

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. 10-903-01-COL-BD02

August 30, 2010

MEMORANDUM AND ORDER

(Setting Balance of Initial Briefing Schedule and Oral Argument)

As a result of a Commission referral and appointment by the Chief Administrative Judge, see Commission Order (Aug. 25, 2010) at 1 (unpublished); Establishment of Atomic Safety and Licensing Board, 75 Fed. Reg. __ (Sept. 2010), this Licensing Board has been assigned to preside in the contested portion of this 10 C.F.R. Part 52 combined license (COL) proceeding in which applicant Southern Nuclear Operating Company (SNC) seeks authorization to construct and operate two new Advanced Passive (AP) 1000 reactors at its existing Vogtle Electric Generating Plant (VEGP).¹ This includes ruling on an August 12, 2010 submission by three entities, which have designated themselves Joint Intervenor,² requesting the admission of

¹ Although the membership of this Board coincides with the membership of the Board that was appointed to preside when the contested portion of this COL proceeding was originally instituted to consider a since-resolved November 17, 2008 hearing petition, this Board is a separate entity.

² The three petitioners include the Blue Ridge Environmental Defense League (BREDL), the Center for a Sustainable Coast (CSC), and Georgia Women's Action for New Directions for Clean Energy (GWA).

contention Safety-2 that challenges the adequacy of SNC's containment/coating inspection program for proposed Units 3 and 4.³ We provide the following administrative and scheduling directives relative to this proceeding:

1. The procedures set forth in the December 12, 2008 initial prehearing order that was issued by the Licensing Board that had initial jurisdiction over the contested portion of this COL proceeding are applicable to any of the matters before this Board. See Licensing Board (Initial Prehearing Order) (Dec. 12, 2008) (unpublished).

2. Any NRC staff answer to Joint Intervenors August 12 submission shall be filed on or before Thursday, September 2, 2010.

3. Any reply by Joint Intervenors to the August 23, 2010 SNC answer to their August 12 submission or to any staff answer to their August 12 submission shall be filed on or before Friday, September 10, 2010.

4. The Board wishes to conduct an initial prehearing conference/oral argument regarding Joint Intervenors' August 12 request to admit contention Safety-2 in the Atomic Safety and Licensing Board Panel's Rockville, Maryland hearing room. The Board is available on the following days and times to conduct the oral argument:

Tuesday, September 14, 2010, at 9:00 a.m. Eastern Time (ET)

Wednesday, September 15, 2010, at 9:00 a.m. or 1 p.m. ET

Friday, September 17, 2010, 9:00 a.m. ET

The Board requests that on or before Tuesday, September 7, 2010, SNC, the staff, and Joint Intervenors provide the Board with a joint report that, among other things, specifies at least

³ A corrected version of Joint Petitioners new contention admission request was submitted on August 13, 2010.

two dates and times (e.g., Tuesday, September 14 at 9:00 a.m. ET, or Wednesday, September 15 at 1 p.m. ET) when all the participants are available for an oral argument.

Thereafter, the Board will notify the participants regarding the date and time of the argument, which the Board anticipates should last no more than a half-day.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III
CHAIRMAN

Rockville, Maryland

August 30, 2010

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NUCLEAR REGULATORY COMMISSION

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SOUTHERN NUCLEAR OPERATING COMPANY)	Docket Nos. 52-025 and 52-026-COL
)	ASLBP No. 10-903-01-COL-BD02
(Vogtle))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMORANDUM AND ORDER (SETTING BALANCE OF INITIAL BRIEFING SCHEDULE AND ORAL ARGUMENT) have been served upon the following persons by Electronic Information Exchange.

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Docket Nos. 52-025 and 52-026-COL
MEMORANDUM AND ORDER (SETTING BALANCE OF INITIAL BRIEFING SCHEDULE
AND ORAL ARGUMENT)

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MEMORANDUM AND ORDER (SETTING BALANCE OF INITIAL BRIEFING SCHEDULE
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[Original signed by Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 30th day of August 2010