

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

Michael M. Gibson, Chairman
Dr. Gary S. Arnold
Dr. Randall J. Charbeneau

In the Matter of

SOUTH TEXAS PROJECT NUCLEAR
OPERATING COMPANY

(South Texas Project Units 3 and 4)

Docket Nos. 52-012-COL and 52-013-COL

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

December 18, 2009

ORDER

(Granting Applicant & NRC Staff's Joint Motion to Consolidate Answers)

On December 14, 2009, Intervenors filed answers to the Applicant's motions to dismiss Contentions 8, 9, 14, and 21.¹ Intervenors' answers requested modifications to Contentions 8 and 21.² To avoid duplicative pleadings, the Applicant and NRC Staff have requested permission to consolidate their answers to both the new modifications filed on December 14, 2009 and the potential new contentions on the same subject matter.³ As a result of this request, the new deadlines would match the Applicant and NRC Staff's deadlines to respond to any new contentions that Intervenors may file on December 21 or 23, 2009.⁴ This Board hereby grants the motion allowing the Applicant and NRC Staff to file consolidated answers to Intervenors' proposed modifications to Contentions 8 and 21 and any new contentions. The Applicant and NRC Staff answers to Intervenors' proposed modifications to Contention 21 will now be due on

¹ Intervenors' Response to Applicant's Motion to Dismiss Contentions 8, 9, 14 as Moot (Dec. 14, 2009) [Intervenors' Response to 8, 9, 14]; Intervenors' Response to Applicant's Motion to Dismiss Contention 21 as Moot (Dec. 14, 2009) [Intervenors' Response to 21].

² Intervenors' Response to 8, 9, 14 at 1; Intervenors' Response to 21 at 1.

³ Joint Motion to Consolidate Answers (Dec. 17, 2009).

⁴ Id.

January 22, 2010. The Applicant and NRC Staff answers to Intervenors' proposed modifications to Contention 8 will now be due on January 25, 2010.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael M. Gibson
CHAIRMAN

Rockville, Maryland
December 18, 2009

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (GRANTING APPLICANT & NRC STAFF'S JOINT MOTION TO CONSOLIDATE ANSWERS) 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
ORDER (GRANTING APPLICANT & NRC STAFF'S JOINT MOTION
TO CONSOLIDATE ANSWERS)

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

Dated at Rockville, Maryland
this 18th day of December 2009