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

November 3, 2005

OFFICE OF THE  
GENERAL COUNSEL

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  
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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 the North Anna ESP Site)  
Docket No. 52-008-ESP

Dear Administrative Judges:

In its Initial Scheduling Order dated January 19, 2005, the Atomic Safety and Licensing Board presiding over this proceeding ordered the NRC staff to notify the Board and parties of any delay and revised schedule "within 10 days of any changes or revisions in the estimates for completion or issuance of the FEIS, FSER, NUREG, or ACRS letter." The Staff had previously informed the Board of changes to the Staff's review schedule in letters dated July 8, 2004, November 12, 2004, and August 19, 2005.

Pursuant to the Board's Initial Scheduling Order, the Staff hereby informs the Board and parties that the schedule for issuing the final EIS has changed in light of a letter dated October 24, 2005, from Dominion to the Staff. In the letter, which is enclosed, Dominion has informed the Staff that it intends to modify the cooling system proposed for ESP Unit 3. This modification will warrant a change in the final EIS.

In a letter dated November 2, 2005, the Staff requested that Dominion revise its application and environmental report (ER) to describe this new proposal and its effects, and submit a schedule for doing so. Until the Staff receives and considers the revised application and ER, the Staff is unable to project when the final EIS can be issued. In addition, the safety evaluation report (SER), NUREG-1835, issued September 2005, may need to be supplemented in light of the revision to the application.

Judge Karlin  
Judge Cole  
Judge Elleman

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November 3, 2005

The Staff will inform the Board as soon as is practicable after receiving the revision to the application and ER, and formulating a new schedule for issuing the final EIS and a supplement to the SER, should one be warranted.

Sincerely,

*Robert M. Weisman*

Robert M. Weisman  
Counsel for the NRC Staff

Enclosures: As stated

cc w/encl:	David R. Lewis, Esq.	Lillian M. Cuoco, Esq.	SECY
	Robert B. Haemer, Esq.	Diane Curran, Esq.	OCAA
	Jonathan M. Rund, Esq.	Richard A. Parrish, Esq.	ASLBP
	Timothy J. V. Walsh, Esq.	Michele Boyd	
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October 24, 2005

U. S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555

Serial No. 05-728  
ESP/JDH  
Docket No. 52-008

**DOMINION NUCLEAR NORTH ANNA, LLC**  
**NORTH ANNA EARLY SITE PERMIT APPLICATION**  
**PLANNED REVISION TO UNIT 3 COOLING WATER APPROACH**

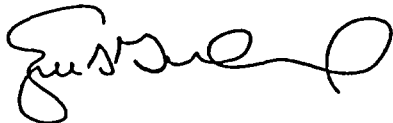
Dominion Nuclear North Anna, LLC (Dominion) has conducted additional evaluations of cooling water alternatives for a potential third nuclear reactor at its North Anna site. Based on those evaluations, the company has decided to modify its approach for cooling a third unit from the base case currently described in the North Anna Early Site Permit application. The revised approach would reduce both thermal impacts and water consumption associated with Lake Anna. The company is taking this action partly in response to concerns that have been raised by state regulatory bodies and local residents.

Under the revised approach, Unit 3 would use a closed-cycle cooling system that would not utilize the 3,400-acre waste heat treatment facility for cooling. In addition, the evaporative loss of water from Lake Anna required for cooling a third unit would be reduced from that previously considered.

We are currently evaluating the potential impact of this revised approach on the North Anna ESP application and will take appropriate action based on the results of that evaluation. However, it was deemed prudent to advise you of our decision in a timely manner so that you would be aware of this change in plans.

If you have any questions or require additional information, please contact Mr. Tony Banks at 804-273-2170.

Very truly yours,



Eugene S. Grecheck  
Vice President-Nuclear Support Services

Enclosures: None

Commitment made in this letter: Evaluate impact of change in Unit 3 cooling water on North Anna ESP application

-----  
cc: U. S. Nuclear Regulatory Commission, Region II  
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North Anna Power Station

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COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

The foregoing document was acknowledged before me, in and for the County and Commonwealth aforesaid, today by Eugene S. Grecheck, who is Vice President, Nuclear Support Services, of Dominion Nuclear North Anna, LLC. He has affirmed before me that he is duly authorized to execute and file the foregoing document on behalf of Dominion Nuclear North Anna, LLC, and that the statements in the document are true to the best of his knowledge and belief.

Acknowledged before me this 24<sup>th</sup> day of OCTOBER, 2005

My Commission expires: August 31, 2008

Margaret B. Bennett  
Notary Public

(SEAL)

November 2, 2005

Mr. David A. Christian  
Senior Vice President and Chief Nuclear Officer  
Dominion Resources Services, Inc.  
Innsbrook Technical Center  
5000 Dominion Blvd.  
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SUBJECT: MODIFICATION OF THE COOLING SYSTEM FOR DOMINION NUCLEAR  
NORTH ANNA ESP SITE

Dear Mr. Christian:

By letter dated October 24, 2005, Dominion Nuclear North Anna LLC (Dominion) notified the Nuclear Regulatory Commission (NRC) of Dominion's intent to modify its approach for cooling a potential third unit from the once-through cooling system currently described in the North Anna Early Site Permit (ESP) application. In your letter, you stated that this modified approach would use a closed-cycle cooling system that will not utilize the 3,400-acre waste heat treatment facility for cooling. In addition, you stated that the evaporative loss of water from Lake Anna necessary for cooling a third unit will be reduced from that previously considered.

The staff requests that Dominion submit a revision to the ESP application and environmental report to more specifically describe the proposed changed cooling system, with a discussion of the associated environmental and safety impacts in all affected areas. Please provide a schedule for submitting a revision to the application within 14 days of receipt of this letter such that the staff can accurately assess the resources and schedule impacts of the proposed change.

The staff will evaluate Dominion's revised submission to determine if changes to the environmental impact statement (EIS) and the safety evaluation report (SER) are warranted, and will inform you of the new schedule for issuing the EIS.

If you have any questions or comments concerning this matter, you may contact Jack Cushing at (301) 415-1424 or [jxc9@nrc.gov](mailto:jxc9@nrc.gov), or Nitin Patel at (301) 415-3201 or [nxp1@nrc.gov](mailto:nxp1@nrc.gov).

Sincerely,

*/RA/*

William D. Beckner, Deputy Director  
Division of New Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No. 52-008

cc: See next page

NORTH ANNA EARLY SITE PERMIT  
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