

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

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

In the Matter of

NUCLEAR INNOVATION NORTH AMERICA
LLC

(South Texas Project Units 3 and 4)

Docket Nos. 52-12-COL and 52-13-COL

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

May 18, 2011

MEMORANDUM AND ORDER
(Granting Motion to Amend Exhibit Filing)

On March 11, 2011 the Board issued a schedule for the submission of materials for an August 2011 evidentiary hearing.¹ We provided filing instructions for those submissions in an April 27, 2011 order.²

According to the schedule, written summaries and supporting exhibits were due on May 9, 2011.³ On that day, Intervenors served the Board and other parties with a written summary of their position along with supporting pre-filed witness testimony, documentary exhibits, and an exhibit list. The filing contained notable defects. Chief among those defects, Intervenors failed to file as exhibits numerous documents referenced in their pre-filed witness testimony.

¹ Licensing Board Memorandum and Order (Establishing Schedule for Evidentiary Hearing) (Mar. 11, 2011) (unpublished) (Evidentiary Filing Schedule).

² Licensing Board Order (Providing Direction on Pre-filed Evidentiary Material) (Apr. 27, 2011) (unpublished).

³ Evidentiary Filing Schedule at 2.

On May 16, 2011, Intervenors moved to amend their May 9, 2011 filing.⁴ According to Intervenors, Applicant and NRC Staff do not oppose the Motion, provided the amended exhibit list and new exhibit submissions do not introduce materials not previously referenced.⁵

Intervenors motion is granted.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Michael M. Gibson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 18, 2011

⁴ Motion for Leave to File Amended Exhibit List (May 16, 2011) (Motion).

⁵ Motion at 1.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
NUCLEAR INNOVATION NORTH AMERICA LLC) Docket Nos. 52-012-COL and 52-013-COL
(NINA))
)
(South Texas Project Units 3 and 4))
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMORANDUM AND ORDER (Granting Motion to Amend Exhibit Filing) have been served upon the following persons by the Electronic Information Exchange.

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MEMORANDUM AND ORDER (Granting Motion to Amend Exhibit Filing)

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

Dated at Rockville, Maryland
this 18th day of May 2011