

1/13/2011

COMMISSION ADJUDICATORY DECISIONS, JANUARY - DECEMBER 2010

Decision Number/ Date/Attorney	Case Name	Type of Proceeding	Decision Being Challenged	Relief Sought	Commission Action	SECY Number/ Date [2009 in highlight]	Last Salient Document Date	Turn-around Time	Complexity Level
CLI-10-1 1/7/10 (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	Board decision affirmed in part, reversed in part, and case remanded to Board for further proceedings	09-0117 (8/25/09)	3/13/09	165	Average
CLI-10-2 1/7/10 (SJS)	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	Board decision affirmed in part and reversed in part	09-0135 (9/22/09)	7/30/09	54	Average
CLI-10-3 1/7/10 (RMF)	Detroit Edison Co. (Fermi Power Plant Independent Spent Fuel Storage Installation)	Enforcement Action	LBP-09-20	Reversal of Board decision denying a hearing request	Board decision affirmed	09-0139 (10/1/09)	9/10/09	21	Average

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CLI-10-4 1/7/10 (OGC)	GE-Hitachi Global Laser Enrichment LLC (GLE Commercial Facility)	Materials License	N/A	N/A	Issuance of Notice of Hearing and Commission Order	09-0141 (10/2/09)			
CLI-10-5 1/7/10 (BCA)	Southern Nuclear Operating Co. (Vogle 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	Petition for review denied	09-0142 (10/2/09)	8/3/09	60	High
CLI-10-6 1/7/10 (OGC)	Tennessee Valley Authority (Bellefonte Nuclear Power Plant, Units 1 and 2)	Construction Permit	N/A	N/A (Threshold resolution of legal contentions on the issue of whether the NRC has authority to reinstate the construction permits)	Contentions denied; balance of intervention petition referred to the Atomic Safety and Licensing Board Panel	09-0145 (10/5/09)			
CLI-10-7 1/7/10 (SJS)	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	Board decision affirmed	09-0158 (10/27/09)	8/31/09	57	Average

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CLI-10-8 1/7/10 (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	Stay application denied	09-0171 (11/25/09)	10/23/09	33	Average
CLI-10-9 3/11/10 (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	Board decisions affirmed; request for oral argument denied; motion to suspend proceeding denied	09-0160 (10/29/09)	8/3/09	87	Average
CLI-10-10 3/11/10 (SJS)	U.S. Department of Energy (High-Level Waste Repository)	Request for Construction Authorization	Order (Denying Intervention Petition) (10/28/09) (unpublished)	Reversal of Board decision denying late intervention petition; disposition of several motions	Commission declined to rule on appeal; disposed of other motions	10-0005 (1/19/10)	12/14/09	36	Average
CLI-10-11 3/26/10 (MCC)	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	Petition for review granted; Board ruling reversed in part and Contention 3 remanded for hearing, as limited	09-0147 (10/9/09)	7/6/09	95	High

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CLI-10-12 3/26/10 (EIK)	Tennessee Valley Authority (Watts Bar Nuclear Plant, Unit 2)	Operating License	LBP-09-26	Reversal of Board decision denying intervention petition	Board ruling affirmed	10-0014 (1/29/10)	12/14/09	46	Average
CLI-10-13 4/23/10 (BCA)	U.S. Department of Energy (High-Level Waste Repository)	Request for Construction Authorization	Memorandum and Order (Suspending Briefing and Consideration of Withdrawal Motion) (Apr. 6, 2010) (unpublished)	Reversal of Board decision to suspend proceeding	Board decision vacated; matter remanded to Board for prompt consideration of motion to withdraw application	10-0051 (4/16/10)	4/15/10	1	Average
CLI-10-14 6/17/10 (MCC)	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	Balance of petition for review denied	09-0175 (12/4/09)	7/6/09	151	High
CLI-10-15 6/17/10 (MCC)	Entergy Nuclear Generation Co. and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	CLI-10-13	Reconsideration of Commission decision	Motion for reconsideration denied	10-0057 (5/4/10)	4/15/10	19	Average

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CLI-10-16 6/17/10 (EIK)	South Texas Project Nuclear Operating Co. (South Texas Project, Units 3 and 4)	Combined License	LBP-10-2	Reversal of Board decision on contention admissibility	Board ruling affirmed	10-0050 (4/15/10)	2/24/10	50	Average
CLI-10-17 7/8/10 (RMF)	Entergy Nuclear Vermont Yankee, L.L.C. and Entergy Nuclear Operations, Inc. (Vermont Yankee Nuclear Power Station)	License Renewal	LBP-08-25, LBP-09-9	Reversal of partial and final initial decisions	Grant review in part and deny in part; reverse in part and remand	10-0030 (3/19/10)	3/12/10	7	High
CLI-10-18 7/8/10 (BCA)	Pa'ina Hawaii, LLC (Materials License Application)	Materials License	Initial Decision (Ruling on Concerned Citizens of Honolulu Amended Environmental Contentions #3, #4, and #5 (Aug. 27, 2009) (unpublished)	Partial reversal of Board decision	Grant in part and deny in part Staff petition for review; deny applicant petition for review; affirm in part and direct the Board to hold hearing	10-0047 (4/14/10)	11/16/09	149	High
CLI-10-19 7/8/10 (MCC)	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)	License Renewal	N/A	Response to Board certified question	Referral accepted; Board directed to deny contentions at issue	10-0068 (5/27/10)	2/12/10	104	Average

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CLI-10-20 8/12/10 (SJS)	U.S. Army Installation Command (Schofield Barracks, Oahu, Hawaii, and Pohakuloa Training Area, Island of Hawaii, Hawaii)	Materials License	LBP-10-4	Reversal of Board decision denying intervention petition	Board decision affirmed	10-0088 (7/8/10)	3/12/10	118	Average
CLI-10-21 8/27/10 (RMF)	South Carolina Electric & Gas Co. and South Carolina Public Service Authority (also Referred to as Santee Cooper) (Virgil C. Summer Nuclear Station, Units 2 and 3)	Combined License	LBP-10-6	Reversal of Board decision on contention admissibility	Board decision affirmed	10-0092 (7/15/10)	4/6/10	100	Average
CLI-10-22 8/27/10 (MCC)	Entergy Nuclear Generation Company and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	N/A	N/A; Referral pursuant to 10 C.F.R. § 2.313(b)(2)	Judge Abramson's decision upheld	10-0094 (7/21/10)	6/28/10	23	Average
CLI-10-23 8/27/10 (RMF, SJS)	David Geisen	Enforcement Action	LBP-09-24	Reversal of LBP-09-24, and reinstatement of employment ban	Board decision affirmed	10-0074 (6/3/10)	12/11/09	174	High

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CLI-10-24 9/29/10 (EIK)	South Texas Project Nuclear Operating Co. (South Texas Project, Units 3 and 4)	Combined License	LBP-10-2	Reversal of Board decisions regarding SUNSI disclosures; request for stay of Board decision	Board decision regarding access reversed; matter remanded to Board for further proceedings; stay application denied as moot	10-0065 (5/20/10)	2/19/10	90	High
CLI-10-25 9/29/10 (EIK)	Luminant Generation Co. LLC (Comanche Peak Units 3 and 4)	Combined License	LBP-10-5	Reversal of Board decision regarding SUNSI disclosures; request for stay of Board decision	Board decision regarding access reversed; matter remanded to Board for further proceedings; stay application denied as moot	10-0071 (6/1/10)	5/20/10	12	Average
CLI-10-26 9/29/10 (RMF)	Tennessee Valley Authority (Bellefonte Nuclear Plant, Units 1 and 2)	Construction Permit	LBP-10-7	Reversal of Board decision denying intervention petition; request for extension of time to file appeal	Extension request denied; appeal dismissed	10-0087 (7/8/10)	4/30/10	69	Average
CLI-10-27 9/30/10 (RMF)	Northern States Power Co. (Prairie Island Nuclear Generating Plant, Units 1 and 2)	License Renewal	Order (Narrowing and Admitting PIIC's Safety Culture Contention) (Jan. 28, 2010) (unpublished)	Reversal of Board decision on contention admissibility	Interlocutory appeal denied; Board decision reviewed <i>sua sponte</i> , reversed, and proceeding terminated	10-0107 (8/13/10)	6/16/10	58	Average

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CLI-10-28 11/5/10 (MCC)	Entergy Nuclear Generation Co. and Entergy Nuclear Operations, Inc. (Pilgrim Nuclear Power Station)	License Renewal	N/A	Request for Commission action	Request denied	10-0129 (10/5/10)	10/4/10	1	Low
CLI-10-29 11/29/10 (EIK)	Tennessee Valley Authority (Watts Bar, Unit 2)	Operating License	LBP-10-12	Reversal of Board decision denying petition for waiver	Petition for interlocutory review denied without prejudice	10-0124 (9/29/10)	7/26/10	65	Average
CLI-10-30 11/29/10 (MCC)	Entergy Nuclear Operations, Inc. (Indian Point Nuclear Generating Units 2 and 3)	License Renewal	LBP-10-13	Reversal of Board decision on contention admissibility	Petitions for interlocutory review denied without prejudice	10-0138 (10/22/10)	8/12/10	71	Average
CLI-XX-XX XX/XX/XX (OGC)	Petition for Rulemaking to Amend 10 C.F.R. § 54.17(c)	License Renewal	N/A	Suspension of license renewal reviews pending disposition of rulemaking petition		10-0156 (12/2/10)			

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CLI-XX-XX XX/XX/XX (BCA, SJS)	U.S. Department of Energy (High-Level Waste Repository)	Request for Construction Authorization	LBP-10-11	Affirmance and/or reversal of Board decision denying DOE's motion to withdraw application		10-0102 (8/10/10)	7/19/10	22	High