

2/17/2010

COMMISSION ADJUDICATORY DECISIONS, JANUARY - DECEMBER 2009

Decision Number/Date/Attorney	Case Name	Type of Proceeding	Decision Being Challenged	Relief Sought	Commission Action	SECY Number/Date [2008 in highlight]	Last Salient Document Date	Turn-around Time	Complexity Level
CLI-09-1 1/27/09 (CC)	Shieldalloy Metallurgical Corp. (License Amendment Request for Decommissioning of the Newfield, New Jersey Site)	Materials License Amendment	N/A	N/A	Response to Board Memorandum bringing issues to Commission's attention (LBP-08-8)	08-0160 (10/24/08)	10/10/08	14	Average
CLI-09-2 2/4/09 (RF)	Shaw Areva MOX Services (Mixed Oxide Fuel Fabrication Facility)	Materials License	LBP-08-11	Staff request for interlocutory review	Request for interlocutory review granted; affirmed dismissal of Contention 7; reversed Board decision imposing conditions and potential sanction	08-0123 (8/29/08)	7/21/08	39	Average
CLI-09-3 2/17/09 (RF)	Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 3 and 4)	Combined License	LBP-08-16	N/A (contention admissibility rulings referred to Commission, with suggestion to initiate rulemaking)	Reversed Board decision to admit contentions; declined to initiate rulemaking	08-0199 (12/31/08)	9/12/08	109	Average

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CLI-09-4 2/17/09 (OGC)	Detroit Edison Co. (Fermi Unit 3)	Combined License	N/A	Five requests associated with filing of initial intervention petitions	Four requests denied; request for 10-day extension to deadline for filing requests for access to SGI and SUNSI granted	09-0024 (2/10/09)			
CLI-09-5 3/5/09 (SS)	Dominion Nuclear Connecticut, Inc. (Millstone Power Station, Unit 3)	License Amendment	Unpublished decision (10/27/08) rejecting new contention	Reverse Board decision, restart proceeding and admit contention	Board decision affirmed	09-0008 (1/13/09)	11/17/08	58	Average
CLI-09-6 3/5/09 (RF)	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)	License Renewal	Unpublished decision (12/18/08) denying reconsid'n of LBP-08-13	Reversal of Board decision admitting contention	Request for interlocutory review denied	09-0027 (2/17/09)	1/26/09	22	Average
CLI-09-7 4/1/09 (BA)	AmerGen Energy Co., LLC (License Renewal for Oyster Creek Nuclear Generating Station)	License Renewal	LBP-07-17; other interlocutory decisions	Denial of license renewal application	Petition for review granted in part; Board decisions affirmed; proceeding terminated	08-0192 (12/18/08)	10/29/08 (Board Advisory Memorandum)	50	High

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CLI-09-8 5/18/09 (BCA)	Progress Energy Carolinas, Inc. (Shearon Harris Nuclear Power Plant, Units 2 and 3)	Combined License	LBP-08-21	Reversal of decision to grant a hearing; granting of a motion to hold the proceeding in abeyance	Remanded to Board for reassessment of admissibility decision; denied motion to hold proceeding in abeyance	09-0046 (3/27/09)	11/29/08	118	Average
CLI-09-9 5/18/09 (SS)	Crow Butte Resources, Inc. (License Renewal for <i>In Situ</i> Leach Facility, Crawford, Nebraska)	License Renewal	LBP-08-24, LBP-08-27	Reversal of decision to grant a hearing; reversal of decision denying a group party status	LBP-08-24 affirmed in part, and reversed in part; LBP-08-27 reversed	09-0058 (4/9/09)	1/2/09	97	High
CLI-09-10 6/4/09 (CC)	Entergy Nuclear Generation Co., and Entergy Nuclear Vermont Yankee, LLC, and Entergy Nuclear Operations, Inc. (Pilgrim and Vermont Yankee Nuclear Power Station)	License Renewal	LBP-08-22; LBP-08-25	Deferral of final decision in license renewal actions pending judicial appeal of denial of rulemaking petitions; or expressly condition licenses to comply with court ruling	Commission commitment to meaningfully effectuate the court's conclusion on rulemaking petition denial	09-0025 (2/12/09)	12/23/08	49	Average

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CLI-09-11 6/4/09 (CC)	Entergy Nuclear Generation Co. and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	LBP-07-13; LBP-08-22; LBP-06-23; LBP-07-12; and various unpublished orders.	Review and reversal of Board decisions, including decisions on scope of safety contention, merits decision on contention, dismissal of environmental contention	Requested additional briefing on specific issues regarding dismissed environmental contention	09-0040 (3/16/09)	12/22/08	84	High
CLI-09-12 6/25/09 (SS)	Crow Butte Resources, Inc. (North Trend Expansion Area)	Materials License Amendment	LBP-08-6, LBP-09-1	Reverse Board, deny hearing	LBP-08-6 affirmed in part and reversed in part, LBP-09-1 reversed	09-0063 (4/17/09)	2/17/09	60	High
CLI-09-13 6/25/09 (CCC)	Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4)	Combined License	LBP-09-3	N/A (Consideration of referred rulings on contention admissibility)	Declined to consider referred rulings	09-0084 (6/4/09)	3/5/09	112	Average

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CLI-09-14 6/30/09 (OCAA)	U.S. Department of Energy (High Level Waste Repository)	Request for Construction Authorization	LBP-09-6	Appeal of admitted and rejected contentions	Board decisions on appealed issues affirmed in part and reversed in part	09-0089 (6/12/09)	6/1/09	11	Average
CLI-09-15 7/23/09 (OGC)	Areva Enrichment Services, LLC (Eagle Rock Enrichment Facility)	Materials License	N/A	N/A	Issuance of Notice of Hearing and Commission Order	09-0081 (5/29/09)			
CLI-09-16 7/31/09 (CCC)	Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4)	Combined License	LBP-09-3	Appeal of sole admitted contention	Board decision affirmed	09-0076 (5/22/09)	3/24/09	129	Average
CLI-09-17 8/13/09 (CC)	Pa'ina Hawaii, LLC (Materials License Application)	Materials License	N/A	Request to transfer case from Licensing Board to Commission	Board directed to provide status report	09-0107 (7/30/09)	7/24/09	6	Low

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CLI-09-18 9/23/09 (BDP)	South Texas Project Nuclear Operating Co. (South Texas Project Units 3 and 4)	Combined License	N/A	Request for extension of time to file appeal of LBP-09-21	Request denied; LBP-09-21 not yet ripe for appeal	09-0125 (9/10/09)	9/4/09	6	Low
CLI-09-19 9/23/09 (CC)	Pa'ina Hawaii, LLC (Materials License Application)	Materials License	N/A	Transfer of case from Licensing Board to Commission	Request to transfer the case denied	09-0127 (9/14/09)	8/27/09	16	Low
CLI-09-20 10/13/09 (BCA)	Calvert Cliffs 3 Nuclear Project, LLC, and UniStar Nuclear Operating Services, LLC (Combined License Application for Calvert Cliffs, Unit 3)	Combined License	LBP-09-4	Appeal of admitted contentions	Board decision affirmed	09-0111 (8/7/09)	4/17/09	112	Average
CLI-09-21 11/3/09 (SS)	Duke Energy Carolinas, LLC (William States Lee III Nuclear Station, Units 1 and 2); Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 3 and 4)	Combined License	N/A	N/A (Consideration of referred rulings on contention admissibility (LBP-08-16, LBP-08-17))	Declined to review referred rulings	09-0033 (2/27/09)	2/24/09 (SRM)	3	Low

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CLI-09-22 11/17/09 (EIK)	Detroit Edison Co. (Fermi Nuclear Power Plant, Unit 3)	Combined License	LBP-09-16	Reversal of Board decision granting request for hearing/intervention petition	Board decision affirmed	09-0149 (10/16/09)	10/13/09 (CLI-09-20)	3	Low
CLI-09-23 11/17/09 (SS)	David Geisen	Enforcement Action	LBP-09-24	Stay of effectiveness of initial decision	Stay application denied	09-0154 (10/22/09)	10/6/09	16	Average
CLI-10-XX (CCC)	South Carolina Electric & Gas Co. & South Carolina Public Service Authority (Also Referred to as Santee Cooper) (Virgil C. Summer Nuclear Station, Units 2 and 3)	Combined License	LBP-09-2	Appeal of rejected intervention petitions		09-0117 (8/26/09)	3/13/09	196	Average
No CLI issued (EIK)	AmerenUE (Callaway Plant Unit 2)	Combined License	N/A	N/A	None	09-0134 (9/22/09)	8/28/09	25	Average

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CLI-10-XX (SS)	Progress Energy Florida, Inc. (Levy County Nuclear Station Units 1 and 2)	Combined License	LBP-09-10	Reversal of Board decision to admit three contentions		09-0135 (9/22/09)	7/30/09	54	Average
CLI-10-XX (RF)	Detroit Edison Co. (Fermi Power Plant Independent Spent Fuel Storage Installation)	Enforcement Action	LBP-09-20	Reversal of Board decision denying a hearing request		09-0139 (10/1/09)	9/10/09	21	Average
CLI-10-XX (BCA)	Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4)	Combined License	LBP-09-7	Reversal of Board decision on the merits of Contentions EC 2.1 and EC 6.0		09-0142 (10/2/09)	8/3/09	60	High
CLI-10-XX (CC)	Entergy Nuclear Generation Co. and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	LBP-07-13	Reversal of Board decision to dismiss Contention 3		09-0147 (10/9/09)	7/07/09	92	High

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CLI-10-XX (SS)	PPL Bell Bend, LLC (Combined License Application for Bell Bend Nuclear Power Plant)	Combined License	LBP-09-18	Reversal of Board decision denying intervention petition		09-0158 (10/27/09)	8/31/09	57	Average
CLI-10-XX (EIK)	Progress Energy Carolinas, Inc. (Shearon Harris Power Plant, Units 2 and 3)	Combined License	CLI-08-15; CLI-09-8; LBP-08-21; LBP-09-8; and one unpublished order (12/23/08)	Reversal of Board decision to reject eleven proposed contentions; request for oral argument; reconsideration of two prior Commission decisions		09-0160 (10/29/09)	8/3/09	87	Average
CLI-10-XX (EIK)	Shieldalloy Metallurgical Corp. (License Amendment Request for Decommissioning the Newfield Site)	Materials License	N/A	Stay of effectiveness of transfer of regulatory authority over Newfield site pending judicial review		09-0171 (11/25/09)	10/23/09	33	Average
CLI-10-XX (CC)	Entergy Nuclear Generation Co. and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	LBP-08-22; LBP-06-23; LBP-07-12; and four unpublished Board orders	Reversal of Board decisions on scope and merits of safety contention		09-0175 (12/4/09)	7/7/09	146	High