

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

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

In the Matter of

SOUTHERN NUCLEAR OPERATING CO.

(Vogtle Electric Generating Plant, Units 3 and 4)

Docket Nos. 52-025-COL and 52-026-COL

ASLBP No. 09-873-01-COL-BD01

March 13, 2009

ORDER

(Suspending Proceeding Pending Appeal)

Upon consideration of the March 12, 2009 joint motion of applicant Southern Nuclear Operating Co. (SNC), the NRC staff (Staff), and Joint Intervenors¹ to suspend any obligations of the parties relating to (1) mandatory disclosures under 10 C.F.R. § 2.336; (2) the Staff's need to designate its role in the proceeding under 10 C.F.R. § 2.1202(b)(2); (3) the compilation of a hearing file under 10 C.F.R. § 2.1203; and (4) any of the requirements set forth in the Licensing Board's March 5, 2009 memorandum and order granting Joint Intervenors hearing petition and admitting contention SAFETY-1, Low-Level Radioactive Waste Storage, see LBP-09-03, 69 NRC __ (Mar. 5, 2008), it is

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

ORDERED, that the parties' March 12, 2009 motion to suspend this proceeding is granted in that this proceeding will be held in abeyance and the dates for actions following the grant of Joint Intervenors hearing petition specified in the agency's regulations and the Board's memorandum and order shall not begin to accrue until fourteen days after (1) in the absence of any appeal from the Board's March 5, 2009 issuance, the date upon which an appeal from the Board's March 5 memorandum and order is due in accord with 10 C.F.R. § 2.311; or (2) in the event a timely appeal from the Board's March 5, 2009 ruling is filed, the date upon which the Commission issues a decision ruling on all appeals from the Board's March 5 decision.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
CHAIRMAN

Rockville, Maryland

March 13, 2009

² Copies of this order were sent this date by the agency's E-Filing system to counsel for (1) applicant SNC; (2) Joint Intervenors; and (3) the staff.

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In the Matter of)	
)	
SOUTHERN NUCLEAR OPERATING)	Docket No. 52-025-COL
COMPANY)	and 52-026-COL
)	
(Vogtle))	
)	
(Combined Operating License))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (SUSPENDING PROCEEDING PENDING APPEAL) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 13th day of March 2009