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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 7, 2004

DOCKETED
USNRC

May 27, 2004 (8:44AM)

RAS 7837

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SERVED May 27, 2004

The Honorable Virgil H. Goode, Jr.
Member, United States
House of Representatives
Virgil Goode Office Building
70 East Court St., Suite 215
Rocky Mount, VA 24151

Dear Congressman Goode:

I am writing in response to your letter of April 8, 2004, to Judge G. Paul Bollwerk, III, in which you related the concerns expressed by Amanda Burbage, Susan B. Chase, Irene M. Hancock, and Betty C. Black, regarding the Rockville, Maryland location for the upcoming Atomic Safety and Licensing Board initial prehearing conference concerning the application of Dominion Nuclear North Anna, LLC, for a 10 C.F.R. Part 52 early site permit (ESP) at its existing North Anna nuclear facility. Additionally, by letter dated April 12, 2004, you forwarded a copy of a letter from Elena Day expressing a similar concern about the conference location.

In its March 22, 2004 Order scheduling an initial prehearing conference at the Nuclear Regulatory Commission's (NRC) Rockville, Maryland headquarters building, the Licensing Board noted there currently are pending three different proceedings that involve a common, first-of-a-kind subject matter: an application under 10 C.F.R. Part 52 for an ESP for a potential new nuclear power plant at an existing plant site. (A copy of the Board's Order is enclosed and also is available on the NRC's website, www.nrc.gov, in the Adjudicatory Proceedings portion of the Electronic Reading Room's General Proceedings/Electronic Hearing Docket Library component.) Moreover, although these ESP proceedings concern sites at three widely dispersed locations -- one each in Virginia, Illinois, and Mississippi -- after reviewing the submitted intervention petitions challenging these three applications, it was apparent to the Board there will likely be a number of issues raised by the petitioners in each of these proceedings that will be common to at least two and (perhaps all three) of the proceedings.

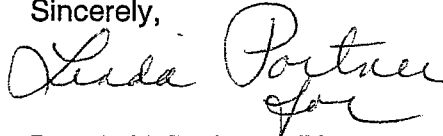
As a consequence, for the purpose of making the initial determinations about the legal standing of the various petitioners and the admissibility of their proposed issue statements or contentions, the cases currently are being considered together so as to ensure consistent treatment of these matters. Further, to hear oral argument on these related matters in the most efficient and effective manner, participant oral argument presentations on standing and contention admission have been scheduled at consolidated sessions in a single location, i.e., at sessions beginning on June 21, 2004, at the NRC's Rockville, Maryland headquarters location.

With respect to the petitioners and issue statements that may be admitted in the North Anna ESP proceeding following this initial prehearing conference, in its April 5, 2004 Order (enclosed), the Board committed to address on an individual basis the location for future

prehearing conferences and any evidentiary proceedings for those matters. Typically the evidentiary hearings in licensing proceedings are held in the vicinity of the site which is the subject of the license application. We know of no reason why this practice would not be followed in the case of the North Anna site.

Please contact me if there is any additional information you need regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Portner", with a small flourish at the end.

Dennis K. Rathbun, Director
Office of Congressional Affairs

Enclosures: As stated

cc: Early Site Permit Proceedings Service Lists

Congress of the United States
House of Representatives
Washington, DC 20515-4605

**PLEASE USE THE
ROCKY MOUNT ADDRESS**

April 8, 2004

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USNRC

May 27, 2004 (8:44AM)

Judge G. Paul Bollwerk, III
Mail Stop T3F-23
US Nuclear Regulatory Commission
Washington, DC 20555

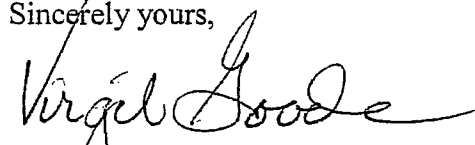
OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Judge Bollwerk:

It is my understanding that Dominion Power is planning an expansion at its facility in North Anna. Although I do not represent North Anna in the Fifth Congressional District, several citizens, including Ms. Irene M. Hancock, have contacted me and urged that you have a hearing somewhere in the vicinity of North Anna, such as Charlottesville or a town closer to Louisa. Having a hearing in one of these localities would likely provide a greater opportunity for area citizens to comment.

Thank you for your consideration.

Sincerely yours,



Virgil Goode, Jr.

VHGjr/jmg

CC: Ms. Irene M. Hancock
1747 Old Brook Road
Charlottesville, VA 22901

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
DOMINION NUCLEAR)	Docket No. 52-008-ESP
NORTH ANNA, LLC)	
)	
(Early Site Permit for North Anna ESP Site))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM DENNIS K. RATHBUN TO CONGRESSMAN GOODE RE LOCATION OF INITIAL PREHEARING CONFERENCE 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
G. Paul Bollwerk, III, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Paul B. Abramson
Atomic Safety and Licensing Board Panel
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U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Anthony J. Baratta
Atomic Safety and Licensing Board Panel
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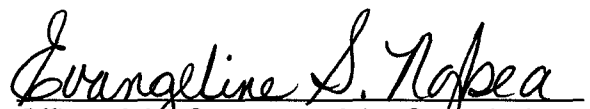
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Senior Counsel
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Docket No. 52-008-ESP
LETTER FROM DENNIS K. RATHBUN TO CONGRESSMAN
GOODE RE LOCATION OF INITIAL PREHEARING
CONFERENCE

Paul Gunter, Director
Reactor Watchdog Project
Nuclear Information and Resource Service
1424 16th St., NW, Suite 404
Washington, DC 20036

Michele Boyd
Public Citizen
215 Pennsylvania Ave., SE
Washington, DC 20003


Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 27th day of May 2004