

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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In the Matter of	)	
SOUTHERN NUCLEAR OPERATING CO.	)	Docket Nos.
(Vogtle Electric Generating Plant, Units 3 and 4)	)	52-025-COL & 52-026-COL
_____	)	
In the Matter of	)	
PPL BELL BEND, L.L.C.	)	Docket No.
(Bell Bend Nuclear Power Plant)	)	52-039-COL
_____	)	
In the Matter of	)	
LUMINANT GENERATION COMPANY LLC	)	Docket Nos.
(Comanche Peak Nuclear Power Plant Units 3 and 4)	)	52-034-COL & 52-035-COL
_____	)	

**ORDER**

The Center for a Sustainable Coast, Georgia Women’s Action for New Directions (formerly known as Atlanta Women’s Action for New Directions), and Southern Alliance for Clean Energy recently filed a motion to reopen the record and admit a new contention in the *Vogtle* proceeding, captioned above.<sup>1</sup> Southern Nuclear Operating

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<sup>1</sup> *Southern Nuclear Operating Co. (Vogtle Electric Generating Plant, Units 3 and 4): Motion to Reopen the Record and Admit Contention to Address the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident (Aug. 11, 2011); Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report (Aug. 11, 2011).*

Company opposed the *Vogtle* motion.<sup>2</sup> Gene Stilp similarly filed a motion to reopen the record and admit a new contention in the *Bell Bend* proceeding, captioned above.<sup>3</sup> Intervenor in the *Comanche Peak* proceeding, also captioned above, similarly filed a motion to reopen the record and admit a new contention.<sup>4</sup> Luminant Generation Company, LLC, (Luminant) opposed the *Comanche Peak* motion.<sup>5</sup>

Pursuant to my authority under 10 C.F.R. § 2.346(i), I refer these matters, and any additional associated pleadings that may be filed, to the Chief Administrative Judge

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<sup>2</sup> *Southern Nuclear Operating Co.* (Vogtle Electric Generating Plant, Units 3 and 4): *Southern Nuclear Operating Company's Answer in Opposition to Motions to Reopen the Record and Admit Contentions* (Aug. 22, 2011). This answer, filed simultaneously before the Commission and the Atomic Safety and Licensing Board that heard the terminated contested proceeding, also responds to a motion referred previously to the Chief Administrative Judge of the Panel, by Order dated Aug. 18, 2011.

<sup>3</sup> See *PPL Bell Bend, L.L.C.* (Bell Bend Nuclear Power Plant): *Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 10, 2011); *Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report* (Aug. 10, 2011); *Corrected Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 17, 2011). (The *Bell Bend* contention, unlike the *Bell Bend* motion and corrected motion, was filed before the no-longer extant Atomic Safety and Licensing Board; because the contested proceeding terminated, jurisdiction over this filing also lies with the Commission.)

<sup>4</sup> See *Luminant Generation Co., LLC* (Comanche Peak Nuclear Power Plant Units 3 and 4): *Motion to Reopen the Record and Admit Contention Regarding the Safety and Environmental Implications of the Nuclear Regulatory Commission Task Force Report on the Fukushima Dai-ichi Accident* (Aug. 11, 2011); *Contention Regarding NEPA Requirement to Address Safety and Environmental Implications of the Fukushima Task Force Report* (Aug. 11, 2011).

<sup>5</sup> See *Luminant Generation Co., LLC* (Comanche Peak Nuclear Power Plant Units 3 and 4): *Luminant Generation Company LLC's Answer in Opposition to Motion to Reopen the Record, Proposed Contention Regarding Fukushima Task Force Report, and Request to Suspend Proceeding* (Aug. 22, 2011).

of the Atomic Safety and Licensing Board Panel for appropriate action consistent with  
10 C.F.R. §§ 2.309 and 2.326.

IT IS SO ORDERED.

For the Commission

[NRC Seal]

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Annette L. Vietti-Cook  
Secretary of the Commission

Dated at Rockville, Maryland,  
this 30<sup>th</sup> day of August, 2011.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
SOUTHERN NUCLEAR OPERATING ) Docket No. 52-025-COL  
COMPANY ) and 52-026-COL  
)  
(Vogtle) )  
)  
(Combined Operating License) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER REFERRING MOTIONS TO REOPEN IN THE CAPTIONED PROCEEDINGS TO THE ASLBP have been served upon the following persons by Electronic Information Exchange.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

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

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

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D-21  
Washington, DC 20555-0001

Administrative Judge  
G. Paul Bollwerk, III, Chair  
E-mail: [paul.bollwerk@nrc.gov](mailto:paul.bollwerk@nrc.gov)

Marian Zabler, Esq.  
Ann P. Hodgdon, Esq.  
Sara Kirkwood, Esq.  
Patrick A. Moulding, Esq.

Administrative Judge  
Nicholas G. Trikourous  
E-mail: [nqt@nrc.gov](mailto:nqt@nrc.gov)

Sarah Price, Esq.  
Carol H. Lazar, Esq.  
Jessica Bielecki, Esq.  
Marcia Carpentier, Esq.

Administrative Judge  
James F. Jackson  
E-mail: [jxj2@nrc.gov](mailto:jxj2@nrc.gov)  
[jackson538@comcast.net](mailto:jackson538@comcast.net)  
[james.jackson@nrc.gov](mailto:james.jackson@nrc.gov)

Joseph Gilman, Paralegal  
Karin Francis, Paralegal  
E-mail:  
[marian.zabler@nrc.gov](mailto:marian.zabler@nrc.gov); [ann.hodgdon@nrc.gov](mailto:ann.hodgdon@nrc.gov);  
[sara.kirkwood@nrc.gov](mailto:sara.kirkwood@nrc.gov);  
[patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov), [sap1@nrc.gov](mailto:sap1@nrc.gov)  
[joseph.gilman@nrc.gov](mailto:joseph.gilman@nrc.gov); [Carol.Lazar@nrc.gov](mailto:Carol.Lazar@nrc.gov);  
[jessica.bielecki@nrc.gov](mailto:jessica.bielecki@nrc.gov);  
[marcia.carpentier@nrc.gov](mailto:marcia.carpentier@nrc.gov)  
[karin.francis@nrc.gov](mailto:karin.francis@nrc.gov)

Law Clerk: Wen Bu  
E-mail: [wen.bu@nrc.gov](mailto:wen.bu@nrc.gov)

OGC Mail Center : [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

Docket No. 52-025 and 52-026-COL  
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Moanica M. Caston, Esq.  
 Southern Nuclear Operating Company, Inc.  
 40 Inverness Center Parkway  
 P.O. Box 1295, Bin B-022  
 Birmingham, AL 35201-1295  
 E-mail: [mcaston@southernco.com](mailto:mcaston@southernco.com)

Kenneth C. Hairston, Esq.  
 M. Stanford Blanton, Esq.  
 Peter D. LeJeune, Esq.  
 Chad Pilcher, Esq.  
 Derek Brice, Esq.  
 Millicent Ronnlund  
 Balch & Bingham LLP  
 1710 Sixth Avenue North  
 Birmingham, Alabama 35203-2014  
 E-mail: [kchairston@balch.com](mailto:kchairston@balch.com);  
[sblanton@balch.com](mailto:sblanton@balch.com); [plejeune@balch.com](mailto:plejeune@balch.com);  
[cpilcher@balch.com](mailto:cpilcher@balch.com); [dbrice@balch.com](mailto:dbrice@balch.com);  
[mronnlund@balch.com](mailto:mronnlund@balch.com)

Kathryn M. Sutton, Esq.  
 Steven P. Frantz, Esq.  
 Paul M. Bessette, Esq.  
 Mary Freeze  
 Morgan, Lewis & Bockius, LLP  
 Co-Counsel for Southern Nuclear Operating  
 Company, Inc.  
 1111 Pennsylvania Ave., NW  
 Washington, DC 20004  
 E-mail: [ksutton@morganlewis.com](mailto:ksutton@morganlewis.com)  
[sfrantz@morganlewis.com](mailto:sfrantz@morganlewis.com)  
[pbessette@morganlewis.com](mailto:pbessette@morganlewis.com)  
[mfreeze@morganlewis.com](mailto:mfreeze@morganlewis.com)

C. Grady Moore, III, Esq.  
 Balch & Bingham, LLP  
 1901 6<sup>TH</sup> Avenue, Suite 2600  
 Birmingham, AL 35203  
 Leslie Garrett Allen, Esq.  
 E-mail: [gmoore@balch.com](mailto:gmoore@balch.com)  
 E-mail: [lgallen@balch.com](mailto:lgallen@balch.com)

Atlanta Women's Action for New Directions  
 (WAND), Blue Ridge Environmental Defense  
 League (BREDL), Center for Sustainable  
 Coast (CSC), Savannah Riverkeeper and  
 Southern Alliance for Clean Energy (SACE)

Robert B. Haemer, Esq.  
 Pillsbury Winthrop Shaw Pittman LLP  
 2300 N Street, NW  
 Washington, DC 20037-1122  
 E-mail: [robert.haemer@pillsburylaw.com](mailto:robert.haemer@pillsburylaw.com)

Turner Environmental Law Clinic  
 Emory University School of Law  
 1301 Clifton Road  
 Atlanta, GA 30322  
 Lawrence Sanders, Esq.  
 E-mail: [lsande3@emory.edu](mailto:lsande3@emory.edu)  
 Mindy Goldstein  
 E-mail: [magolds@emory.edu](mailto:magolds@emory.edu)

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Barton Z. Cowan, Esq.  
Eckert Seamans Cherin & Mellott, LLC  
600 Grant Street, 44<sup>th</sup> Floor  
Pittsburgh, PA 15219  
E-mail: [teribart61@aol.com](mailto:teribart61@aol.com)

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

Dated at Rockville, Maryland  
this 30<sup>th</sup> day of August 2011