



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

September 29, 2006

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
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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 previously informed the Board of changes to the Staff's review schedule in letters dated July 8 and November 12, 2004, August 19 and November 3, 2005, and February 16 and May 9, 2006.

On September 26, 2006, the Board held a telephone pre-hearing conference on the status of the proceeding. During the pre-hearing conference, the Board requested the Staff to inform the Board in writing of the Staff's schedule for issuing its remaining review documents. Pursuant to the Board's request and the Initial Scheduling Order, the Staff hereby informs the Board and parties that the Staff intends to publish Supplement 1 to the Safety Evaluation Report

Judge Karlin, Chair
Judge Cole
Judge Elleman

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(NUREG-1835) (SER) by November 20, 2006, and intends to issue the Final Environmental Impact Statement by December 29, 2006. The schedule for issuing the SER is discussed in the enclosed Staff letter to the Applicant dated September 28, 2006.

Sincerely,

Robert M. Weisman

Robert M. Weisman
Counsel for the NRC Staff

Enclosure: As stated

cc w/encl:

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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September 28, 2006

Mr. David A. Christian
Senior Vice President and Chief Nuclear Officer
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Innsbrook Technical Center
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SUBJECT: SUPPLEMENT 1 TO FINAL SAFETY EVALUATION REPORT FOR THE NORTH ANNA EARLY SITE PERMIT APPLICATION

Dear Mr. Christian:

By letter dated September 25, 2003, Dominion Nuclear North Anna LLC (Dominion) submitted its application for an early site permit (ESP) to the U.S. Nuclear Regulatory Commission (NRC) in accordance with Subpart A of Part 52 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 52). The NRC reviewed the ESP application and issued a safety evaluation report (SER) for an ESP at the North Anna ESP Site (NUREG-1835) in September 2005. By letter dated April 13, 2006, Dominion submitted Revision 6 to its ESP application which included a revised safety site analysis report (SSAR) and a revised environmental report. Dominion revised and supplemented its application again on June 21 and July 31, 2006 (Revisions 7 and 8).

In its revised application, Dominion proposed: (1) changing its cooling design for proposed Unit 3 and (2) increasing the requested power levels for proposed Units 3 and 4. Dominion changed the once-through cooling system planned for Unit 3 in previous versions of the SSAR to a closed-cycle system; Unit 4 will use the dry cooling system as originally proposed. Dominion increased the power levels for Units 3 and 4 to match the designed maximum power (4500 MWt) of a General Electric Economic and Simple Boiling-Water Reactor (ESBWR), one of the reactor designs included in the plant parameter envelope.

By letter dated August 15, 2006, the NRC transmitted to you Supplement 1 to the SER in which the staff evaluated the impact of Dominion's changes identified in Revisions 6, 7 and 8 of the ESP application. The staff transmitted this supplement in accordance with the review schedule provided to Dominion by letter dated May 4, 2006. As identified in the letter dated August 15, 2006, Dominion was given a 14-day period to review Supplement 1 for proprietary information. During this time, it was discovered that the bounding value in the application for the total tritium concentration in liquid effluent releases could potentially exceed maximum tritium concentration limit set in the EPA drinking water standards. Therefore, Dominion revised its ESP application (Revision 9) on September 12, 2006, to reduce the bounding value for tritium activity release (associated with the ACR-700 design), to ensure that the tritium concentration in liquid effluent releases is less than both the 10 CFR Part 20 limit and the limit set in the EPA drinking water standards. The NRC revised Supplement 1 to the SER to reflect the changes in Revision 9 of the application.

Dominion has completed its proprietary review of Supplement 1 to the final SER and found no information it considers proprietary. Therefore, the staff is releasing Supplement 1 to the public. Interested persons may access the document by visiting the NRC's Public Document Room in Rockville, Maryland, through the NRC's public web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). The ADAMS accession number for Supplement 1 is ML062210383. A copy will also be made available on the NRC's public web site at <http://www.nrc.gov/reactors/new-licensing/esp/north-anna.html>.

Although the staff has publicly released Supplement 1 to the SER, the review of the Advisory Committee on Reactor Safeguards (ACRS) is still pending. Upon receipt of a letter regarding Supplement 1 from the ACRS, the staff will publish a bound version of Supplement 1 to NUREG-1835, including the ACRS letter. The staff intends to issue Supplement 1 to NUREG-1835 by November 20, 2006. Issuance of this supplement is an important milestone in the staff's review to determine whether Dominion's application meets the Commission's regulations.

If you have any questions or comments concerning this matter, contact Nitin Patel, the NRC's project manager at (301) 415-3201 or nxp1@nrc.gov.

Sincerely,


David B. Matthews, Director
Division of New Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 52-008

Enclosure: As stated

cc w/o encls: See next page

North Anna Early Site Permit
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