

March 2, 2009

Ronald Spritzer, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Richard F. Cole
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Alice C. Mignerey
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Alan S. Rosenthal
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
VIRGINIA ELECTRIC and POWER COMPANY
d/b/a DOMINION VIRGINIA POWER and OLD
DOMINION ELECTRIC COOPERATIVE
(Combined License Application for North Anna Unit 3)

Dear Administrative Judges:

Pursuant to the Board's Order dated September 10, 2008, the Staff herein provides to the Board and the parties as an enclosure to this letter an index identifying additions to the Hearing File, as required to be disclosed by the Staff in accordance with 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each enumerated document so as to make each document readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, the Staff will add the indexed documents to the folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "North Anna Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Thomas A. Kevern.

In accordance with the Licensing Board's September 10, 2008 Order, relieving all parties from the obligation of producing privilege logs, as otherwise required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5), the Staff is not producing privilege logs at this time. However, in accordance with the September 10 Order, the Staff shall produce a log of documents withheld as containing proprietary information, though there are no such documents being withheld at this time. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged documents during the pendency of this proceeding.

Respectfully submitted,

/signed (electronically) by/

Sara B. Kirkwood¹
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
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Sara.Kirkwood@nrc.gov

Dated at Rockville, Maryland
this 2nd day of March, 2009

Enclosures: Attachment 1: Hearing File Index
Affidavit of Thomas A. Kevern

¹ Please note that I have changed my name from Sara E. Brock to Sara B. Kirkwood.

Attachment 1

**North Anna COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 5 – March 2, 2009**

	Accession Number	Document Date	Title
5-1	ML090280020	01/26/2009	2009/01/26 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-2	ML090280021	01/26/2009	2009/01/26 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-3	ML090280243	01/26/2009	2009/01/26 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-4	ML090280244	01/26/2009	2009/01/26 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-5	ML090370102	02/05/2009	2009/02/05 North Anna 3 COL Hearing - RE: RE: Comments Re: Draft SEIS
5-6	ML090370103	02/04/2009	2009/02/04 North Anna 3 COL Hearing - Comments Re: Draft SEIS
5-7	ML090370135	01/29/2009	2009/01/29 North Anna 3 COL Hearing - FW: Pamunkey Indian Interview (predecisional)
5-8	ML090370139	02/05/2009	2009/02/05 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-9	ML090370141	02/03/2009	2009/02/03 North Anna 3 COL Hearing - LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-10	ML090370142	02/05/2009	2009/02/05 North Anna 3 COL Hearing - FW: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-11	ML090370145	02/05/2009	2009/02/05 North Anna 3 COL Hearing - FW: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-12	ML090370146	02/03/2009	2009/02/03 North Anna 3 COL Hearing - FW: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS (public)
5-13	ML090370147	02/02/2009	2009/02/02 North Anna 3 COL Hearing - FW: FOLA's concerns with NRC North Anna Draft SEIS (public)
5-14	ML090370149	01/29/2009	2009/01/29 North Anna 3 COL Hearing - NRC letter regarding North Anna Unit 3 (public)

	Accession Number	Document Date	Title
5-15	ML090370150	02/05/2009	2009/02/05 North Anna 3 COL Hearing - RE: Chapter 12 - North Anna SER/OI
5-16	ML090370151	02/02/2009	2009/02/02 North Anna 3 COL Hearing - FW: Chapter 12 - North Anna SER/OI
5-17	ML090370153	02/04/2009	2009/02/04 North Anna 3 COL Hearing - NA Unit 3 Commitment for Compliance with Part 20.1406.
5-18	ML090370155	02/02/2009	2009/02/02 North Anna 3 COL Hearing - RE: Chapter 12 - North Anna SER/OI
5-19	ML090370156	02/05/2009	2009/02/05 North Anna 3 COL Hearing - RE: Chapter 12 - North Anna SER/OI
5-20	ML090370157	01/29/2009	2009/01/29 North Anna 3 COL Hearing - RE: Invitation: Staff-Dominion telecon re NA SER Section 2.4 RAIs (Feb 9 11:00 EST in T-7B1)
5-21	ML090540165	02/10/2009	2009/02/10 North Anna 3 COL Hearing - NRC-2635 Transcript Attached
5-22	ML090540179	02/05/2009	2009/02/05 North Anna 3 COL Hearing - RE: Public Meeting at Louisa County High School (public)
5-23	ML090540180	02/18/2009	2009/02/18 North Anna 3 COL Hearing - FW: Public Meeting at Louisa County High School (public)
5-24	ML090540181	02/18/2009	2009/02/18 North Anna 3 COL Hearing - FW: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-25	ML090540182	02/03/2009	2009/02/03 North Anna 3 COL Hearing - Re: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-26	ML090540183	02/18/2009	2009/02/18 North Anna 3 COL Hearing - FW: LACA Water Quality Committee's concerns with NRC North Anna Draft SEIS
5-27	ML090540184	02/01/2009	2009/02/01 North Anna 3 COL Hearing - FOLA's concerns with NRC North Anna Draft SEIS
5-28	ML090540185	02/18/2009	2009/02/18 North Anna 3 COL Hearing - FW: FOLA's concerns with NRC North Anna Draft SEIS
5-29	ML090540187	02/17/2009	2009/02/17 North Anna 3 COL Hearing - RE: Staff-Dominion telecon re NA SER Section 2.4 RAIs - 2/09/2009 Telcon Summary
5-30	ML090540189	02/10/2009	2009/02/10 North Anna 3 COL Hearing - FW: ESBWR DCWG Mtg MOVED to Feb. 11th in Auditorium
5-31	ML090540190	02/10/2009	2009/02/10 North Anna 3 COL Hearing - Telcon Requested

	Accession Number	Document Date	Title
5-32	ML090540191	02/23/2009	2009/02/23 North Anna 3 COL Hearing - FW: NA Review and RAIs
5-33	ML090540192	02/19/2009	2009/02/19 North Anna 3 COL Hearing - NA Review and RAIs
5-34	ML090540193	02/12/2009	2009/02/12 North Anna 3 COL Hearing - Re: Telcon Requested
5-35	ML090540195	02/18/2009	2009/02/18 North Anna 3 COL Hearing - North Anna RAI Letter #032
5-36	ML090550310	02/10/2009	2009/02/10 North Anna 3 COL Hearing - FW: ESBWR DCWG Mtg MOVED to Feb. 11th in Auditorium
5-37	ML090550316	02/24/2009	2009/02/24 North Anna 3 COL Hearing - FW: Staff-Dominion telecon re NA SER Section 2.4 RAIs - 2/09/2009 Telcon Summary

February 27, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
VIRGINIA ELECTRIC AND POWER CO.,)
dba DOMINION VIRGINIA POWER,)
and OLD DOMINION ELECTRIC COOP.) Docket No. 52-017
)
(North Anna Unit 3))

AFFIDAVIT OF THOMAS A. KEVERN CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Thomas A. Kevern, do hereby state as follows:

1. I am employed as a Project Manager in the ESBWR/ABWR Projects Branch 1 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as project manager for the NRC's review of the Combined License application submitted by Virginia Electric and Power Company, at issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(d) in the captioned proceeding have been disclosed pursuant to the Licensing Board's September 10th, 2008 Order, and that the disclosures are accurate and complete as of February 20th, 2009.

3. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

Executed in Accord with 10 CFR § 2.304(d)

Thomas A. Kevern
Project Manager, ESBWR/ABWR Projects Branch 1
Division of New Reactor Licensing
U.S. Nuclear Regulatory Commission
Mail Stop T-7 F29
Washington, DC 20555-0001
(301) 415-0224
Thomas.Kevern@nrc.gov

Executed in Rockville, MD
this 27th day of February, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
VIRGINIA ELECTRIC AND POWER CO.,)
dba DOMINION VIRGINIA POWER,)
and OLD DOMINION ELECTRIC) Docket No. 52-017-COL
COOPERATIVE)
)
(North Anna Power Station, Unit 3))

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated March 2, 2009, providing notice of the availability of an update to the hearing file per 10 C.F.R. § 2.336(d), with enclosures, together with the affidavit of Thomas A. Kevern, have been served upon the following persons by Electronic Information Exchange this 2nd day of March, 2009:

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