

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

MEMORANDUM

(Notice Pursuant to 10 C.F.R. § 2.309(i))

Pending before the Board is a Petition for Leave to Intervene and Request for Hearing (Petition) filed by the Sustainable Energy and Economic Development (SEED) Coalition. The Petition challenges the Application filed by the South Texas Nuclear Operating Company (STPNOC) to the Nuclear Regulatory Commission (NRC) for renewal of the operating licenses associated with its two nuclear power reactors, STP Units 1 and 2, located near Wadsworth, Texas.

SEED Coalition filed its Petition on March 14, 2011.¹ On April 7, 2011, STPNOC and the NRC Staff filed answers opposing the Petition.² SEED Coalition did not file a reply. Therefore, under 10 C.F.R. § 2.309(i), the Board's decision granting or denying the Petition appears to be due on Monday, May 23, 2011.

¹Petition 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).

Subsequently, however, SEED Coalition filed an Amended Petition for Leave to Intervene and Request for Hearing (Amended Petition).³ SEED Coalition also filed a Request for Oral Argument on the Contentions Raised on Relicensing.⁴ Although the Amended Petition and the Request for Oral Argument are both dated May 8, 2011, SEED Coalition filed certificates of service for those pleadings on May 11, 2011, indicating that they had both been served and filed on May 11. The Board has scheduled oral argument for June 27, 2011.

The Board hereby provides notice pursuant to 10 C.F.R. § 2.309(i) that it expects to issue its ruling on the original and amended petitions within 45 days of the due date (June 13, 2011) for any reply in support of the Amended Petition. Thus, the Board anticipates issuing a decision on the original and amended petitions on or before July 28, 2011.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ronald M. Spritzer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
May 23, 2011

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

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

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NUCLEAR REGULATORY COMMISSION

In the Matter of)
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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 MEMORANDUM (NOTICE PURSUANT TO 10 C.F.R. § 2.309 (i)) have been served upon the following persons by the Electronic Information Exchange.

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Docket Nos. 50-498-LR and 50-499-LR
MEMORANDUM (NOTICE PURSUANT TO 10 C.F.R. § 2.309 (i))

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

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