

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**APPLICATION OF DOMINION NUCLEAR :
CONNECTICUT, INC. TO MODIFY SITING :
COUNCIL CERTIFICATE (DOCKET NO. :
265A) FOR THE EXISTING INDEPENDENT :
SPENT FUEL STORAGE INSTALLATION :
(DRY STORAGE SYSTEM) AT MILLSTONE :
[NUCLEAR] POWER STATION, ROPE :
FERRY ROAD, WATERFORD, :
CONNECTICUT : March 8, 2013**

**CONNECTICUT COALITION AGAINST MILLSTONE AND NANCY BURTON
MOTION FOR DISCLOSURE**

The Connecticut Coalition Against Millstone and Nancy Burton (“the Intervenor”) respectfully move the Siting Council for disclosure by the Siting Council, its members and designees and staff of any and all communications to the applicant and the U.S. Nuclear Regulatory Commission (“NRC”), other than communications on the record in these proceedings, regarding these proceedings.

In support of this motion, the Intervenor represent as follows:

1. These proceedings concern an application by Dominion Nuclear Connecticut, Inc. to, *inter alia*, expand a concrete pad to form the base for future installation of horizontal storage modules for storage of spent nuclear fuel generated by the Millstone Nuclear Power Station.
2. The Siting Council conducted an adjudicatory hearing on the application on December 20, 2012, which hearing was continued to January 29, 2013 and concluded on January 29, 2013.
3. The Council directed that post-hearing briefs and proposed findings of fact be filed on or before February 28, 2013, prior to final action by the Council on this application.
4. As of March 4, 2013, the Siting Council had not taken final action on this application – either to approve it, deny it or approve it with conditions.
5. However, on March 4, 2013, the NRC, which is not a party to these proceedings, issued “Annual Assessment Letter for Millstone [Nuclear] Power Station Unit 2 and Unit 3 (Report 05000336/2012001 and 05000423/2012001).”

6. A copy of the letter and its two-page attachment is annexed hereto and incorporated by reference herein.

7. The NRC Annual Assessment Letter states in part as follows:

The enclosed inspection plan lists the inspections scheduled through June 30, 2014. . . . In addition to baseline inspections, the NRC will perform Inspection Procedure . . . IP 60855.1, "Operation of an Independent Spent Fuel Storage Installation at Operating Plants."

8. In the referenced attachment, titled "Millstone Inspection/Activity Plan 01/01/2013 – 06/30/2014," the following item appears:

60853 – ISFSI Pad Expansion

Units 2,3 06/01/2013 – 12/31/2013 IP 60853 On-Site Fabrication of Components and Construction on an ISFSI

Units 2,3 06/01/2013 – 12/31/2013 IP 60853 Operation of an ISFSI

Units 2,3 06/01/2013 – 12/31/2013 IP 60853 Operation of an Independent Spent Fuel Storage Installation at Operating Plants

(Emphasis Added)

9. The Intervenor respectfully query why the NRC has scheduled a special inspection on June 1, 2013 on expansion of the ISFSI pad – the very subject of these proceedings – at a time when Dominion lacks approval by the Siting Council to proceed with the ISFSI pad expansion.

10. This issue directly implicates the integrity of these proceedings.

11. Therefore, the Intervenor move that the Siting Council forthwith direct Dominion and its representatives to produce, as a supplement to the evidentiary record in these proceedings, the entirety of its communications, verbal and written, with the NRC and the Siting Council (other than such materials as are presently in the official record of these proceedings) regarding the issue of expansion of the ISFSI pad expansion, and the entirety of communications, whether verbal or written, between the Siting Council and its designees and staff and the NRC regarding this application. This motion extends to any communications, verbal or written, which may have occurred between the NRC and Dr. Edward Wilds in his capacity either as a Siting Council designee, as the DEEP's head of radiation or as the State of Connecticut official liaison with the NRC.

CONNECTICUT COALITION AGAINST MILLSTONE

Nancy Burton, Director
147 Cross Highway
Redding Ridge CT 06876
Tel. 203-938-3952
NancyBurtonCT@aol.com

NANCY BURTON

Nancy Burton
147 Cross Highway
Redding Ridge CT 06876
Tel. 203-938-3952
NancyBurtonCT@aol.com

CERTIFICATION

This is to certify that a copy of the foregoing was transmitted to the following via email on March 8, 2013:

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford CT 06103-3597
kbaldwin@rc.com

Connecticut Siting Council
10 Franklin Square
New Britain CT 06051
siting.council@ct.gov
Carianne.Mulcahy@ct.gov
Robert.Mercier@ct.gov

Robert A. Avena, Esq.
Kepple, Morgan & Avena P.C.
Box 3A Anguilla Park
20 South Anguilla Road
Pawcatuck CT 6379
raa@kccaz.com

Black Point Beach Club Association
c/o Thomas Kelly
21 Billow Road
Niantic CT 06357
fretom@earthlink.net

James S. Butler, AICP
Executive Director
Southeastern Connecticut Council of Governments
5 Connecticut Avenue
Norwich CT 06360
jbutler@seccog.org

Robert D. Snook, Esq.
Assistant Attorney General
55 Elm Street
Hartford CT 6106
Robert.Snook@ct.gov

Nancy Burton