ACTION ALERT  
Petition for Intervention Deadline October 4, 2010  
Dominion – Virginia Power at North Anna  
Change in reactor design forces new hearings


As a party granted leave to intervene, the Blue Ridge Environmental Defense League pressed the Atomic Safety and Licensing Board for a new licensing process under 10 CFR 2.309 and 10 CFR Part 52. This would have opened the docket to all interested parties and required the publication of a notice in the Federal Register. Dominion and the NRC opposed this. So, the ASLB has given the Blue Ridge Environmental Defense League until October 4, 2010 to submit new contentions.

We are asking all interested parties to assist us by submitting position statements, technical analyses, expert affidavits and legal briefs opposing a new APWR reactor at North Anna. Documents submitted to the League before the deadline will be used in the renewed intervention. Limited appearance statements may also be submitted at any time to the ASLB Panel.

The June 29, 2010 revision to the Combined Operating License Application (COLA) involves a more substantial change than a typical license application amendment. Dominion has substituted a different nuclear reactor design from the one it originally proposed to build. As a result, the COLA now incorporates by reference the Design Control Document (DCD) for the Mitsubishi Heavy Industries, Ltd., U.S. Advanced Pressurized Water Reactor, rather than the DCD for the General Electric-Hitachi Economic Simplified Boiling Water Reactor, which was referenced in the original COLA. Dominion’s revision of its license application includes 20,022 pages of documents, with extensive new information and a completely different reactor design (DCD). The ASLB has stated that the DCD itself is not subject to challenge in this proceeding, despite the fact that the North Anna Final Safety Analysis Report (FSAR) now refers to a different design. Further, the new Environmental Report (ER) also contains new information.

We believe the Atomic Safety and Licensing Board has committed a grave error in its recent order limiting the public’s right to participate in licensing of nuclear power. Most of the Commission’s reviews and most of the opportunities for the Intervenor and the affected public to participate have passed. A diminishing number of occasions for review and comment on the North Anna Unit 3 remain. We know of no other example of a reactor license being so fundamentally altered in midstream. The reactor design swap has thrown a monkey wrench into the proceeding. We believe it violates Atomic Energy Act and other applicable laws and regulations.

To assist in this effort, contact the Blue Ridge Environmental Defense League.
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Also, contact the ASLB judge who has jurisdiction over this matter.

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