

RAS 6330

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 04/22/03

ATOMIC SAFETY AND LICENSING BOARD PANEL **SERVED 04/23/03**

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 22, 2003

ORDER

(Scheduling Oral Argument on Contention)

The Licensing Board will hear oral argument on the Contention of Petitioner Connecticut Coalition Against Millstone (CCAM) in this proceeding on June 5, 2003, in a location to be announced, in the vicinity of the Millstone Nuclear Power Station.

The 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, CCAM and the STAR Foundation 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 on March 10, 2003, Petitioner CCAM filed its Supplemented Petition and Contention, to which answers were filed by Dominion and the NRC Staff on March 31, 2003.

By Order dated April 16, 2003, LBP-03-03, this Licensing Board stated that it would hear oral argument on CCAM's Contention on May 21 or June 5, 2003, depending upon the availability of all parties; parties were to notify the Board by April 21 of any unavailability on the dates indicated. Based upon the April 21 notification from counsel for Applicant Dominion that it will not be available on May 21, the Board will hold the oral argument on June 5, 2003. Additional information about the time and location of the oral argument will be provided in the near future.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD¹

/RA/

Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
April 22, 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.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Ann M. Young, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Thomas S. Elleman
ASLBP
704 Davidson Street
Raleigh, NC 27609-5543

Ann P. Hodgdon, Esq.
Brooke G. Smith, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Nancy Burton, Esq.
147 Cross Highway
Redding Ridge, CT 06876

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LB ORDER (SCHEDULING ORAL ARGUMENT
ON CONTENTION)

Lillian M. Cuoco, Esq.
Senior Nuclear Counsel
Millstone Power Station
Rope Ferry Road
Waterford, CT 06385

David A. Repka, Esq.
Brooke D. Poole, Esq.
Winston & Strawn
1400 L Street, NW
Washington, DC 20005

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 23rd day of April 2003