

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman  
Nicholas G. Trikourous  
Dr. James F. Jackson

DOCKETED 04/18/07

SERVED 04/18/07

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Early Site Permit for Vogtle ESP Site)

Docket No. 52-011-ESP

ASLBP No. 07-850-01-ESP-BD01

April 18, 2007

MEMORANDUM AND ORDER

(Regarding Prehearing Conference on Scheduling)

In light of the Commission's April 17, 2007 response to the Licensing Board's certified question regarding the timing of the conduct of any evidentiary hearing concerning Joint Intervenors<sup>1</sup> admitted environmental contentions EC 1.2 and EC 1.3, see CLI-07-17, 65 NRC \_\_ (Apr. 19, 2007), discussions during next Monday's prehearing conference regarding the schedule for this proceeding will go forward based on the premise that no evidentiary hearing on the admitted contentions will be conducted until after issuance of the NRC staff's final environmental impact statement, now scheduled for May 16, 2008.

Also, the Board requests that the parties be prepared to address whether their discussions regarding mandatory disclosures under 10 C.F.R. § 2.336 accounted for the

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<sup>1</sup> The Joint Intervenors include the Center for a Sustainable Coast, Savannah Riverkeeper, Southern Alliance for Clean Energy, Atlanta Women's Action for New Directions, and Blue Ridge Environmental Defense League.

disclosure of electronically stored information (ESI). See Fed. R. Civ. P. 16(b)(5),  
id. 26(a)(1)(B).

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>2</sup>

/RA/

\_\_\_\_\_  
G. Paul Bollwerk, III  
CHAIRMAN

Rockville, Maryland

April 18, 2007

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<sup>2</sup> Copies of this memorandum and order were sent this date by Internet e-mail transmission and the agency's E-Submittal system to counsel for (1) applicant Southern Nuclear Operating Co.; (2) the Joint Intervenors; and (3) the staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (REGARDING PREHEARING CONFERENCE ON SCHEDULING) have been served upon the following persons by Electronic Information Exchange and/or electronic mail.

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LB MEMORANDUM AND ORDER  
(REGARDING PREHEARING CONFERENCE ON SCHEDULING)

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[Original signed by Adria T. Byrdsong]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 18<sup>th</sup> day of April 2007