

September 14, 2004 (12:04PM)

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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

**INITIAL DISCLOSURE PURSUANT TO 10 CFR 2.336(a)
ON BEHALF OF PETITIONERS
BLUE RIDGE ENVIRONMENTAL DEFENSE LEAGUE,
NUCLEAR INFORMATION AND RESOURCE SERVICE
AND PUBLIC CITIZEN**

Pursuant to 10 C.F.R. § 2.336(a) and the Memorandum and Order dated August 6, 2004, petitioners Blue Ridge Environmental Defense League, Nuclear Information and Resource Service and Public Citizen ("Petitioners") hereby make the following disclosure. This disclosure is based upon the information currently available to petitioners and will be supplemented as appropriate.

1. The persons listed below may be used at trial to present evidence. Other potential witnesses will be disclosed as they are identified:

- a. Barry W. Sulkin
Environmental Consultant
4443 Pecan Valley Road
Nashville, TN 37218
(615) 255-2079

Subjects: surface water quality

2. Documents relevant to the admitted contentions are as follows. Documents not separately listed include the materials in the application by Dominion Nuclear North Anna, LLC ("Dominion") and responses to requests for additional information.

- a. Barry W. Sulkin's statement submitted with Petitioners' proposed contentions;
- b. Emails (2) between local resident and Brendan Hoffman, Public Citizen, regarding Lake Anna striped bass (August 2004);
- c. VPDES Permit No. VA0052451 Fact Sheet and Attachments A through I;
- d. VPDES Permit No. VA0052451, Effective January 11, 2001 to January 11, 2006;
- e. North Anna Power Station Section 316(a) Demonstration, Prepared by Virginia Power, June 1986;
- f. Letter from Ellie Irons (Virginia Department Environmental Quality) to Pamela Faggart (Vice-President and Chief Environmental Officer, Dominion), February 10, 2004;
- g. Letter from Gary Martel (Director, Fisheries Division, Virginia Department of Game and Inland Fisheries) to Ellie Irons (Virginia Department Environmental Quality), January 27, 2004;
- h. Memo from Joseph P. Hassell (Virginia Department Environmental Quality) to Ellie Irons (Virginia Department Environmental Quality), January 15, 2004;
- i. Comments from Keith R Tignor (VDACS, Office of Plant and Pest Service) to Ellie Irons (Virginia Department Environmental Quality), January 28, 2004;
- j. Memo from Jeff Talbott (NVRO) to Ellie Irons (Virginia Department Environmental Quality), February, 2004;
- k. Email from John Bowden (Deputy Regional Director, Virginia Department Environmental Quality) to Ellie Irons, Re: Consistency Certification #03-223F), January 30, 2004;
- l. Memo from Thomas Modena (Virginia Department Environmental Quality) to Ellie Irons (Virginia Department Environmental Quality), January 29, 2004;
- m. Memo from Derral Jones (Planning Bureau Manager, Department of Conservation and Recreation) to Ellie Irons (Virginia Department Environmental Quality), January 2, 2004;
- n. Comments from Kotur S. Narasimhan (Office of Air Data Analysis, VDEQ) to Ellie Irons (Virginia Department Environmental Quality), December 19,

2004;

o. Comments from Alan O. Weber (VDH) to Ellie Irons (Virginia Department Environmental Quality), January 27, 2004;

p. Letter from Rochelle Garwood (Thomas Jefferson Planning District Commission) to Ellie Irons (Virginia Department Environmental Quality), January 22, 2004;

q. Letter (and 2 Enclosures) from Dominion to the US Nuclear Regulatory Commission, Re: Revised Approach for Unit 4 Normal Plant Cooling, March 31, 2004;

r. Letter from John P. Wolflin (Supervisor, Chesapeake Bay Field Office, US Fish and Wildlife Service) to Chief, Rules and Directives Branch, NRC), Re: Virginia Electric & Power Company, License Nos. NPF-4 and NPF-7, November 7, 2001;

s. Letter from John P. Wolflin (Supervisor, Chesapeake Bay Field Office, US Fish and Wildlife Service) to Chief, Rules and Directives Branch, NRC), Re: NUREG-1437, Final Supplement 7 to the Generic Environmental Impact Statement Regarding North Anna Power Station (NAPS), Units 1 and 2, November 7, 2001;

t. Letter from Dominion to the US. Nuclear Regulatory Commission, Re: Response to Virginia Department of Environmental Quality Comment Letter, June 28, 2004;

u. Virginia State Corporation Commission Order for Notice on the Application of Virginia Electric and Power Company Case No. PUE990617 to amend temporarily or waive license conditions regarding operation of the dam across the North Anna River in Louisa and Spotsylvania Counties, September 29, 1999; and

v. Lake Anna Special Plan, Lake Anna Special Area Plan Committee, March 2000 (<http://www.louisa-county.com/notices/LakeAnnaSpecialAreaPlan.pdf>).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard A. Parrish". The signature is fluid and cursive, with a prominent initial "R" and "P".

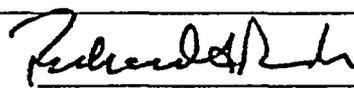
Richard A. Parrish
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September 7, 2004

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2004, copies of the foregoing Initial Disclosure on Behalf of Blue Ridge Environmental Defense League, et al, were served on the following by e-mail and first-class mail, as indicated below:

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|--|---|
| <p>Alex S. Karlin, Chair Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 (E-mail: ASK2@nrc.gov)</p> | <p>Dr. Thomas S. Elleman Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 (E-mail: TSE@nrc.gov)</p> |
| <p>Dr. Richard F. Cole Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 (E-mail: RFC1@nrc.gov)</p> | <p>Office of the Secretary ATTN: Docketing and Service Mail Stop: 0-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555 (E-mail: HEARINGDOCKET@nrc.gov)</p> |
| <p>Robert M. Weisman, Esq. Brooke D. Poole, Esq. Ann P. Hodgdon, Esq. Antonio Fernandez, Esq. Office of General Counsel Mail Stop O-15-D21 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: rmw@nrc.gov, bdp@nrc.gov, aph@nrc.gov, axf2@nrc.gov</p> | <p>David R. Lewis, Esq. Shaw Pittman 2300 N Street N.W. Washington, D.C. 20037 E-mail: david.lewis@shawpittman.com</p> |
| <p>Office of Commission Appellate Adjudication Mail Stop O-16 C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555</p> | <p>Lillian Cuoco, Senior Counsel Dominion Resources Services Rope Ferry Road Waterford, CT 06385 E-mail: lillian_cuoco@dom.com</p> |
| <p>Diane Curran Harmon, Curran, Spielberg & Eisenberg, LLP 1726 M Street, NW., Suite 600 Washington, DC 20036 E-mail: dcurran@harmoncurran.com</p> | |



Richard A. Parrish

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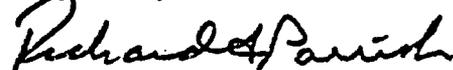
ASLBP No. 04-822-02-ESP

SWORN CERTIFICATION FOR INITIAL DISCLOSURE

County of Albemarle)
) ss.
Commonwealth of Virginia)

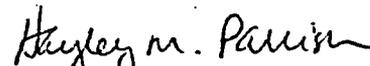
Pursuant to 10 C.F.R. § 2.336(c), the undersigned counsel for petitioners Blue Ridge Environmental Defense League, Nuclear Information and Resource Service and Public Citizen hereby certifies that all relevant materials required to be disclosed by this section have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

Respectfully submitted,



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FAX (434) 977-1483
rparrish@selcva.org

State of Virginia
City of Charlottesville
Subscribed and sworn to before me
this 7th day of September, 2004.


Notary Public

My Commission expires: 10/31/04

CERTIFICATE OF SERVICE

I hereby certify that on September 7, 2004, copies of the foregoing Sworn Certification on behalf of Blue Ridge Environmental Defense League, et al, were served on the following by e-mail and first-class mail, as indicated below:

| | |
|--|---|
| <p>Alex S. Karlin, Chair Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 (E-mail: ASK2@nrc.gov)</p> | <p>Dr. Thomas S. Elleman Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 (E-mail: TSE@nrc.gov)</p> |
| <p>Dr. Richard F. Cole Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 (E-mail: RFC1@nrc.gov)</p> | <p>Office of the Secretary ATTN: Docketing and Service Mail Stop: 0-16C1 U.S. Nuclear Regulatory Commission Washington, D.C. 20555 (E-mail: HEARINGDOCKET@nrc.gov)</p> |
| <p>Robert M. Weisman, Esq. Brooke D. Poole, Esq. Ann P. Hodgdon, Esq. Antonio Fernandez, Esq. Office of General Counsel Mail Stop O-15-D21 U.S. Nuclear Regulatory Commission Washington, D.C. 20555-0001 E-mail: rmw@nrc.gov, bdp@nrc.gov, aph@nrc.gov, axf2@nrc.gov</p> | <p>David R. Lewis, Esq. Shaw Pittman 2300 N Street N.W. Washington, D.C. 20037 E-mail: david.lewis@shawpittman.com</p> |
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| <p>Diane Curran Harmon, Curran, Spielberg & Eisenberg, LLP 1726 M Street, NW., Suite 600 Washington, DC 20036 E-mail: dcurran@harmoncurran.com</p> | |


 Richard A. Parrish