

**RAS 8387**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

**DOCKETED 08/31/04**

**SERVED 08/31/04**

Before Administrative Judges:

Alex S. Karlin, Chairman  
Dr. Thomas S. Elleman  
Dr. Richard F. Cole

In the Matter of

DOMINION NUCLEAR NORTH ANNA, LLC

(Early Site Permit for North Anna ESP Site)

Docket No. 52-008-ESP

ASLBP No. 04-822-02-ESP

August 31, 2004

**ORDER**

(Granting Joint Motion to Waive Privilege Log)

On August 27, 2004, Dominion Nuclear North Anna, LLC, ("Dominion") moved for an order relieving all parties from the obligation of producing privilege logs as required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5). In its motion, Dominion reported that all other parties, consisting of the Blue Ridge Environmental Defense League, the Nuclear Information and Resource Service, and Public Citizen ("Intervenors") and the NRC Staff, consent to the motion.

In the interest of minimizing administrative burden on all parties, and pursuant to our authority under 10 C.F.R. §§ 2.319 and 2.336, we grant the motion, provided however that each party shall preserve and maintain all privileged documents during the pendency of this proceeding, and provided further that all otherwise discoverable documents, including non-

privileged attachments to privileged documents, shall be disclosed as required by the applicable provisions of 10 C.F.R. Part 2.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>1</sup>

*/RA/*

---

Alex S. Karlin, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland

August 31, 2004

---

<sup>1</sup> Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) applicant DNNA; (2) the North Anna Petitioners; and (3) the NRC Staff.

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 LB ORDER (GRANTING JOINT MOTION TO WAIVE PRIVILEGE LOG) 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  
Alex S. Karlin, 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  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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

Robert M. Weisman, Esq.  
Margaret J. Bupp, Esq.  
Brooke D. Poole, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Diane Curran, Esq.  
Harmon, Curran, Spielberg,  
& Eisenberg, L.L.P.  
1726 M Street, NW, Suite 600  
Washington, DC 20036

David R. Lewis, Esq.  
Robert B. Haemer, Esq.  
Shaw Pittman LLP  
2300 N Street, NW  
Washington, DC 20037

Lillian M. Cuoco, Esq.  
Senior Counsel  
Dominion Resources Services, Inc.  
Rope Ferry Road  
Waterford, CT 06385

Docket No. 52-008-ESP  
LB ORDER (GRANTING JOINT MOTION TO  
WAIVE PRIVILEGE LOG)

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

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

Richard A. Parrish, Esq.  
Southern Environmental Law Center  
201 West Main Street  
Charlottesville, VA 22902

[Original signed by Evangeline S. Ngbea]

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 31<sup>st</sup> day of August 2004