

August 27, 2004

DOCKETED
USNRC

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**
Before the Atomic Safety and Licensing Board

September 7, 2004 (9:41AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

In the Matter of)	
)	
DOMINION NUCLEAR NORTH ANNA, LLC)	Docket No. 52-008
)	
(Early Site Permit for North Anna ESP Site))	ASLBP No. 04-822-02-ESP

JOINT MOTION TO WAIVE PRIVILEGE LOG

Dominion Nuclear North Anna, LLC ("Dominion"), with the consent of the Blue Ridge Environmental Defense League, Nuclear Information and Resource Service, and Public Citizen (Intervenors) and the NRC Staff, hereby moves for an order relieving all parties from the obligation of producing privilege logs pursuant to 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5). In the mutual interest of minimizing administrative burden, the parties have agreed to waive this requirement, with the understanding that all otherwise discoverable documents, including non-privileged attachments to privileged documents, shall be disclosed as required by the NRC rules.

An order relieving the parties of this obligation is authorized by 10 C.F.R. §§ 2.336(a) and 2.336(b), which require the specified disclosures "[e]xcept . . . as otherwise ordered . . . by the Atomic Safety and Licensing Board." Further, the Commission has stated that "the rule provides the presiding officer, Commission, or licensing board with the necessary discretion to alter the particulars of the initial disclosure provisions if it is deemed necessary." NRC Response

to Comments Not Addressed in the Statement of Considerations for Changes to the Adjudicatory
Process: Final Rule (Dec. 17, 2003) at 36 (ML033510327).

Respectfully submitted,



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Dated: August 27, 2004

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CERTIFICATE OF SERVICE

I hereby certify that copies of "Joint Motion to Waive Privilege Log," dated August 27, 2004, were served on the persons listed below by deposit in the U.S. mail, first class, postage prepaid, and where indicated by an asterisk by electronic mail, this 27th day of August, 2004.

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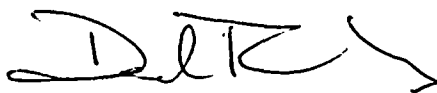
Atomic Safety and Licensing Board Panel
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A handwritten signature in black ink, appearing to read "DL Lewis", written over a horizontal line.

David R. Lewis