



Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW | Washington, DC 20037-1122 | tel 202.663.8000 | fax 202.663.8007

David R. Lewis
tel 202.663.8474
david.lewis@pillsburylaw.com

January 6, 2014

Ronald M. Spritzer, Esq. Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dr. Alice C. Mignerey
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Alan S. Rosenthal, Esq.
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
Dominion Virginia Power
(North Anna Power Station, Unit 3)
Docket No. 52-017-COL; ASLBP No. 08-863-01-COL

Dear Administrative Judges:

Virginia Electric and Power Company, dba Dominion Virginia Power (“Dominion”), is writing to notify the Atomic Safety and Licensing Board (“Board”) and Parties that Dominion has completed its seismic assessment and incorporated that assessment and its results into the North Anna Unit 3 Combined License Application (“COLA”). This assessment is included in the update to the COLA submitted to the NRC on December 18, 2013, completing the revisions necessitated by reversion to the ESBWR technology.

As reflected in the updated COLA, Dominion has gathered and evaluated geologic information and performed field reconnaissance activities to investigate the August 23, 2011 Mineral Virginia earthquake. Dominion has also used the new Central and Eastern United States seismic source characterization (“CEUS SSC”) model (NUREG-2115 (Jan. 2012)) and the methodology in Regulatory Guide 1.208 to develop a revised Probabilistic Seismic Hazard Analysis (“PSHA”) and site-specific seismic response spectra. Dominion updated the seismicity catalog in the CEUS SSC model to include the Mineral Virginia earthquake and evaluate the hazard input of that earthquake.

Information on the Mineral Virginia earthquake is provided throughout Sections 2.5.1 and 2.5.2 of the FSAR, including but not limited to the following: Information on the investigations and geologic reconnaissance undertaken to assess the seismicity of the Mineral Virginia earthquake is provided in Sections 2.5.1.1.7, 2.5.2.1.3, 2.5.2.2.5.1, and 2.5.2.4.2 of the FSAR. The updating of the CEUS SSC catalog is addressed in Sections 2.5.2.1.2 of the FSAR. Within FSAR Section 2.5.2.4, which details the PSHA for Unit 3, Sections 2.5.2.4.2 - 2.5.2.4.3 address the impact of the Mineral Virginia earthquake on the CEUS SSC model. FSAR Section 2.5.2.6 presents the development of the site-specific seismic response spectra. Soil-structure interaction (“SSI”) analyses demonstrating the ability of the plant to withstand these ground motions is presented in Section 3.7 of the FSAR. Departures and variances are addressed in Part 7 of the COLA.

In October 2011, the Board granted a consent motion to hold in abeyance the Blue Ridge Environmental Defense League’s (“BREDL”) proposed contention relating to the Mineral Virginia earthquake until Dominion completed its assessment of what changes should be made to the Unit 3 COL application in light of that earthquake. Order (Granting Consent Motion to Hold BREDL’s New Contention in Abeyance) (Oct. 20, 2011). In July, 2012, following the Commission’s clarification of the status of the adjudicatory proceeding, the Board issued a further order granting BREDL sixty days from the date when Dominion informs the Board and Parties that the seismic assessment is complete in which to move to reopen the proceeding on seismic issues. Order (Setting Time for Filing Motion to Reopen the Proceeding) (July 26, 2012). In July 2013, the Board advised that as presently constituted it has the power only to rule on a petition to reopen that challenges the adequacy of the applicant’s seismic analyses and reminded BREDL that a reopening petition must meet each of the strict requirements of 10 C.F.R. § 2.326. Order (Holding Motion to Reopen the Proceeding in Abeyance) (July 23, 2013).

With this notification, the period in which BREDL may seek reopening on seismic issues commences pursuant to the Board’s July 26, 2012 Order. As a courtesy to BREDL, Dominion has waited until after the holidays to provide this notification and on January 3 transmitted a DVD containing the December 2013 COLA Update to BREDL by Federal Express for delivery this morning. Dominion has also communicated (by email and voice mail messages) with BREDL’s representative, Mr. Zeller, to alert him to the delivery; and Federal Express has confirmed that the delivery occurred. With the 60-day period commencing from the date of this notification, any motion to reopen on seismic issues would be due on Friday, March 7.

The DVD provided to BREDL contains complete public versions (SUNSI and proprietary information redacted) of all of the Parts of the COLA updated in the December submittal, which consist of all Parts of the COLA other than Part 1 (General and Administrative Information). Thus, the DVD includes *inter alia* the complete public versions of the updated Final Safety Analysis Report, Environmental Report, Technical Specifications, Departures Report, and Tier 1/ITAAC information. Part 1, which was previously updated in the July 2013 submittal and is unaffected by the December update, may be found on ADAMS at Accession No. ML13225A624.

Atomic Safety and Licensing Board

January 6, 2014

Page 3

While the entire COLA including the December update should become accessible on ADAMS, if the Board or counsel for other Parties would also like a copy of the DVD that was provided to BREDL, additional copies are available upon request.

Sincerely,

/Signed electronically by David R. Lewis/

David R. Lewis
PILLSBURY WINTHROP SHAW PITTMAN LLP
2300 N Street, NW
Washington, DC 20037-1128
Tel. (202) 663-8474

Counsel for Dominion

cc: Service List

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Before the Atomic Safety and Licensing Board

In the Matter of)	
)	Docket No. 52-017-COL
Dominion Virginia Power)	
)	ASLBP No. 08-863-01-COL
North Anna Power Station, Unit 3)	

CERTIFICATE OF SERVICE

I hereby certify that the foregoing letter dated January 6, 2014, has been served through the E-Filing system on the participants in the above-captioned proceeding, this 6th day of January, 2014.

/Signed electronically by David R. Lewis/

David R. Lewis