

June 1, 2010

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
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Alice C. Mignerey
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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:

In a letter dated May 18, 2010, Dominion Virginia Power (Applicant), informed the NRC Staff that it has selected the Mitsubishi Heavy Industries, Ltd., U.S. Advanced Pressurized Water Reactor (US-APWR) design to reference in its Combined License Application for North Anna Unit 3. The Application originally referenced the General Electric-Hitachi Economic Simplified Boiling Water Reactor design. The Applicant stated that it would revise its Application to incorporate by reference the US-APWR design control document, which is currently under NRC

Staff review, on or before June 30, 2010. For the Board's convenience, the Staff is enclosing Dominion's May 18 letter, which is also available in ADAMS at Accession No. ML101410207.

Respectfully submitted,

/signed (electronically) by/
Robert M. Weisman
Counsel for the NRC Staff
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Enclosure: Letter dated May 18, 2010
from E.S. Grecheck to NRC

Service List: L.A. Zeller, BREDL
L.S. Watson, Jr., Esq., NCUC
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May 18, 2010

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

Serial No. NA3-10-010
Docket No. 52-017
COL/JDH

DOMINION VIRGINIA POWER
NORTH ANNA UNIT 3
COMBINED LICENSE APPLICATION—TECHNOLOGY CHANGE

Following an extensive competitive bidding process for a North Anna Unit 3 reactor technology, Dominion announced on May 7, 2010 that it has selected the Mitsubishi Heavy Industries, Ltd. U.S. Advanced Pressurized Water Reactor (US-APWR). The Combined License Application (COLA) for North Anna Unit 3 that was submitted to NRC on November 27, 2007 incorporated by reference the General Electric-Hitachi ESBWR technology. To reflect the technology decision, Dominion is preparing and will submit a revised North Anna Unit 3 COLA to the NRC on or before June 30, 2010. The revised COLA will incorporate by reference the Design Control Document for the US-APWR design currently under NRC review.

NRC's review of the North Anna Unit 3 COLA is well-advanced. NRC has completed all four phases of its environmental review and published its Final Supplemental Environmental Impact Statement in February 2010. NRC has completed the first three phases of its six-phase safety review. The Safety Evaluation Report (SER) chapters with open items were issued in August 2009 completing Phase 2. The Advisory Committee on Reactor Safeguards issued its letter report in October 2009 completing Phase 3. NRC and Dominion are now in Phase 4 working to close the remaining open items.

Dominion has conducted a review of the remaining open items. We have identified those open items for which continuing the efforts to resolve appears to be of benefit. Dominion is prepared to provide that information to NRC as well as provide NRC with an overview of the revised COLA and discuss technical issues. To that end, Dominion proposes to meet with NRC in the near-term. We will work with you to identify mutually-agreeable dates for such meetings.

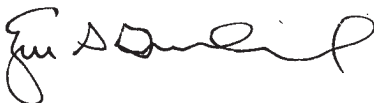
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NRD

We note that the impact on NRC's review from Dominion's decision to change technology is ameliorated by several factors:

- The Part 52 process allows standard design information to be incorporated by reference in the COLA and thus provides a straight-forward mechanism to implement such a change. Dominion's decision has no direct impact on NRC's ongoing review of the design certification for either reactor technology.
- The North Anna Early Site Permit, issued in November 2007, was based on a plant-parameter envelope (PPE) approach that supports a variety of light water reactor (LWR) technologies. The US-APWR design is an advanced LWR with design characteristics enveloped by the PPE with only minor variances that will be addressed in Dominion's revised COLA.
- Under the design-centered review approach, Luminant's Comanche Peak application is the Reference or R-COLA within the US-APWR Design-Centered Working Group (DCWG). The revised North Anna Unit 3 COLA will be designated a Subsequent or S-COLA. Dominion has begun coordinating with other US-APWR DCWG members. In parallel, we are coordinating our withdrawal from the ESBWR DCWG in a controlled manner to minimize any adverse impacts on that design center.
- To reduce the scope, duration, and resource requirements needed for NRC to complete its review, Dominion will retain as much previously reviewed and approved content as possible in the revised North Anna Unit 3 COLA. The COLA revision is limited to reflecting the technology change and to incorporating previous RAI responses or commitments, where appropriate. Wherever possible, the revised content is also being prepared to maximize standardization with the US-APWR R-COLA.

We look forward to continuing interactions with NRC and acquiring a Combined License for North Anna Unit 3. If you have any questions, please contact Mr. Joseph D. Hegner at 804-273-2770 (joseph.hegner@dom.com).

Very truly yours,



Eugene S. Grecheck

Commitments made by this letter:

1. Submit North Anna COLA revision incorporating US-APWR technology on or before June 30, 2010.

cc: U. S. Nuclear Regulatory Commission, Region II
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C. Patel, NRC
J. Jessie, NRC
J. T. Reece, NRC
F. Gillespie, MNES
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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 June 1, 2010 regarding the North Anna Combined License design change have been served upon the following persons by Electronic Information Exchange this 1st day of June, 2010:

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/signed (electronically) by/

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