

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 6315

DOCKETED 04/16/03

ATOMIC SAFETY AND LICENSING BOARD PANEL

SERVED 04/16/03

Before Administrative Judges:

Ann Marshall Young, Chair
Dr. Richard F. Cole
Dr. Thomas S. Elleman

In the Matter of

DOMINION NUCLEAR CONNECTICUT, INC.

(Millstone Nuclear Power Station, Unit 2)

Docket No. 50-336-OLA-2

ASLBP No. 03-808-02-OLA

April 16, 2003

ORDER

(Scheduling Oral Argument on Contention)

This proceeding involves a September 26, 2002, application of Dominion Nuclear Connecticut, Inc. (Dominion), to amend the operating license for Millstone Power Station, Unit No. 2, by changing certain technical specifications, based upon a re-analysis of the limiting design basis Fuel Handling Accident (FHA) using an Alternative Source Term in accordance with 10 C.F.R. § 50.67 and NRC Regulatory Guide 1.183. This application was among those included in a November 2002 NRC "Biweekly Notice" regarding "Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations." 67 Fed. Reg. 68,728, 68,731 (Nov. 12, 2002). On December 12, 2002, in response to this notice and Dominion's application, the Connecticut Coalition Against Millstone (CCAM) and the STAR Foundation (STAR) filed an "Amended Petition to Intervene and Request for Hearing."

By Memorandum and Order dated February 14, 2003, LBP-03-03, this Licensing Board held that Petitioner CCAM has standing to participate in this proceeding, and established deadlines of March 7 and 28, 2003, respectively, for the submission of a supplemented petition and contentions, and responses thereto. Subsequently, we approved extensions of these

deadlines to March 10 and 31, 2003. Pursuant to the extended deadlines, Petitioner CCAM filed its Supplemented Petition and Contention March 10, and Dominion and the NRC Staff filed their Answers, opposing CCAM's Contention, March 31, 2003.

This Licensing Board will hear oral argument on CCAM's Contention on May 21, 2003, in a location to be announced, in the vicinity of the Millstone Nuclear Power Station. If all parties are not available on May 21, the Board will hold oral argument on June 5, 2003. Any party who will not be available as scheduled shall notify the Board and all other participants no later than Monday, April 21, 2003, in writing or by e-mail. Thereafter, additional information about the time and location of the oral argument will be provided.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 16, 2003

¹Copies of this Order were sent this date by Internet e-mail or facsimile transmission, if available, to all participants or counsel for participants.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING ORAL ARGUMENT ON CONTENTION) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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LB ORDER (SCHEDULING ORAL ARGUMENT
ON CONTENTION)

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 16th day of April 2003