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Nuclear Development

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**Dominion®**

March 17, 2008

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

NA3-08-023  
Docket No. 52-017  
COL/JPH

**DOMINION VIRGINIA POWER**  
**NORTH ANNA UNIT 3 COMBINED LICENSE APPLICATION**  
**STATE AND LOCAL EMERGENCY PREPAREDNESS PLANS AND REQUEST FOR**  
**WITHHOLDING FROM PUBLIC DISCLOSURE**

On November 27, 2007, Dominion Virginia Power (Dominion) submitted the North Anna COL application (dated November 26, 2007) to the NRC. Part 5 of the application referenced state and local emergency preparedness plans. The NRC requested the referenced information and the plans were forwarded to the North Anna Unit 3 NRC Project Manager on January 17, 2008. That activity was documented in a Dominion letter to NRC dated January 28, 2008 (Serial No. NA3-08-001).

Enclosure 1 is a CD containing the referenced state and local emergency preparedness plans previously provided to the NRC Project Manager. The CD contains the following information:

- Virginia Emergency Operations Plan--Radiological Emergency Response Basic Plan
- Virginia Department of Health Emergency Response Plan
- Maryland Emergency Operations Plan--Radiological Emergency Plan
- Louisa County Radiological Emergency Response Plan
- Spotsylvania County Radiological Emergency Response Plan
- Orange County Radiological Emergency Response Plan
- Caroline County Radiological Emergency Response Plan
- Hanover County Radiological Emergency Response Plan

The Virginia state and local emergency plans on that CD contain sensitive information and should be withheld from public disclosure in accordance with 10 CFR 2.390. Enclosures 2 and 3 contain affidavits which provide the basis for withholding portions of those plans from the public. However, the Maryland Department of Emergency Management determined that the Maryland Emergency Operations Plan--Radiological Emergency Plan contains no information that should be withheld from the public.

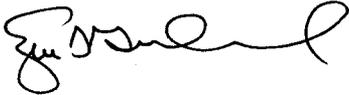
Enclosure 4 is a second CD which contains the same Virginia and Maryland state and local emergency preparedness plans suitable for release to the public.

AX45  
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Dominion has successfully performed the preflight checks and examined the PDF files contained on the CDs to ensure conformance with NRC guidelines related to electronic submittals. No revision to the North Anna COL application is needed as a result of providing this reference information.

Please contact Gina Borsh at (804) 273-2247 if you have any questions.

Very truly yours,



Eugene S. Grecheck

Enclosures:

1. CD containing North Anna COL Reference Information – State & Local Emergency Preparedness Plans—Withheld from Public Disclosure
2. Affidavit from Virginia Department of Emergency Management
3. Affidavit from Virginia Department of Health
4. CD containing North Anna COL Reference Information – State & Local Emergency Preparedness Plans – Suitable for Release to the Public

Commitments made in this letter: None

cc: U. S. Nuclear Regulatory Commission, Region II (All enclosures)  
Sam Nunn Atlanta Federal Center  
Atlanta, GA 30303

T. A. Kevern (All enclosures)  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

J. T. Reece (All enclosures)  
U.S. Nuclear Regulatory Commission  
North Anna Power Station

Karen Remley, MD, MBA, FAAP (Enclosures 2 and 3 only)  
State Health Commissioner  
Virginia Department of Health

Michael M. Cline (Enclosures 2 and 3 only)  
State Coordinator  
VA Department of Emergency Management

Russell J. Strickland (Enclosures 2 and 3 only)  
Deputy Director  
Maryland Emergency Management Agency

**Enclosure 2**

**Affidavit from Virginia Department of Emergency Management**

**APPLICATION UNDER 10 CFR 2.390 FOR WITHHOLDING DOCUMENTS  
FROM PUBLIC DISCLOSURE AND AFFADAVIT OF MICHAEL M. CLINE**

I, Michael M. Cline, state coordinator, Virginia Department of Emergency Management, states that:

1. I am authorized to execute this affidavit on behalf of the Commonwealth of Virginia Department of Emergency Management.
2. On November 26, 2007, Dominion submitted a Combined License Application to the Nuclear Regulatory Commission (NRC). As part of this application process, the following state and local plans are being submitted to the NRC:
  - a. Virginia Emergency Operations Plan
  - b. Radiological Emergency Response Plan
  - c. Louisa County Radiological Emergency Response Plan
  - d. Spotsylvania County Radiological Emergency Response Plan
  - e. Orange County Radiological Emergency Response Plan
  - f. Caroline County Radiological Emergency Response Plan
  - g. Hanover County Radiological Emergency Response Plan
3. The aforesaid Commonwealth and county Radiological Emergency Response Plans contain confidential proprietary information and sensitive homeland security information, which are protected from public disclosure pursuant to § 2.2-3705.2(2) and (4) of the *Code of Virginia*. This information should be held from public disclosure by the NRC because:
  - a. This information has been held in confidence by the Virginia Department of Emergency Management.
  - b. This type of information is typically held in confidence by the Virginia Department of Emergency Management, and the rational basis for doing so is that the information contains sensitive information concerning the Commonwealth's and localities' detailed plans for preparing for and responding to radiological emergencies, including radiological sabotage.
  - c. This information is being transmitted to the NRC in confidence.
  - d. Public disclosure of this information could create substantial harm to the Commonwealth and local authorities by enabling entities inimical to the interests of the United States to adversely impact government response capabilities.

- e. This information is not available in public sources.
- f. Section 2.2-3705.2(2) and (4) authorize the custodian of the above records to withhold such records from public disclosure.

Accordingly, the Virginia Department of Emergency Management requests that the designated documents be withheld from public disclosure pursuant to 10 CFR 2.390(a)(4).

Virginia Department of Emergency Management

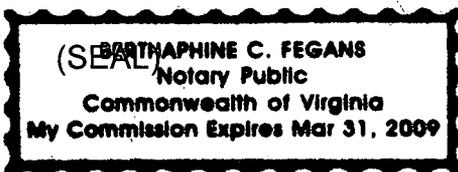
  
Michael M. Cline, State Coordinator

COMMONWEALTH OF VIRGINIA

COUNTY OF Cheskerfield

Subscribed and sworn to me, a Notary Public, in and for the County and State above named, this 13<sup>th</sup> day of February, 2008

  
My Commission Expires: 3-31-09



Notary Registration Number: 356110

**Enclosure 3**

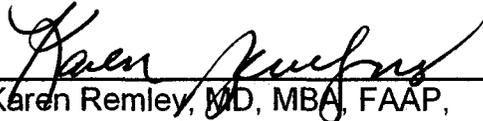
**Affidavit from Virginia Department of Health**

**APPLICATION UNDER 10 CFR 2.390 FOR WITHHOLDING DOCUMENTS  
FROM PUBLIC DISCLOSURE AND AFFADAVIT OF KAREN REMLEY, MD, MBA,  
FAAP, STATE HEALTH COMMISSIONER**

I, Karen Remley, MD, MBA, FAAP, State Health Commissioner, Virginia Department of Health, state that:

1. I am authorized to execute this affidavit on behalf of the Virginia's Department of Health.
2. On November 26, 2007, Dominion submitted a Combined License Application to the Nuclear Regulatory Commission (NRC). As part of this application process, the following Virginia Department of Health Plan is being submitted to the NRC:
  - a. Emergency Response Plan
3. The aforesaid Department of Health plan contains records relating to public safety which are protected pursuant to 2.2-3705.2 of the Code of Virginia. This information should be withheld from public disclosure by the NRC because:
  - a. This information has been held in confidence by the Virginia Department of Health.
  - b. This type of information is typically held in confidence by the Virginia Department of Health, and there is a rational basis for doing so because the information contains sensitive information concerning the Commonwealth's and localities detailed plans for preparing for and responding to radiological emergencies, including radiological sabotage.
  - c. This information is being transmitted to the NRC in confidence.
  - d. Public disclosure of this information could create substantial harm to the Commonwealth and local authorities by enabling entities inimical to the interests of the United States to adversely impact government response capabilities.
  - e. This information is not available in public sources.

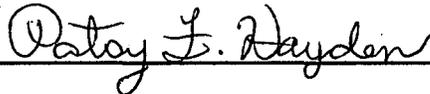
Accordingly, the Virginia Department of Health requests that the designated documents be withheld from public disclosure pursuant to 10 CFR 2.390(a)(3).

  
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Karen Remley, MD, MBA, FAAP,  
State Health Commissioner  
Virginia Department of Health

COMMONWEALTH OF VIRGINIA

COUNTY OF Richmond

Subscribed and sworn to me, a Notary Public, in and for the County and State above named, this 7<sup>th</sup> day of February, 2008

  
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My Commission Expires: August 31, 2009  
Registration No. 245247

(SEAL)

