

September 21, 2004

Administrative Judge Alex S. Karlin, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555-0001

Administrative Judge Thomas S. Elleman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, D.C. 20555-0001

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

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

---

Dear Administrative Judges:

Pursuant to 10 C.F.R. § 2.336(d), the NRC staff hereby provides notice that the Hearing File for this proceeding has been updated. A supplement to the Hearing File Index, listing the additions to the Hearing File, is attached. Also attached is the Affidavit of Michael L. Scott. In accordance with the Licensing Board's Order of August 31, 2004, the staff is continuing to preserve and maintain all privileged documents during the pendency of this proceeding.

In addition, the staff is hereby providing notice of two corrections to the Hearing File. First, the folder "MACCS2 Input Files," and the sole document contained therein (ADAMS accession number ML042460315), have been removed from the hearing file because the document is a duplicate. It is already contained in the folder designated "E-mail-MACCS2Inputs ML042460321." Second, an individual document referenced in the staff's September 7, 2004, Hearing File has also been removed from the Hearing File. That document, ADAMS accession number ML042510340,

is a duplicate of ADAMS accession number ML042460739, which is listed in the Hearing File under the folder designated, "Drought Report."

Respectfully submitted,

***/RA/***

Robert M. Weisman  
Counsel for NRC Staff

Enclosures:   Hearing File Index, Supplement 2  
                  Affidavit of Michael L. Scott

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated September 21, 2004, providing notice of the availability of an update to the hearing file, with attachment, together with the affidavit of Michael L. Scott, in the captioned proceeding have been served on the following through electronic mail, with copies to follow by deposit in the NRC's internal mail system, or through electronic mail, with copies to follow by deposit in the U.S. Mail, first class, as indicated by an asterisk, this 21<sup>st</sup> day of September, 2004:

Alex S. Karlin, Chairman  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: ASK2@nrc.gov)

Office of Commission Appellate  
Adjudication  
Mail Stop 0-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Thomas S. Elleman  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
5207 Creedmoor Road, # 101  
Raleigh, NC 27612  
(E-mail: TSE@nrc.gov)

Office of the Secretary\*  
ATTN: Docketing and Service  
Mail Stop: 0-16C1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: HEARINGDOCKET@nrc.gov)

Richard F. Cole  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
(E-mail: RFC1@nrc.gov)

Diane Curran, Esq.\*  
Harmon, Curran, Spielberg  
& Eisenberg LLP  
1726 M Street NW, Suite 600  
Washington, DC 20036  
(E-mail: dcurran@harmoncurran.com)

Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

David R. Lewis, Esq.\*  
Robert B. Haemer, Esq.\*  
Shaw Pittman, LLP  
2300 N Street, N.W.  
Washington, DC 20037  
(E-mail: [david\\_lewis@shawpittman.com](mailto:david_lewis@shawpittman.com)  
[robert.haemer@shawpittman.com](mailto:robert.haemer@shawpittman.com))

Lillian M. Cuoco, Esq.\*  
Dominion Resources Services, Inc.  
Rope Ferry Road  
Waterford, CT 06385  
(E-mail: Lillian\_Cuoco@dom.com)

Paul Gunter\*  
Director, Reactor Watchdog Project  
Nuclear Information and Resource Service  
1424 16<sup>th</sup> Street, NW #404  
Washington, DC 20036  
(E-mail: nirsnet@nirs.org)

Michele Boyd\*  
Legislative Representative, Public Citizen  
215 Pennsylvania Avenue, SE  
Washington, DC 20003  
(E-mail: mboyd@citizen.org)

Richard A. Parrish, Esq.\*  
Southern Environmental Law Center  
201 West Main Street  
Charlottesville, VA 22902  
(E-mail: rparrish@selcva.org)

**/RA/**

---

Robert M. Weisman  
Counsel for NRC Staff

September 15, 2004

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

AFFIDAVIT OF MICHAEL L. SCOTT CONCERNING MANDATORY DISCLOSURE  
REQUIREMENT OF 10 C.F.R. § 2.336(d)

I, Michael L. Scott, being first duly sworn, do hereby state as follows:

1. I am employed as a Senior Project Manager in the New, Research and Test Reactors Program of the Division of Regulatory Improvement Programs in the Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. I serve as project manager for the NRC's review of the early site permit application submitted by Dominion Nuclear North Anna, LLC, at issue in this proceeding.
2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. §2.336 (b) and (d) in the captioned proceeding have been disclosed, in accordance with the Atomic Safety and Licensing Board's Order dated August 31, 2004, and that the disclosures are accurate and complete as of the date of this certification.
3. I hereby certify that the foregoing is true and complete to the best of my knowledge, information and belief.

**/RA/**

\_\_\_\_\_  
Michael L. Scott

**DOMINIION-52-008-ESP HEARING FILE INDEX**  
**Supplement 2 - September 21, 2004**

Accession Number:	Document Date	Title
ML042360265	8/23/2004	US Dept of Transportation, National Transportation Statistics 2002 - Table 62 Highway Fatalities per 100 Million Vehicles for Selected Vehicle Types: 1991-2001.

**Package - ESPApplicationRev3 ML042590081**

ML042590090	2/11/2003	Final Report, Results of Geotechnical Exploration and Testing North Anna ESP Project, Louisa County, Virginia.
ML042590086	9/25/2003	North Anna Early Site Permit Application.
ML042590082	9/7/2004	Dominion Nuclear North Anna, LLC North Anna Early Site Permit Application Revision 3.
ML042590087	9/30/2004	North Anna Early Site Permit Application, Revision 3, Chapter 1 through 2.5.4A-66.
ML042590092	9/30/2004	North Anna Early Site Permit Application, Revision 3, Chapter 2-2-326 through 2-2-421.
ML042590093	9/30/2004	North Anna Early Site Permit Application, Revision 3, Chapter 2-2-422 through 2-2-453.
ML042590095	9/30/2004	North Anna Early Site Permit Application, Revision 3, Chapter 2-2-454 through 2-17-1.
ML042590096	9/30/2004	North Anna Early Site Permit Application, Revision 3, Part 3 - Environmental Report, Chapter 1 through 3-2-260.
ML042590097	9/30/2004	North Anna Early Site Permit Application, Revision 3, Part 3 - Environmental Report, Chapter 3-3-1 through 4-1-9.