

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

Before Administrative Judges:

Ronald M. Spritzer, Chairman
Nicholas G. Trikouros
Larry R. Foulke

In the Matter of

SOUTH TEXAS NUCLEAR OPERATING
COMPANY

(South Texas Project, Units 1 and 2)

Docket Nos. 50-498-LR and 50-499-LR

ASLBP No. 11-909-02-LR-BD01

May 23, 2011

ORDER
(Scheduling Oral Argument)

On March 14, 2010, the Sustainable Energy and Economic Development (SEED) Coalition filed a Petition for Leave to Intervene and Request for Hearing (Petition) challenging the application of the South Texas Nuclear Operating Company (STPNOC) to renew its operating license for STP Units 1 and 2.¹ On April 7, 2011, STPNOC and the NRC Staff filed answers opposing the Petition.² SEED Coalition amended its Petition³ and requested oral argument⁴ in filings dated May 8, 2011, but certified as served and filed on May 11, 2011.

This Order notifies SEED Coalition, STPNOC, and the NRC Staff that the Board has scheduled oral argument for Monday, June 27, 2011 at 10 am Eastern Time. The issues to be

¹ Petition for Leave to Intervene and Request for Hearing of SEED Coalition and Susan Dancer (Mar. 14, 2011).

² [STPNOC's] Answer Opposing Request for Hearing and Petition for Leave to Intervene (Apr. 7, 2011); NRC Staff's Answer to Petition for Leave to Intervene and Request for Hearing of SEED Coalition and Susan Dancer (Apr. 7, 2011).

³ Petitioners' Proposed Amended Petition for Leave to Intervene and Request for Hearing of SEED Coalition and Susan Dancer (May 8, 2011) (Amended Petition).

⁴ Intervenors Request for Oral Argument on Contentions Raised on Relicensing (May 8, 2011).

addressed include: (1) SEED Coalition's standing; (2) the admissibility of the four proffered contentions; and (3) the filing of SEED Coalition's Amended Petition. The Board anticipates that argument will conclude no later than 12 pm. As oral argument will be held via teleconference, on or before Thursday, June 23, a representative from each of the parties should contact Board law clerk Jonathan Eser, (301) 415-5880 or jonathan.eser@nrc.gov, to obtain the bridge line telephone number and pass code for the June 27, 2011 oral argument.

SEED Coalition's Amended Petition references several non-public documents from the Comanche Peak COL proceeding. These documents largely contain protected information subject to controls in 10 C.F.R. § 2.390(d)(1) and a protective order in that proceeding. As oral argument will be conducted publicly, the Board will not discuss non-public materials and the participants should refrain from doing so as well. If the Board chooses at a later time to convene a non-public forum for the discussion of these materials the participants will be notified.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ronald M. Spritzer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 23, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
STP NUCLEAR OPERATING COMPANY) Docket Nos. 50-498-LR and 50-499-LR
)
)
(South Texas Project Electric Generating Station) ASLBP No. 11-909-02-LR-BD01
Units 1 and 2)
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (SCHEDULING ORAL ARGUMENT) have been served upon the following persons by the Electronic Information Exchange.

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

Ronald M. Spritzer, Chair
Administrative Judge
E-mail: ronald.spritzer@nrc.gov

Nicholas G. Trikouros
Administrative Judge
E-mail: nicholas.trikouros@nrc.gov

Larry R. Foulke
Administrative Judge
E-mail: larry.foulke@nrc.gov

Jonathan C. Eser, Law Clerk
E-mail: jonathan.eser@nrc.gov

Office of the General Counsel
U.S. Nuclear Regulatory Commission
Mail Stop - O-15 D21
Washington, DC 20555-0001

Andrea Jones, Esq.
Maxwell Smith, Esq.
Edward Williamson, Esq.
Brian Newell, Paralegal
E-mail:
axj4@nrc.gov
maxwell.smith@nrc.gov
edward.williamson@nrc.gov
brian.newell@nrc.gov

OGC Mail Center :
OGCMailCenter@nrc.gov

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Mail Stop: O-16C1
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

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

Docket Nos. 50-498-LR and 50-499-LR
ORDER (SCHEDULING ORAL ARGUMENT)

Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Ave., NW
Washington, DC 20004
Counsel for the Applicant
Steven P. Frantz, Esq.
Stephen J. Burdick, Esq.
Kathryn M. Sutton, Esq.
Mary Freeze, Assistant
E-mail:
sfrantz@morganlewis.com;
sburdick@morganlewis.com
ksutton@morganlewis.com
mfreeze@morganlewis.com

Sustainable Energy and Economic
Development (SEED) Coalition
1303 San Antonio, #100
Austin, Texas 78701
Robert V. Eye, Esq.
Kauffman & Eye
E-mail: bob@kauffmaneye.com

[Original signed by Evangeline S. Ngbea]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 23rd day of May 2011.