

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
SOUTH TEXAS PROJECT NUCLEAR OPERATING COMPANY  
Docket Nos. 52-012-COL and 52-013-COL

ASLBP No. 09-885-08-COL-BD01

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

South Texas Project Nuclear Operating Company  
(South Texas Project Units 3 and 4)

This proceeding concerns a Petition for Intervention and Request for Hearing dated April 21, 2009 from the Sustainable Energy and Economic Development Coalition, et al., that was submitted in response to a February 20, 2009 Notice of Order, Hearing, and Opportunity to Petition for Leave to Intervene (74 Fed. Reg. 7934). Petitioners challenge the application filed by the South Texas Project Nuclear Operating Company pursuant to Subpart C of 10 C.F.R. Part 52 for a combined license for the South Texas Project, Units 3 and 4, to be located in Matagorda County, Texas.

The Board is comprised of the following administrative judges:

Michael M. Gibson, Chair  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Gary S. Arnold  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Randall J. Charbeneau  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007 (72 Fed. Reg. 49,139).

/RA/  
E. Roy Hawken  
Chief Administrative Judge  
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,  
this 1st day of May 2009.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
SOUTH TEXAS PROJECT NUCLEAR ) Docket Nos. 52-012-COL and 52-013-COL  
OPERATING COMPANY )  
 )  
(South Texas Project Units 3 and 4) )  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by the Electronic Information Exchange.

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Docket Nos. 52-012-COL and 52-013-COL  
ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

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[Original signed by Evangeline S. Ngbea]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 1<sup>st</sup> day of May 2009