

November 21, 2001
DOCKETED 11/23/01

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
DOMINION NUCLEAR CONNECTICUT, INC.)	Docket No. 50423-LA-3
)	
(Millstone Nuclear Power Station,)	
Unit No. 3)	

NRC STAFF'S MOTION REQUESTING THE LICENSING BOARD TO ACCEPT DR. RONALD R. BELLAMY'S AFFIDAVIT REGARDING CHANGES IN THE STAFF'S SCHEDULE

BACKGROUND

On September 4, 2001 the Nuclear Regulatory Commission's staff (Staff) filed a motion to hold this proceeding in abeyance. Along with the motion, Dr. Ronald R. Bellamy, Chief, Decommissioning and Laboratory Branch, Division of Nuclear Materials Safety, furnished an affidavit in which he stated that the Staff would make available a report detailing the Staff's inspection of the Fuel Rod Accountability Project report by the end of November.

DISCUSSION

In the affidavit filed today, Dr. Bellamy states that the staff's inspection report will not be available until the end of January 2002.¹ As Dr. Bellamy explains, the delayed delivery of the Root Cause Analysis Report (RCA), along with the need for an additional inspection effort, have caused the Staff to push back its schedule. The staff, however, is not asking for a deferral of the discovery schedule and acknowledges that, pursuant to the Board's November 5, 2001 Order, discovery against the staff begins December 4, 2001.

¹Attached hereto is an unsigned copy of the affidavit. A signed and notarized copy of the affidavit will be forwarded to the Board and the parties upon receipt.

CONCLUSION

The Staff moves to have the Licensing Board accept Dr. Ronald R. Bellamy's affidavit regarding changes in the staff's schedule.

Respectfully submitted,

/RA/

Antonio Fernández
Counsel for NRC Staff

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
DOMINION NUCLEAR CONNECTICUT, INC.)	Docket No. 50-423-LA-3
)	
(Millstone Nuclear Power Station,)	
Unit No. 3))	

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S MOTION REQUESTING THE LICENSING BOARD TO ACCEPT DR. RONALD R. BELLAMY'S AFFIDAVIT REGARDING CHANGES IN THE STAFF'S SCHEDULE" in the above-captioned proceeding have been served on the following through deposit in the NRC's internal mail system, or by deposit in the NRC's internal mail system with copies by electronic mail, as indicated by an asterisk, or by deposit in the U.S. Postal Service with copies by electronic mail, as indicated by a double asterisk, this 21st day of November, 2001:

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/RA/

Antonio Fernández
Counsel for NRC Staff

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

AFFIDAVIT OF DR. RONALD R. BELLAMY REGARDING CHANGES IN THE
NRC STAFF'S SCHEDULE

1. I am Chief of the Decommissioning and Laboratory Branch, Division of Nuclear Materials Safety in Region 1, U.S. Nuclear Regulatory Commission.
2. My branch is leading the NRC Staff's inspection review of the Fuel Rod Accountability Project (FRAP) for Millstone Nuclear Power Station, Unit 1.
3. The FRAP Final Report was provided to NRC on October 5, 2001.
4. The Staff's onsite inspection of the FRAP report was conducted at Millstone October 9-19, 2001.
5. The licensee's Root Cause Analysis report was provided to NRC on October 31, 2001.
6. The Staff plans to continue its inspection effort and conduct a site visit to GE Vallecitos Nuclear Center (VNC) during the week of December 5, 2001.
7. The staff will complete its inspection, formulate its report and make it available to the parties. Based upon the delivery of the Root Cause Analysis Report one month later than anticipated, the need for additional inspection effort, and upon the anticipated completion date of these additional inspection-related activities,

I anticipate the Staff's report of the inspection of the FRAP and Root Cause Analysis reports to be completed by the end of January 2002.

9. The matters stated above are true and correct to the best of my knowledge, information and belief.

Dr. Ronald R. Bellamy
Chief, Decommissioning and
Laboratory Branch
Division of Nuclear Materials Safety

Subscribed and sworn to before me
this day of

Notary Public
My commission expires: