

RAS 10951

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

DOCKETED 01/05/06

SERVED 01/05/06

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

January 5, 2006

Order
(Scheduling Prehearing Teleconference)

This is to notify the applicant, Dominion Nuclear North Anna, L.L.C. (Dominion), the intervenors, Blue Ridge Environmental Defense League, the Nuclear Information and Resource Service, and Public Citizen, and the NRC Staff that the Board will hold a prehearing conference call to discuss scheduling matters on February 7, 2006 at 2 PM EST. The remainder of the schedule in this proceeding hinges on the Staff's issuance of the Final Environmental Impact Statement (FEIS),¹ which the Staff had planned to issue in December 2005.² On November 3, 2005, however, the Staff notified the Board that the FEIS would be delayed, and a supplement to the Safety Evaluation Report possibly required, pending (a) Dominion's submission of certain revisions to its application and Environmental Report (relating to Dominion's proposed changes

¹ See Licensing Board Initial Scheduling Order at 4-6 (Jan. 19, 2005).

² Letter from Robert M. Weisman, Counsel for NRC Staff, to Administrative Judges, Atomic Safety and Licensing Board Panel (Aug. 19, 2005) at 1, ADAMS Accession No. ML052420435.

to the cooling system proposed for Unit 3) and (b) the Staff evaluation of these revisions.³

At the prehearing conference, the parties should be prepared to report on, and discuss, the following:

1. Dominion's estimate of the date(s) when it will submit its revised license application, Environmental Report, and any other relevant documents to the NRC;
2. The NRC Staff's estimate of the amount of time it will take, after receiving the items specified above, to issue whatever revised or supplemented documents (e.g., EIS, SER) that it deems appropriate;
3. If the Staff's revisions and supplements are likely to take until at least July 2006 (more than 6 months from the Staff's previous estimate of December 2005 for the FEIS), whether and how this adjudicatory proceeding might be suspended; and
4. Any other matters relevant to the current delay.

The parties are encouraged to confer prior to the prehearing conference, with the goal of developing and submitting any joint proposals for handling the current delay. In addition, on or before February 2, 2006, counsel for each of the parties should contact SherVerne Cloyd at 301-415-6504 to obtain the telephone number and pass code for the conference call and to

³ Letter from Robert M. Weisman, Counsel for NRC Staff, to Administrative Judges, Atomic Safety and Licensing Board Panel (Nov. 3, 2005) at 1, ADAMS Accession No. ML053110416.

provide her with the names of their proposed participants.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁴

/RA/

Alex S. Karlin, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 5, 2006

⁴ Copies of this order were sent this date by Internet e-mail transmission to counsel for each of the parties to this proceeding and to the NRC Staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SCHEDULING PREHEARING TELECONFERENCE) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 5th day of January 2006