

700ms



**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
Atomic Safety and Licensing Board Panel
5207 Creedmoor Road, # 101
Raleigh, NC 27612

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

-2-

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	
	Morgan W. Butler, Esq.	Paul Gunter	

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
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Suite 23T85
Atlanta, Georgia 30303

Mr. Jack Cushing
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. J. T. Reece
NRC Senior Resident Inspector
North Anna Power Station

Mr. Nitin Patel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Richard Kingston
GE Nuclear Energy
Castle Hayne Rd, PO Box 780
Wilmington, NC 28401

Ms. Ellie L. Irons, Program Manager
Office of Environmental Impact Review
Virginia Department of Environmental Quality
P.O. Box 10009
Richmond, Virginia 23240

Mr. Adrian Heymer
Nuclear Energy Institute
1776 I Street, N.W., Suite 400
Washington, D.C. 20006-3708

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

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

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

Dianne Curran, Esq.
Harmon, Curran, Spielberg & Eisenberg, LLP
1726 M Street, N.W., Suite 600
Washington, D.C. 20036

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

Morgan W. Butler, Esq.
Southern Environmental Law Center
201 West Main Street
Charlottesville, VA 22902

Robert M. Weisman, Esq.
Office of General Counsel
U.S. Nuclear Regulatory Commission

Michael A. Woods, Esq.
Office of General Counsel
U.S. Nuclear Regulatory Commission

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 24th 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.
Glen Allen, VA 23060-6711

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, or Nitin Patel at (301) 415-3201 or 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
SERVICE LIST

Mr. David A. Christian
Senior Vice President and Chief Nuclear
Officer
Dominion Resources Services, Inc.
Innsbrook Technical Center
5000 Dominion Blvd.
Glen Allen, VA 23060-6711

Ms. Lillian M. Cuoco, Esq.
Senior Counsel
Dominion Resources Services, Inc.
Rope Ferry Road
Building 475, 5th Floor
Waterford, CT 06385

Mr. C. Lee Lintecum
County Administrator
Louisa County
P.O. Box 160
Louisa, Virginia 23093

Mr. David R. Lewis
Pillsbury Winthrop Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037

Dr. W. T. Lough
Virginia State Corporation Commission
Division of Energy Regulation
P. O. Box 1197
Richmond, Virginia 23209

Office of the Attorney General
Commonwealth of Virginia
900 East Main Street
Richmond, Virginia 23219

Senior Resident Inspector
North Anna Power Station
U. S. Nuclear Regulatory Commission
1024 Haley Drive
Mineral, Virginia 23117

Mr. Robert B. Strobe, M.D., M.P.H.
State Health Commissioner
Office of the Commissioner
Virginia Department of Health
P. O. Box 2448
Richmond, Virginia 23218

Mr. David Lochbaum
Union of Concerned Scientists
1707 H Street, NW
Suite 600
Washington, DC 20006-3919

Mr. Paul Gunter
Director of the Reactor Watchdog Project
Nuclear Information & Resource Service
1424 16th Street, NW, Suite 404
Washington, DC 20036

Mr. Adrian Heymer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Russell Bell
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Mr. Thomas P. Miller
U.S. Department of Energy
Headquarters - Germantown
19901 Germantown Road
Germantown, MD 20874-1290

Mr. James Riccio
Greenpeace
702 H Street, NW, Suite 300
Washington, DC 20001

Ms. Patricia Campbell
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Gary Wright, Manager
Division of Nuclear Safety
Illinois Emergency Management Agency
1035 Outer Park Drive
Springfield, IL 62704

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD. 20877

Mr. Ed Wallace, General Manager
Projects
PBMR Pty LTD
PO Box 9396
Centurion 0046
Republic of South Africa

NORTH ANNA EARLY SITE PERMIT
SERVICE LIST

-2-

Mr. Brendan Hoffman
Research Associate on Nuclear Energy
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

Mr. Tom Clements
6703 Guide Avenue
Takoma Park, MD 20912

Mr. Paul Leventhal
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 410
Washington, DC 20036

Dr. Jack W. Roe
Nuclear Energy Institute
1776 I Street, NW
Washington, DC 20006-3708

Mr. Charles Brinkman
Westinghouse Electric Co.
Washington Operations
12300 Twinbrook Pkwy., Suite 330
Rockville, MD 20852

Mr. Marvin Fertel
Senior Vice President
and Chief Nuclear Officer
Nuclear Energy Institute
Suite 400
1776 I Street, NW
Washington, DC 20006-3708

Dr. Glenn R. George
Co-Head, Energy Capital Markets
Nomura Securities International, Inc.
2 World Financial Center, Bldg. B, 21st Floor
New York, NY 10281-1198

Mr. Arthur R. Woods
Enercon Services, Inc.
500 TownPark Lane
Kennesaw, GA 30144

Ms. Vanessa E. Quinn, Chief
Radiological Emergency Preparedness
Section
Department of Homeland Security/FEMA
500 C Street, SW
Washington, DC 20472

Mr. Michael M. Cline, State Coordinator
Virginia Department of Emergency
Management
10501 Trade Court
Richmond, Virginia 23236-3713

Mr. Jim Debiec
Director - Power Production
Old Dominion Electric Cooperative
4201 Dominion Blvd
Glen Allen, VA 23060

Mr. Thomas Mundy
Director, Project Development
Exelon Generation
200 Exelon Way, KSA3-N
Kennett Square, PA 19348

Ms. Joanne Tetrault
Librarian
Louisa County Public Library
881 Davis Highway
Mineral, VA 23117

Ms. Abhaya Thiele
406 Key West Drive
Charlottesville, VA 22911

Mr. J. Randall Wheeler
Spotsylvania County Administrator
P.O. Box 99
Spotsylvania Courthouse
Spotsylvania, VA 22553

Mr. Ted Coberly
Orange County Administrator
P.O. Box 111
Orange, VA 22690

Mr. Jerald S. Holm
Framatome ANP, Inc.
3315 Old Forest Road
P.O. Box 10935
Lynchburg, VA 24506-0935

Ms. Kathryn Sutton, Esq.
Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Dick Clark
President, Oakridge Civic Assn.
2212 Founders Bridge Rd.
Midlothian, VA 23113

External E-mail

Eugene_Grecheck@dom.com
Jack_Davis@dom.com
Marvin_Smith@dom.com
Joseph_Hegner@dom.com
Lillian_Cuoco@dom.com
David_Sommers@dom.com
Vicki_Hull@dom.com
Margaret_Bennett@dom.com
david.lewis@pillsburylaw.com
gzinke@entergy.com
jerald.holm@framatome-anp.com
mwetterhahn@winston.com
whorin@winston.com
gcesare@enercon.com
louis.quintana@ge.com
rob.sweeney@ibexesi.com
steven.hucik@ge.com
david.hinds@ge.com
chris.maslak@ge.com
james1beard@ge.com
eddie.grant@exeloncorp.com