

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 16, 2010

ORDER

(Schedule for Responses to Motion to Exclude or for Leave to Reply;
Request for Notice Regarding Issuance of
Advanced Safety Evaluation Report Chapter)

Upon consideration of the March 15, 2010 motion of applicant Southern Nuclear Operating Company (SNC) to exclude portions of the Joint Intervenors¹ March 4, 2010 response to SNC's January 29, 2010 dispositive motion regarding Contention SAFETY-1 or, alternatively, for leave to reply, it is

ORDERED, that any response to SNC's motion to exclude or for leave to file a reply shall be filed on or before Thursday, March 25, 2010.²

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.

² In SNC's motion, it notes that the NRC staff does not object to the filing of its motion to exclude or, in the alternative, for leave to file a reply. See [SNC] Motion to Exclude Portions of Joint Intervenors' Response to Motion for Summary Disposition of Contention SAFETY-1 or, in the Alternative, for Leave to File a Reply (Mar. 15, 2010) at 2. It is not necessary for the staff to file a response to reiterate this position.

Additionally, the Licensing Board notes that the NRC staff previously advised us that chapter 11 of its advanced safety evaluation report, which would contain “the Staff’s safety analysis concerning low-level radioactive waste storage,” could be issued by mid-March 2010. Letter from Ann P. Hodgdon, NRC Staff Counsel, to Licensing Board at 1-2 (Jan. 29, 2010). The Board requests that the staff provide notice to the Board and the other parties of the issuance of that document, including its ADAMS accession number, promptly after its release.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III
CHAIRMAN

Rockville, Maryland

March 16, 2010

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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 ORDER (SCHEDULE FOR RESPONSES TO MOTION TO EXCLUDE OR FOR LEAVE TO REPLY; REQUEST FOR NOTICE REGARDING ISSUANCE OF ADVANCED SAFETY EVALUATION REPORT CHAPTER) have been served upon the following persons by Electronic Information Exchange.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-16C1
Washington, DC 20555-0001
Hearing Docket
E-mail: hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D-21
Washington, DC 20555-0001

Administrative Judge
G. Paul Bollwerk, III, Chair
E-mail: paul.bollwerk@nrc.gov

Marian Zabler, Esq.
Ann P. Hodgdon, Esq.
Sara Brock, Esq.
Patrick A. Moulding, Esq.

Administrative Judge
Nicholas G. Trikourous
E-mail: nqt@nrc.gov

Sarah Price, Esq.
Carol H. Lazar, Esq.
Jessica Bielecki, Esq.
Joseph Gilman, Paralegal
E-mail: Marian.Zabler@nrc.gov
ann.hodgdon@nrc.gov; Sara.Kirkwood@nrc.gov;
patrick.moulding@nrc.gov, sap1@nrc.gov
jsq1@nrc.gov; Carol.Lazar@nrc.gov;
jessica.bielecki@nrc.gov

Administrative Judge
James F. Jackson
E-mail: jxj2@nrc.gov
jackson538@comcast.net

Law Clerk: Wen Bu
E-mail: wen.bu@nrc.gov

OGC Mail Center : OGCMailCenter@nrc.gov

Docket No. 52-025 and 52-026-COL
 ORDER (SCHEDULE FOR RESPONSES TO MOTION TO EXCLUDE OR FOR LEAVE TO
 REPLY; REQUEST FOR NOTICE REGARDING ISSUANCE OF ADVANCED SAFETY
 EVALUATION REPORT CHAPTER)

Moanica M. Caston, Esq.
 Southern Nuclear Operating Company, Inc.
 40 Inverness Center Parkway
 P.O. Box 1295, Bin B-022
 Birmingham, AL 35201-1295
 E-mail: mcaston@southernco.com

Kenneth C. Hairston, Esq.
 M. Stanford Blanton, Esq.
 Peter D. LeJeune, Esq.
 Chad Pilcher, Esq.
 Millicent Ronnlund
 Balch & Bingham LLP
 1710 Sixth Avenue North
 Birmingham, Alabama 35203-2014
 E-mail: kchairston@balch.com;
sblanton@balch.com; plejeune@balch.com;
cpilcher@balch.com; mronnlund@balch.com

Kathryn M. Sutton, Esq.
 Steven P. Frantz, Esq.
 Paul M. Bessette, Esq.
 Mary Freeze
 Morgan, Lewis & Bockius, LLP
 Co-Counsel for Southern Nuclear Operating
 Company, Inc.
 1111 Pennsylvania Ave., NW
 Washington, DC 20004
 E-mail: ksutton@morganlewis.com
sfrantz@morganlewis.com
pbessette@morganlewis.com
mfreeze@morganlewis.com

C. Grady Moore, III, Esq.
 Balch & Bingham, LLP
 1901 6TH Avenue, Suite 2600
 Birmingham, AL 35203
 Leslie Garrett Allen, Esq.
 E-mail: gmoore@balch.com
 E-mail: lgallen@balch.com

Atlanta Women's Action for New Directions
 (WAND), Blue Ridge Environmental Defense
 League (BREDL), Center for Sustainable
 Coast (CSC), Savannah Riverkeeper and
 Southern Alliance for Clean Energy (SACE)

Robert B. Haemer, Esq.
 Pillsbury Winthrop Shaw Pittman LLP
 2300 N Street, NW
 Washington, DC 20037-1122
 E-mail: robert.haemer@pillsburylaw.com

Turner Environmental Law Clinic
 Emory University School of Law
 1301 Clifton Road
 Atlanta, GA 30322
 Lawrence Sanders, Esq.
 E-mail: lsande3@emory.edu
 Mindy Goldstein
 E-mail: magolds@emory.edu

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EVALUATION REPORT CHAPTER)

Barton Z. Cowan, Esq.
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
E-mail: teribart61@aol.com

Judith Wallace, Esq.
Barry Neuman, Esq.
Carter Ledyard and Milburn LLP
2 Wall Street
14th Floor
New York, NY 10005
E-mail: Wallace@clm.com
neuman@clm.com

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

Dated at Rockville, Maryland
this 16th day of March 2010