

**RAS 3645**

GRANTED (amended affidavit dated 12/5/01)  
For the Atomic Safety and  
Licensing Board

*Charles Bechhofer, Chairman*  
12/19/01 UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

November 21, 2001

DOCKETED  
USNRC

December 11, 2001 (10:39AM)

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

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

Docket No. 50423-LA-3

SERVED DEC 11 2001

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.<sup>1</sup> 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.

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<sup>1</sup>Attached 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.

**Template- SECY-048**

**SECY-02**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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 the foregoing LB GRANT OF NRC STAFF'S MOTION RE ACCEPTANCE OF DR. RONALD R. BELLAMY'S AFFIDAVIT have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Administrative Judge  
Richard F. Cole  
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Administrative Judge  
Charles N. Kelber  
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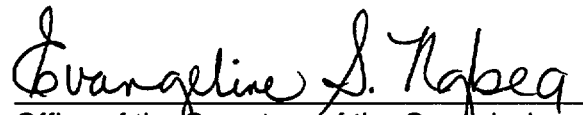
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Docket No. 50-423-LA-3  
LB GRANT OF NRC STAFF'S MOTION RE  
ACCEPTANCE OF DR. RONALD R. BELLAMY'S  
AFFIDAVIT

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 11<sup>th</sup> day of December 2001