut, Inc.

Serial No.  
MPS NSSL/GJC

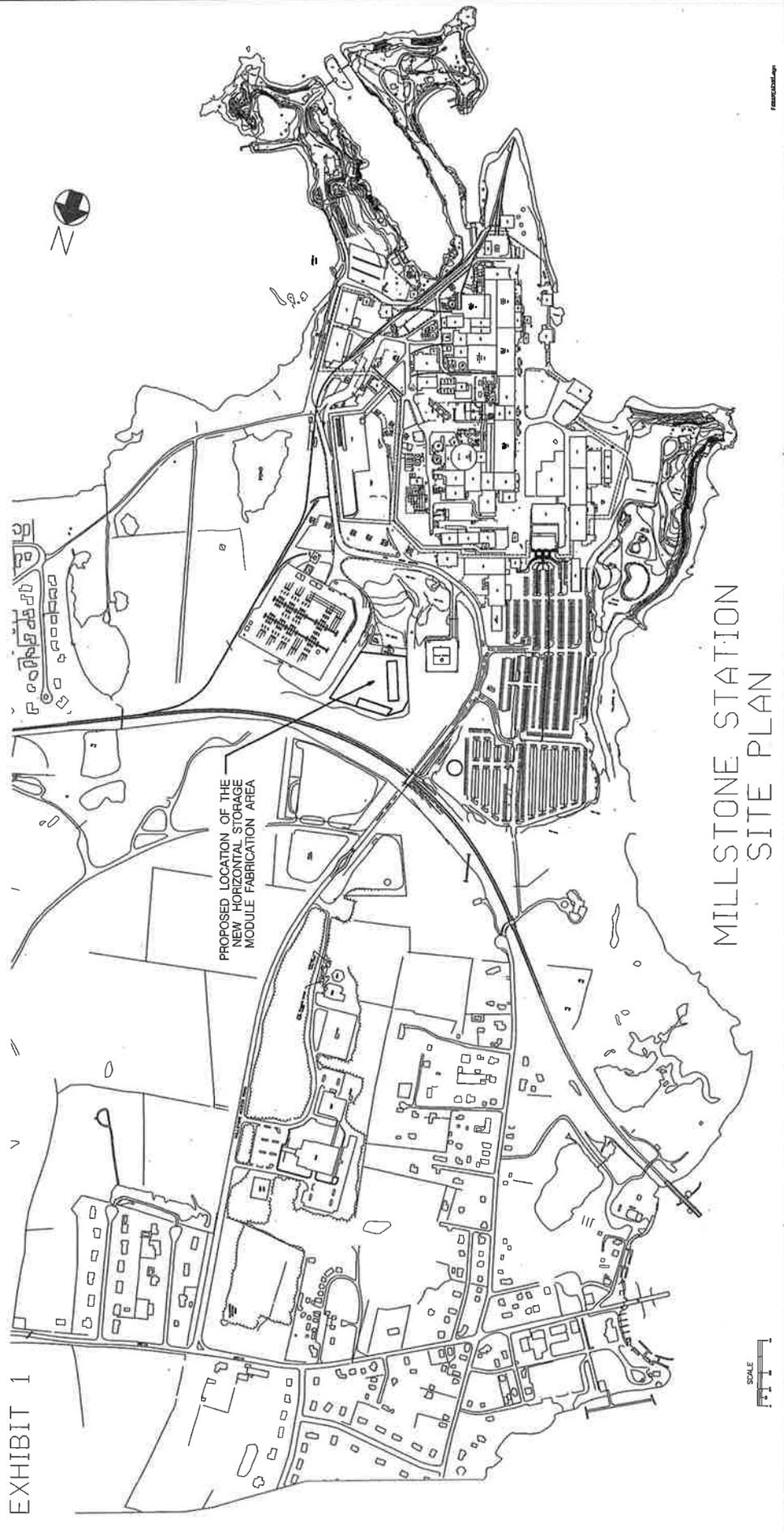
RA-16-020  
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**EXHIBIT 1**

**MPS SITE PLAN OVERVIEW  
IDENTIFYING THE LOCATION OF THE HORIZONTAL  
STORAGE MODULE FABRICATION AREA**

**MILLSTONE POWER STATION  
DOMINION NUCLEAR CONNECTICUT, INC. (DNC)**

EXHIBIT 1



PROPOSED LOCATION OF THE  
NEW HORIZONTAL STORAGE  
MODULE FABRICATION AREA

MILLSTONE STATION  
SITE PLAN

SCALE  
1" = 100'

FRANCIS & TAYLOR

Serial No.  
MPS NSSL/GJC

RA-16-020  
R0

**EXHIBIT 2**

**GENERAL MPS SITE PLAN  
IDENTIFYING THE AREA WHERE THE HORIZONTAL  
STORAGE MODULE FABRICATION AREA IS TO BE PLACED**

**MILLSTONE POWER STATION  
DOMINION NUCLEAR CONNECTICUT, INC. (DNC)**



Serial No.  
MPS NSSL/GJC

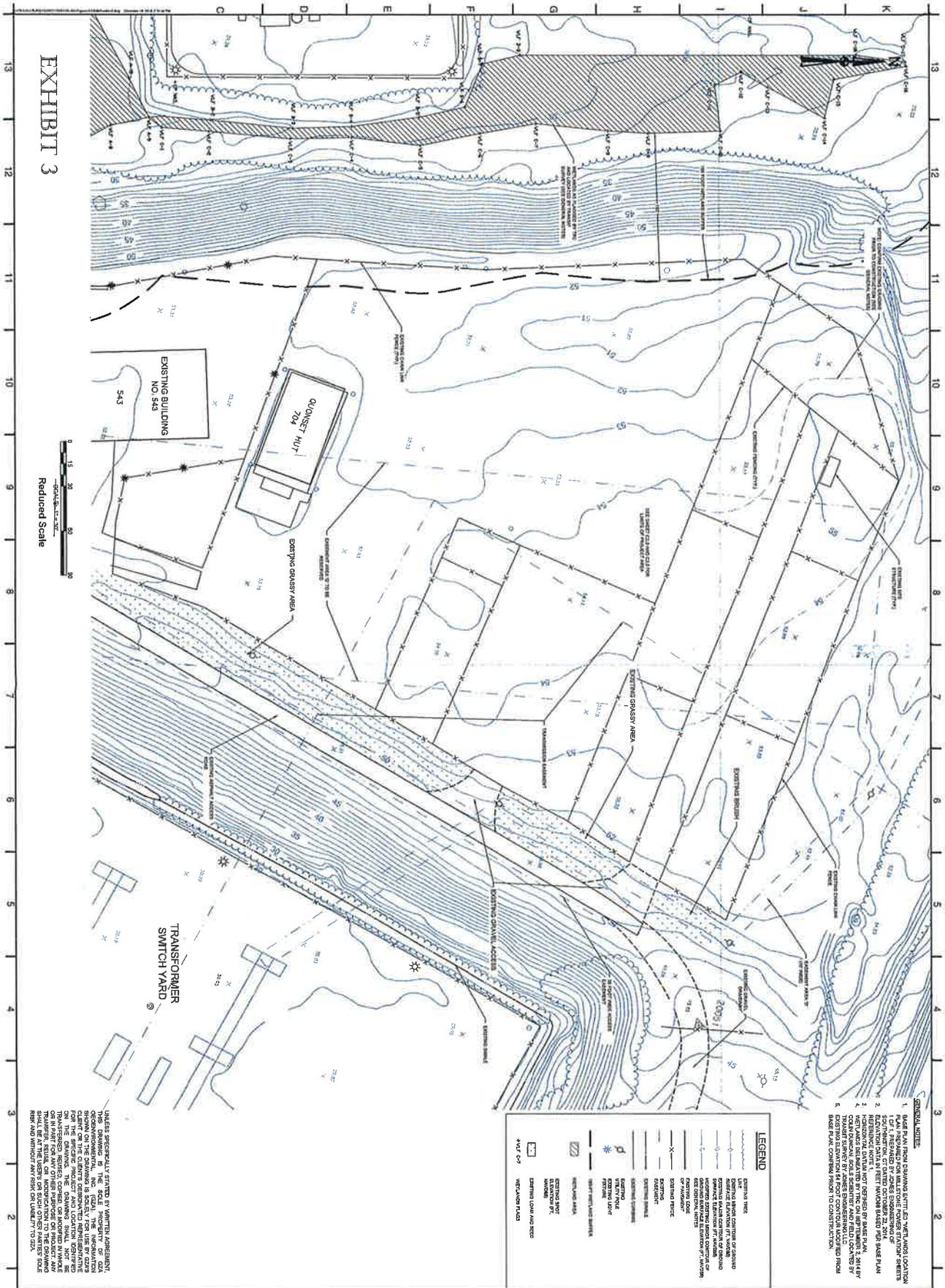
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**EXHIBIT 3**

**PLANS FOR THE HORIZONTAL STORAGE MODULE FABRICATION AREA**

**MILLSTONE POWER STATION  
DOMINION NUCLEAR CONNECTICUT, INC. (DNC)**





**EXHIBIT 3**

0 15 30 45 60  
 Feet  
 Reduced Scale

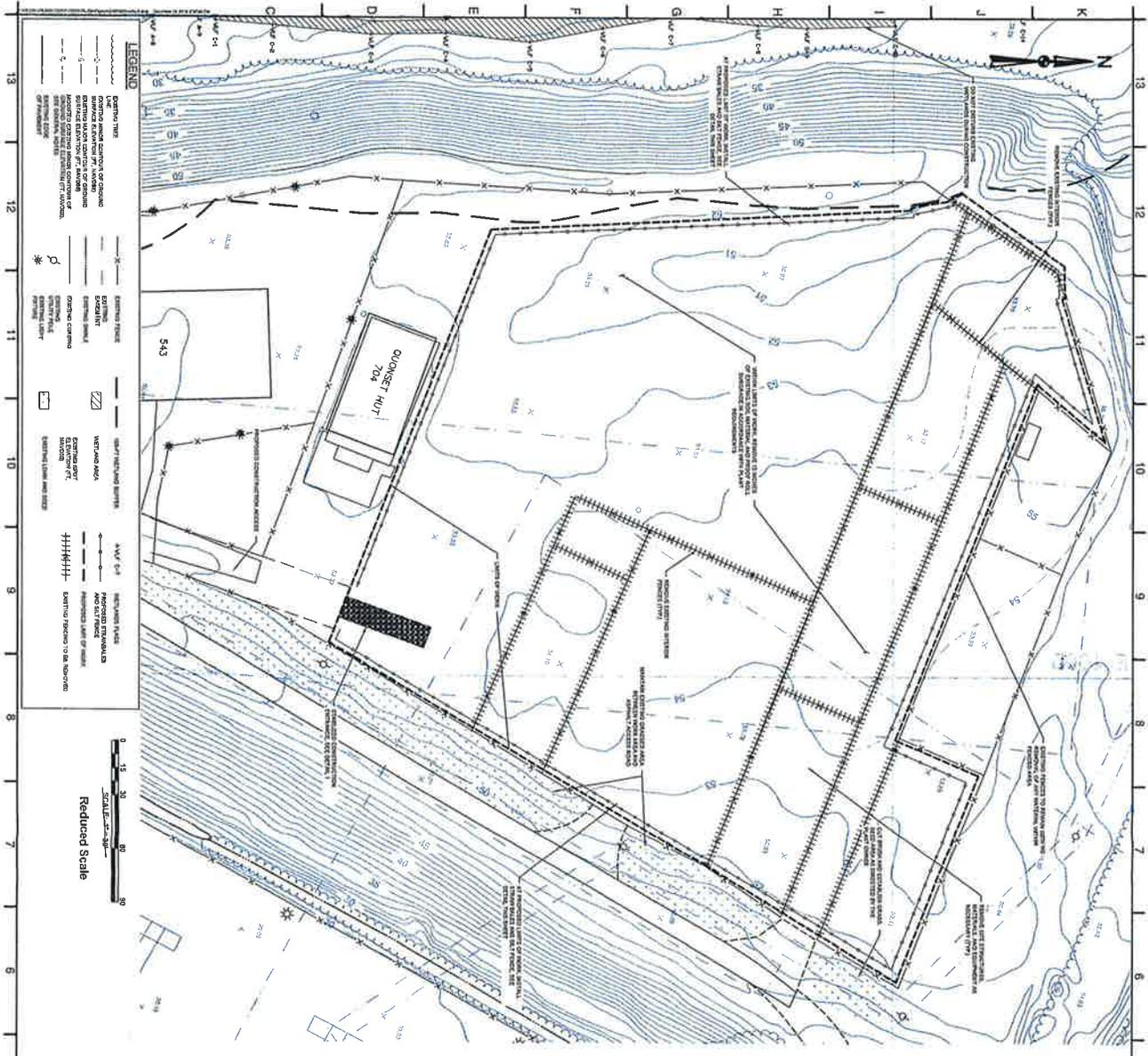
UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GZA. THIS DRAWING IS FOR THE USE OF THE PROJECT AND LOCATION IDENTIFIED HEREON. IT IS NOT TO BE USED FOR ANY OTHER PROJECT OR LOCATION. ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT OR LOCATION WITHOUT THE WRITTEN PERMISSION OF GZA SHALL BE AT THE USER'S OR SUCH OTHER PARTY'S SOLE RISK AND WITHOUT ANY LIABILITY TO GZA.

**LEGEND**

	EXISTING ROAD
	PROPOSED ROAD
	EXISTING UTILITY
	PROPOSED UTILITY
	EXISTING STRUCTURE
	PROPOSED STRUCTURE
	EXISTING VEGETATION
	PROPOSED VEGETATION
	EXISTING WATER
	PROPOSED WATER
	EXISTING TOPOGRAPHY
	PROPOSED TOPOGRAPHY
	EXISTING BOUNDARY
	PROPOSED BOUNDARY
	EXISTING EASEMENT
	PROPOSED EASEMENT
	EXISTING WETLAND
	PROPOSED WETLAND
	EXISTING FLOODPLAIN
	PROPOSED FLOODPLAIN
	EXISTING ROAD AND STRIP
	WETLAND FLOOD
	WATER
	STRUCTURE
	UTILITY
	TOPOGRAPHY
	BOUNDARY
	EASEMENT
	WETLAND
	FLOODPLAIN

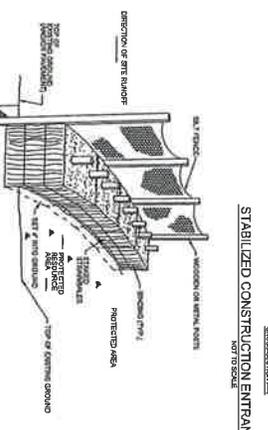
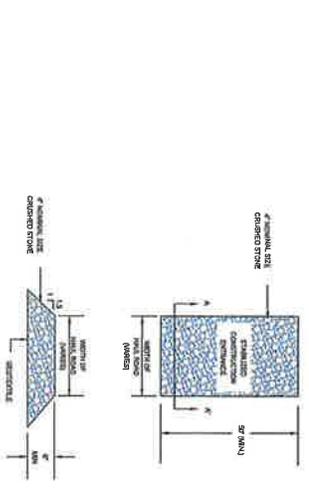
- GENERAL NOTES:**
- BASE PLAN AND EXISTING PHOTO AIR PHOTO LOCATION PLAN REQUIRED FOR ALL PROJECT POWER EXHAUSTION SYSTEMS.
  - EXISTING DATA IS FROM SOURCE. PROPOSED DATA IS FROM SOURCE. PROPOSED DATA IS FROM SOURCE.
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<p>EXISTING CONDITIONS  <b>MILLSTONE POWER PLANT          HSM CONSTRUCTION AREA</b>          WATERFORD, CT</p>		<p><b>GZA GeoEnvironmental, Inc.</b>  <i>Proactive by Design</i></p>	
		<p>249 Vandewater Avenue          Northford, CT 06457          Tel: 860-232-1111          www.gza.com</p>	



- GENERAL NOTES:**
1. BASE PLAN FROM DRAWING BOTTLED VENTILATION LOCATION
  2. PLAN PREPARED FOR MILLSTONE POWER PLANT CONSTRUCTION
  3. SOUTH/NORTH, CT DATED OCTOBER 23, 2014
  4. REVISIONS: NONE
  5. WEST/ADJACENT TO THE MILLSTONE POWER PLANT
  6. WEST/ADJACENT TO THE MILLSTONE POWER PLANT
  7. WEST/ADJACENT TO THE MILLSTONE POWER PLANT
  8. WEST/ADJACENT TO THE MILLSTONE POWER PLANT
  9. WEST/ADJACENT TO THE MILLSTONE POWER PLANT
  10. WEST/ADJACENT TO THE MILLSTONE POWER PLANT

**EXHIBIT 3**



- INSTALLATION INSTRUCTIONS:**
1. BALS SHALL BE PLACED UNDER SUPERVISION OF A REGISTERED PROFESSIONAL ENGINEER.
  2. BALS SHALL BE SPACED BY THE SOIL ANALYSIS OF FOUR (4) INCHES.
  3. BALS SHALL BE SPACED BY THE SOIL ANALYSIS OF FOUR (4) INCHES.
  4. BALS SHALL BE SPACED BY THE SOIL ANALYSIS OF FOUR (4) INCHES.
  5. BALS SHALL BE SPACED BY THE SOIL ANALYSIS OF FOUR (4) INCHES.
- STRAWBALE SILT FENCE BARRIER DETAIL**  
NOT TO SCALE

UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE DRAWING. THE DRAWING SHALL NOT BE REPRODUCED, COPIED, OR ADAPTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF GZA. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR ANY AND ALL RISKS AND WITHOUT ANY AID OR LIABILITY TO GZA.

	<p><b>GZA GeoEnvironmental, Inc.</b> Practicing by Design</p> <p>240 Vanderbilt Avenue Newwood, MA 01902 TEL: 508.532.7810 WWW.GZA.COM</p>		<p><b>SEDIMENT AND EROSION CONTROL / DEMOLITION PLAN MILLSTONE POWER PLANT HSM CONSTRUCTION AREA</b></p> <p>WATERFORD, CT</p>	<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>11-20-14</td> <td>ISSUED FOR PERMIT</td> </tr> </table> <p>PROJECT NO. 01.17257.00 SCALE: AS SHOWN DRAWN BY: [Name] CHECKED BY: [Name] DATE: 11-20-14</p> <p><b>C2.0</b></p>	NO.	DATE	DESCRIPTION	1	11-20-14	ISSUED FOR PERMIT
NO.	DATE	DESCRIPTION								
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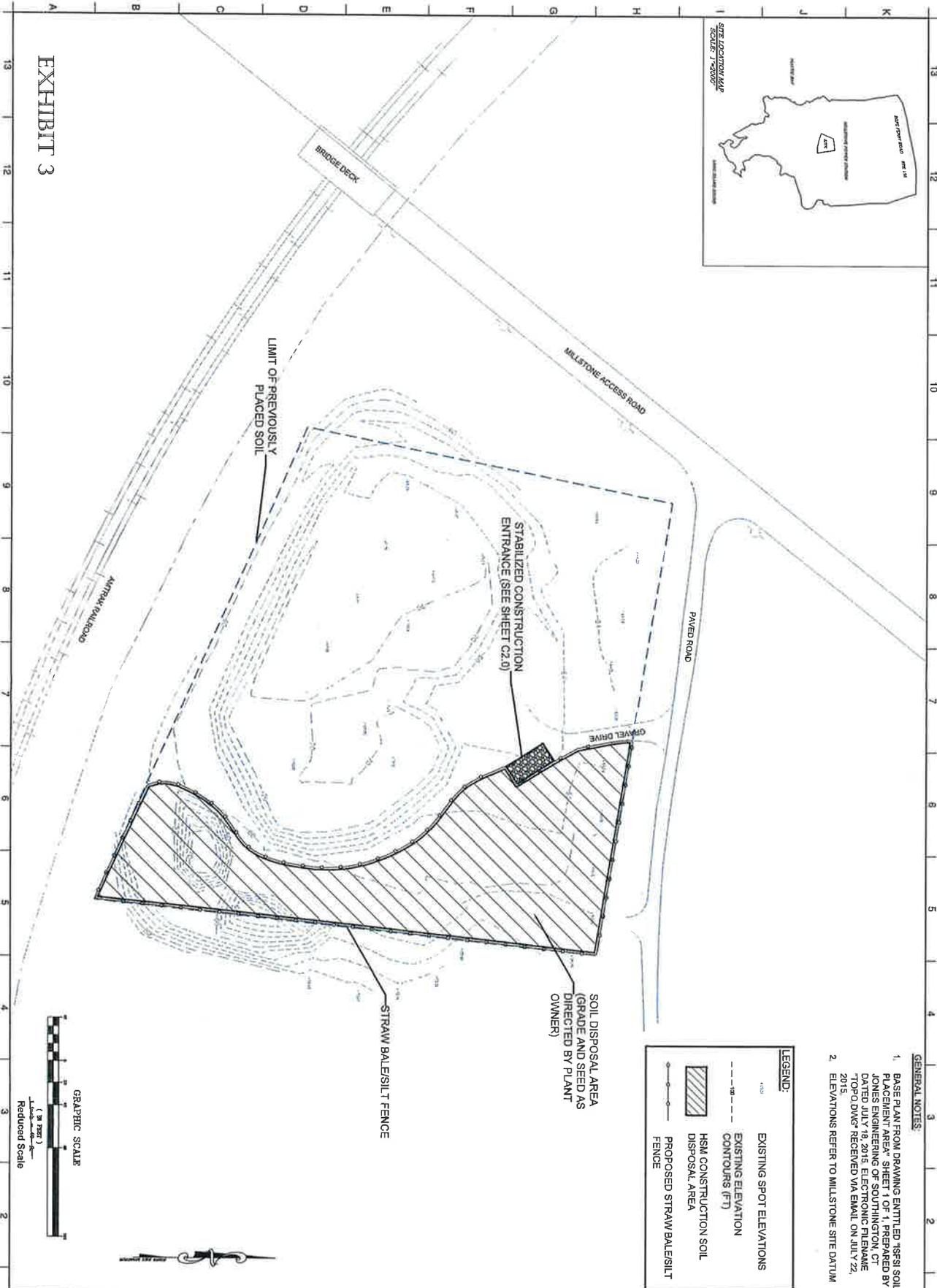
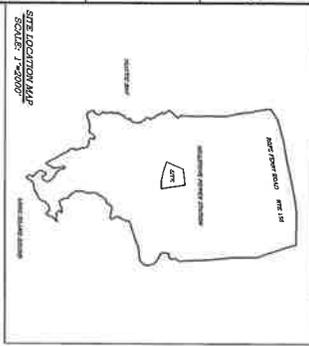
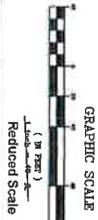


EXHIBIT 3

- GENERAL NOTES:**
1. BASE PLAN FROM DRAINING ENTITLED HSM SOIL PLACEMENT AREA SHEET C-111 PREPARED BY JONES ENGINEERING OF SOUTHINGTON, CT DATED JULY 18, 2015. ELECTRONIC FILENAME: TOPO.DWG RECEIVED VIA EMAIL ON JULY 22, 2015.
  2. ELEVATIONS REFER TO MILLSTONE SITE DATUM.

**LEGEND:**

	EXISTING SPOT ELEVATIONS
	EXISTING ELEVATION CONTOURS (FT)
	HSM CONSTRUCTION SOIL DISPOSAL AREA
	PROPOSED STRAW BALESILT FENCE
	SOIL DISPOSAL AREA (GRADE AND SEED AS DIRECTED BY PLANT OWNER)



<p>PROPOSED SOIL DISPOSAL LOCATION MILLSTONE POWER PLANT HSM CONSTRUCTION AREA WATERFORD, CT</p>													
<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION										<p>DATE: 11/10/2015 DRAWN: [Name] CHECKED: [Name] SCALE: AS SHOWN PROJECT NO.: 01.172257.00</p>
NO.	DATE	DESCRIPTION											

**GZA GeoEnvironmental, Inc.**  
*Proactive by Design*

240 Vanderveil Avenue  
Northbrook, MA 01861  
TEL: 978.370.0000  
www.gza.com



Serial No.  
MPS NSSL/GJC

RA-16-020  
R0

**EXHIBIT 4**

**TOWN OF WATERFORD LETTER DATED MAY17, 2016  
FROM: ABBY Y. PIERSALL, DIRECTOR OF PLANNING  
TO: STEVEN V. HEARD, MANAGER, NUCLEAR SITE SERVICES  
MILLSTONE POWER STATION WITH ATTACHMENT**

**MILLSTONE POWER STATION  
DOMINION NUCLEAR CONNECTICUT, INC. (DNC)**

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

May 17, 2016

Steven V. Heard  
Manager, Nuclear Site Services  
Millstone Power Station  
314 Rope Ferry Road  
Waterford, CT 06385

RE: Millstone Power Station: Proposed HSM Construction Area

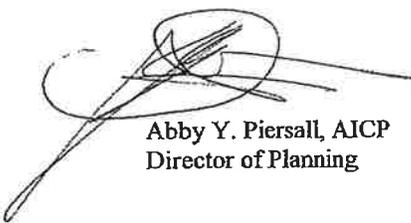
Dear Mr. Heard:

This letter is in response to your proposal dated April 25, 2016 for the installation of the HSM Construction Area at Millstone Station, Waterford, CT. Based on plans dated December 18, 2015 prepared by GZA GeoEnvironmental, Inc., and responses to Waterford Planning Department's October 15, 2015 memorandum, it is found that the proposed HSM Construction Area is consistent with the Planning and Zoning Commission's Order of May 20, 1985, its management guidelines and approved ISFSI plans.

The Waterford Planning and Zoning Commission reviewed this request at their regular meeting of May 9, 2016 and supported staff findings of consistency with the 1985 Order. This correspondence also references the May 12, 2016 memorandum issued by Maureen FitzGerald, Environmental Planner, and attached herein. The Conservation Commission determined that the project as presented does not involve regulated inland wetland activity. No impact on coastal resources is anticipated.

This approval does not waive any other permit or site management requirements which would follow a Siting Council decision. Erosion and Sediment controls shall be maintained throughout the duration of the project. Please contact me with any questions or if additional information is required.

Sincerely,



Abby Y. Piersall, AICP  
Director of Planning

Attachments: May 12, 2016 Memorandum from Maureen Fitzgerald, Environmental Planner

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

Date: May 12, 2016  
To: Abby Piersall, Planning Director  
From: Maureen FitzGerald, Environmental Planner  
Re: Dominion Nuclear Connecticut, Inc.  
Request for Permanent Location Approval  
Proposed HSM Construction Area

I have reviewed the revised plan set for the proposed Millstone Power Plant HSM construction area prepared by GZA GeoEnvironmental, Inc. dated December 18, 2015. A grassed filter strip has been incorporated at the edge of the proposed construction area in response to department review comments. The filter strip is intended to reduce run-off velocity and filter suspended sediments from stormwater run-off prior to discharge to the down-gradient forested wetland area.

Portions of the grassed filter strip and perimeter fence replacement occur within the 100 ft. upland review area of the wetland located west and downgradient of the location. The Waterford Conservation Commission has reviewed the proposed HSM Construction Area plans and determined the project does not involve regulated inland wetland activity. This determination is based on the following considerations:

1. The seeding and maintenance of the grassed filter strip within the upland review area mitigates potential impacts of site run-off to the receiving hillside and down-gradient wetland.
2. Disturbance to the existing vegetation for replacement of the security fence is temporary and will not involve fill or grading activity.

Sincerely,

  
Maureen FitzGerald  
Environmental Planner

cc: Waterford Conservation Commission