

KENNETH C. BALDWIN

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
kbaldwin@rc.com
Direct (860) 275-8345

Also admitted in Massachusetts
and New York

October 10, 2023

Via Hand Delivery and Electronic Mail

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: **Petition No. 1586 - Dominion Energy Nuclear Connecticut, Inc. – Petition for a Declaratory Ruling on the Need to Obtain a New or Modify an Existing Siting Council Certificate to Modify the Boundary of the Site at the Millstone Power Station, Waterford, Connecticut**

Interrogatory Responses Set Two

Dear Attorney Bachman:

On behalf of Dominion Energy Nuclear Connecticut, Inc. (“Petitioner”), enclosed please find the original and fifteen (15) copies of the Petitioner’s Responses to the Council Interrogatories (Set Two) in Petition No. 1586. Electronic copies of these responses have also been sent to the Council earlier today.

If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



Kenneth C. Baldwin

KCB/kia
Enclosure

28014714-v1

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
 :
 A PETITION OF DOMINION ENERGY : PETITION NO. 1586
 NUCLEAR CONNECTICUT, INC. FOR A :
 DECLARATORY RULING ON THE NEED TO :
 OBTAIN A NEW OR MODIFY AN EXISTING :
 SITING COUNCIL CERTIFICATE TO MODIFY :
 THE BOUNDARY OF THE SITE AT THE :
 MILLSTONE POWER STATION, WATERFORD, :
 CONNECTICUT : OCTOBER 10, 2023

**RESPONSES OF DOMINION ENERGY NUCLEAR CONNECTICUT, INC
TO CONNECTICUT SITING COUNCIL INTERROGATORIES (SET TWO)**

On September 26, 2023, the Connecticut Siting Council (“Council”) issued Interrogatories Set Two to Dominion Energy Nuclear Connecticut, Inc. (“Petitioner”, “Dominion”, “DENC” or “DNC”), relating to Petition No. 1586. Below are the Petitioner’s responses.

Existing Facility Site

Question No. 28

Is the entire Millstone Power Station (MPS) site under the jurisdiction of the Nuclear Regulatory Commission (NRC)? If not, identify which portions of the existing site are subject to NRC jurisdiction and which portions of the existing site are not subject to NRC jurisdiction and explain why for each portion.

Response

The Millstone Unit 3 Updated Final Safety Analysis Report (UFSAR) describes the site location and boundaries. Figure 2.1-3, Site Layout, of the Unit 3 UFSAR presents the Site layout for MPS. This layout matches the layout, for the “North Parcel” and the “South Parcel” provided

in Petition No. 1586, Exhibit 1. Section 2.1.2, EXCLUSION AREA AUTHORITY AND CONTROL, and Section 2.1.2.1, Authority, of the UFSAR includes the following language:

“The exclusion area is equivalent to the area within the site boundary which is identified in Figure 2.1-3. DNC, the operating company for all three units at the Millstone Site, has the controlling authority for the exclusion area. Accordingly, DNC has the authority to determine all activities within the exclusion area.”

Any changes to the Site boundary would require an update to the UFSAR. The Unit 2 UFSAR sections describing the site reference the Unit 3 USFAR, and as such, changes to the Unit 2 UFSAR for site description should not be needed.

Question No. 29

Is the MPS site subject to any federal, state and local land use restrictions, such as limitations to electric generation purposes? If so, please describe and/or provide relevant land use restriction provisions and to which portions of the MPS site the restriction provisions apply.

Response

Section 2.1.2.2, Control of Activities Unrelated to Plant Operation, of the Unit 3 UFSAR states the following:

“The Exclusion area is wholly owned as indicated above; DNC, as the operating company has complete control of the activities within the exclusion area, except for the passage of the trains along the Providence & Worcester (P&W)/Amtrak Railroad track which runs east-west through the site”.

As such, there are no limitations to electrical generation activities.

Question No. 30

What is the distance from the nearest edge of each proposed Lease Area to the independent spent fuel storage installation?

Response

The independent spent fuel storage installation (north limit) is approximately 2,000 feet from Lease Area 1; approximately 1,700 feet from Lease Area 2; and approximately 1,400 feet from Lease Area 3.

Question No. 31

Does NRC require a specific buffer for development associated and not associated with electric generation from independent spent fuel storage installations? What are the distances for each type of development?

Response

See the Petitioner's responses to Questions 28 and 29 above. Dominion has not located a defined buffer for the placement of a Data Center on the MPS site. The NE Edge data center is still in the design and development phase of the project, should a defined buffer be located, DENC will ensure compliance. Additionally, it has been determined that the operation of the Data Center will have no impact on day-to-day or accident operations of MPS.

Question No. 32

Does Dominion Energy Nuclear Connecticut, Inc. (DENC) intend to purchase the data centers if the Council issues a declaratory ruling for the boundary revision and the Town approves the data centers?

Response

DENC does not intend to purchase the two data center buildings or the proposed

substation supporting the data center buildings. DENC and NE Edge are developing a ground lease agreement for the three Lease Areas shown on Exhibit 1 of the Petition, whereby NE Edge could build, own and operate the data center on MPS property.

Question No. 33

Describe the relationship between DENC and NE Edge now and in the future.

Response

DENC and NE Edge currently have a Memorandum of Understanding (MOU) for development and operation of a data center on MPS property. The MOU also contemplates the development of a purchase power agreement whereby MPS would supply electricity directly from MPS Units 2 and 3, and the development of a ground lease agreement for development and operation of the data center by NE Edge (or its successors) on MPS property. The NE Edge project is still in the development stage, and as such, we are supporting NE Edge, only as needed as they pursue the necessary approvals through the Town of Waterford.

Question No. 34

How many data centers are proposed for the MPS site?

Response

NE Edge, LLC is proposing to construct two separate two-story data center buildings, one each on the parcels designated Lease Area 1 and Lease Area 2. Additionally, NE Edge is proposing to construct a switchyard to support the two data center buildings in the parcel designated Lease Area 3.

Question No. 35

Has DENC received any comments from the Town since it was granted party status on September 14, 2023?

Response

DENC has not received any comments from the Town of Waterford regarding NE Edge's desire to construct a Data Center on the MPS Site other than the First Selectman's August 23, 2023 letter to the Council through which the Town is generally supportive of the DENC Petition.

Question No. 36

What impacts could MPS unit shutdowns have on the proposed data centers and the electric grid?

Response

The details of how the data centers would be affected by one or both MPS units being shut down is still being evaluated by Dominion and NE Edge and will depend on the final electrical interconnection design connecting MPS Units 2 and 3, the data center and the electric transmission system, which has not yet been developed.

Question No. 37

What are the required NRC buffer zones for a nuclear generating facility? Identify the buffer zones for the MPS site.

Response

See DENC's response to Questions 28, 29 and 31 above.

Question No. 38

What impacts could construction of the data center have on the existing MPS buffer zones?

Response

See DENC's response to Questions 28, 29 and 31 above. It is not anticipated that construction activities associated with the NE Edge data center will have any impact on access

onto or exiting the MPS property. The proposed NE Edge data center buildings and proposed switchyard are north of the existing rail line and will merge into the normal traffic on the Plant Access Road. Traffic during construction and use of the data center will not be permitted beyond the MPS security checkpoint.

Question No.39

What use was contemplated for the North Parcel in the original MPS site approval?

Response

There were no formal plans for use of the North Parcel in the original MPS site approval. As the Council is aware, over the years, DENC has used portions of the Northern Parcel for various purposes, all in support of the MPS electric generating units.

Question No. 40

How many of the 55 acres for Lease Areas 1-3 were included in the original approval as part of the MPS site? What authority approved the original site boundaries?

Response

The entire 55 acres of Lease Areas 1, 2 and 3 described in the Petition was included in the original MPS site description upon the initial licensing of MPS. Section 2.1.3 of the Unit 3 UFSAR states:

“Millstone Point was thoroughly investigated for acceptability as a nuclear power plant site and found to be suitable by the Atomic Energy Commission before Millstone 1 Construction Permit was issued in 1966, before the Millstone 1 Operating License DPR-21 was granted in 1970, prior to the issuance of the Millstone 2 Construction Permit in December `970, and prior to the Millstone 2 Operating License DPR-65 in August 1976”.

Question No. 41

Will removing the 55 acres for Lease Areas 1-3 from the Council’s certificated site boundaries limit DENC’s ability to expand the MPS site for future electric generation opportunities?

Response

No. DENC has no current plans on using the 55 acres proposed in the Petition for expansion of electric generation uses at the MPS property.

Question No. 42

Will the lease term comply with the requirements of Public Act 21-1, “An Act Concerning Incentives for Qualified Data Centers to Locate in the State”?

Response

Yes.

Public Safety

Question No. 43

What is the radius of the Emergency Planning Zone of MPS? What federal and state agencies determine this radius and how is it determined?

Response

MPS has an approximate 10-mile Emergency Planning Zone (EPZ) for the plume exposure pathway and an approximate 50-mile emergency planning zone for the Ingestion Exposure Pathway (IPZ). UFSAR Section 13.3, Emergency Planning states:

“The staff-approved Millstone Nuclear Power Station Emergency Plan addresses the criteria set forth in NUREG-0654, FEMA-REP-1, Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear

Power Plants, Revision 1, November 1980 and NUREG-0737, Supplement 1. As such, the Emergency Plan provides for an acceptable state of emergency preparedness and meets the requirements of 10CFR Part 0 and Appendix E thereto.”

Question No. 44

Does MPS have an Emergency Response Plan? When was it last updated?

Response

Yes. The MPS Emergency Response Plan was last updated on August 8, 2023.

Question No. 45

How are MPS emergencies communicated to the public? Does this communication system apply to nuclear and non-nuclear-related emergencies? Explain.

Response

DENC will classify incidents in accordance with federal guidelines. DENC will notify designated Connecticut and New York state and local officials and MPS personnel as appropriate, within 15 minutes of an incident classification. In Connecticut, the state agencies notified are the Department of Emergency Management and Homeland Security (DEMHS), the State Police and the Department of Energy and Environmental Protection (DEEP), as well as officials in the local Emergency Planning Zone (EPZ) communities.

Public protective actions will be implemented using the Public Alert and Emergency Alert Systems. The Public Alert System consists of electronic sirens at various location within the Plume EPZ.

Question No. 46

How would development of Lease Areas 1-3 for a data center impact MPS' existing Emergency Response Plan, including, but not limited to, evacuation of the site?

Response

DENC does not expect the development of the NE Edge data center will have impact on the existing MPS Emergency Response Plan. Section 2.1.2.2, Control of Activities Unrelated to Plant Operation, of the Unit 3 UFSAR states the following:

A portion of the exclusion area is leased to the Town of Waterford for public recreation and is used primarily for soccer and baseball games. ... No attempt is made to restrict the number of persons using these facilities. Estimates of maximum attendance indicate that about 2000 visitors could be within the exclusion area at any onetime at the soccer and baseball fields. The Emergency Plan provides for removal of the visitors on Site.

The number of individuals supporting construction or operation of the Data Center will not challenge the above statement and, if necessary, the Emergency Plan would provide for notification and removal from these individuals from the site as well.

Question No. 47

Referencing the response to Council Interrogatory 3, to what extent are the proposed lease areas in the North Parcel described in the Final Safety Analysis Report? Does the North Parcel provide a safety buffer and is it a requirement of the NRC? Please provide a copy of or a link to the latest Final Safety Analysis Report.

Response

Response to Questions 28, 29 and 31 describe the Site boundary and the authority of DNEC to use the MPS property. The Updated Final Safety Analysis Reports are considered Security Related Information and are not for public disclosure pursuant 10 CFR Section 2.390.

Question No. 48

Please describe the security measures that are in place and any additional security

measures that will be in place to restrict access to the “Protected Area” including physical, i.e., fencing, buffers, guards, etc. and access restrictions.

Response

Specific information related to the MPS Security Plan is not for public disclosure pursuant to 10 CFR Section 2.390 and can only be shared on a need-to-know basis.

That said, as referenced in response no. 38 above, no data center construction or use traffic will be permitted south of the security check point along the Millstone site access road.

Question No. 49

Referencing the response to Council Interrogatory 10, where is the MPS security gate located, at the entrance of the Southern Parcel to the Protected Area or the entrance of the Northern Parcel? Will modifications be necessary to the security gate to accommodate the data centers?

Response

Information related to the Security Plan is not for public disclosure pursuant to 10 CFR Section 2.390 and can only be shared on a “need to know” basis. The locations of the two data center buildings are on site property, well outside of the MPS protected area.

Question No. 50

Referencing the response to Council Interrogatory 17, will the data centers impede any evacuation plans under the Emergency Response Plan? Will the evacuation plans need to be modified to address the evacuation route through Millstone Road?

Response

See the DENC response to Question 46 above.

Interconnection

Question No. 51

Referencing responses to Council Interrogatories 3, 11, 13, 19 and 20, when will the final design and layout of the new switchyard be completed?

Response

The design of the new switchyard is in the early concept stages. DENC understands that the initial NE Edge engineering efforts are underway for both the building designs and the switchyard design. It is anticipated that the designs will be finalized in late 2024, but that timing could vary depending on NE Edge's overall project development progress.

Question No. 52

Referencing the response to Council Interrogatory 4, has DENC confirmed with ISO-New England, Inc. (ISO-NE) if it would need to modify its existing Interconnection Agreement and/or comply with any other ISO-NE requirements? Explain.

Response

When the design of the data center and related electrical interconnection facilities are completed by NE Edge, DENC will be able to assess this further and determine if a discussion with ISO-NE and further analysis by ISO-NE is required.

Question No. 53

Referencing the response to Council Interrogatory 15, what impact would be supplying 300 MW to the data center have on:

- a. DENC's contract with Eversource Energy; and
- b. any of DENC's ISO-NE Capacity Supply Obligations under the Forward Capacity Auction(s)?

Response

- a. None for the current contract with Eversource Energy.
- b. None. DENC anticipates being able to concurrently provide power to the NE Edge data center and manage any future capacity obligations under the ISO-NE Forward Capacity Auctions.

Question No. 54

Referencing the response to Council Interrogatory 22, would the electrical lines associated with the data center be constructed overhead or underground? What safety codes apply to the electrical lines?

Response

The final design of the data center and associated electrical interconnection facilities have not been finalized. It is feasible that a combination of both overhead and underground lines may be needed. When developing the designs, NE Edge and DENC will ensure compliance with all applicable safety codes.

Facility Site Revision

Question No. 55

Referencing the response to Council Interrogatory 6, would DENC submit a request to the Council for relocation of the salt shed to another location on the MPS site?

Response

Yes, as stated in the Petition No. 1586, the Siting Council approved a sand and salt shed in 2001. DNEC would follow the same process for re-locating that facility.

Question No. 56

Referencing the response to Council Interrogatory 9, if the buildings or switchyard would

not be re-purposed at the end of the lease term, would the buildings and/or switchyard be decommissioned? If so, does DENC have or plan to develop a decommissioning plan?

Response

Yes, NE Edge (or its successor) would be responsible for decommissioning the site at the end or earlier termination of the ground lease agreement.

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of October 2023, a copy of the foregoing was sent,
via electronic mail, to:

Robert A. Avena, Waterford Town Attorney
Nicholas F. Kepple, Waterford Town Attorney
Suisman Shapiro
20 South Anguilla Road
P.O. Box 1445
Pawcatuck, CT 06379
ravena@sswbgg.com
nkepple@sswbgg.com

Robert J. Brule, First Selectman
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385
firstsel@waterfordct.org

Michelle Neri
P.O. Box 548
Westbrook, CT 06498
homemade.ad@protonmail.com



Kenneth C. Baldwin