CCNPP3COLA PEmails

From: Quinn-Willingham, Laura
Sent: Thursday, September 22, 2011 1:10 PM
To: Parkhurst, Mary Ann; 'Cort, Katherine A'; Kugler, Andrew
Cc: Zalcman, Barry; Chapman, Elaine G
Subject: FW: Emailing: downloadAttachment.pdf
Attachments: downloadAttachment.pdf

FYI – administrative stuff on format of testimony that OGC will lead the effort on ensuring it is done and correct.
Laura

From: Wilson, Anthony
Sent: Thursday, September 22, 2011 1:00 PM
To: Colaccino, Joseph; Quinn-Willingham, Laura; Arora, Surinder
Cc: Vrahoretis, Susan; Gendelman, Adam; Kirkwood, Sara
Subject: Emailing: downloadAttachment.pdf

Fyi, in Calvert Cliffs, the Board today issued the attached order on the form and format of testimony and exhibits. We will ensure compliance.

Hearing Identifier: CalvertCliffs_Unit3Cola_Public_EX
Email Number: 2704

Mail Envelope Properties (Laura.Quinn-Willingham@nrc.gov20110922130900)

Subject: FW: Emailing: downloadAttachment.pdf
Sent Date: 9/22/2011 1:09:40 PM
Received Date: 9/22/2011 1:09:00 PM
From: Quinn-Willingham, Laura

Created By: Laura.Quinn-Willingham@nrc.gov

Recipients:
"Zalcman, Barry" <Barry.Zalcman@nrc.gov>
Tracking Status: None
"Chapman, Elaine G" <elaine.chapman@pnl.gov>
Tracking Status: None
"Parkhurst, Mary Ann" <maryann.parkhurst@pnl.gov>
Tracking Status: None
"'Cort, Katherine A'" <Katherine.Cort@pnl.gov>
Tracking Status: None
"Kugler, Andrew" <Andrew.Kugler@nrc.gov>
Tracking Status: None

Post Office:

Files	**Size**	**Date & Time**
MESSAGE	517	9/22/2011 1:09:00 PM
downloadAttachment.pdf	97797	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman
Dr. Gary S. Arnold
Dr. William W. Sager

In the Matter of CALVERT CLIFFS 3 NUCLEAR PROJECT, LLC, and UNISTAR NUCLEAR OPERATING SERVICES, LLC (Combined License Application for Calvert Cliffs Unit 3)	Docket No. 52-016-COL ASLBP No. 09-874-02-COL-BD01 September 22, 2011

ORDER
(Providing Directions on Pre-Filed Evidentiary Material)

On June 24, 2011, the Board established a revised schedule for the environmental portion of this proceeding.[1] This order provides further direction concerning pre-filed testimony and exhibits, including the use of the Digital Data Management System (DDMS) for the evidentiary hearing.

I. Use of the DDMS

For this evidentiary hearing, the Board intends to utilize the DDMS for the purpose of marking and entering pre-filed testimony and exhibits into the record. Pre-filed testimony and exhibits shall conform to the formatting requirements set forth below.

Provided that the parties properly number their pre-filed testimony and exhibits, and properly pre-file those documents using the agency's E-Filing system, the parties need not

[1] Licensing Board Order (Revising Initial Schedule) (June 24, 2011) (unpublished).

provide the Board or representatives for the other parties with any paper copies of their pre-filed documents prior to or during the hearing. Nonetheless, parties should have available at the hearing one properly marked paper copy of each pre-filed document for use in the event that there are any operational issues with the DDMS.

In addition, if a party must submit any new pre-filed testimony or exhibits at the evidentiary hearing, or revise any pre-filed testimony or exhibits at the evidentiary hearing, that party must provide at the evidentiary hearing a properly marked electronic copy of any such documents,[2] along with enough properly marked paper copies of any such documents for distribution to the representatives for the other parties, all Board members, and the Board's law clerk.[3]

II. Submission of Pre-Filed Testimony and Exhibits

All pre-filed testimony and exhibits intended for use by the parties at the hearing shall be filed as follow:

a. Individual Files. In accordance with 10 C.F.R. § 2.304(g), each item of pre-filed testimony and each exhibit must be submitted via the agency's E-filing system as an individual electronic file. All pre-filed testimony and exhibits will be received into evidence in exhibit form, pursuant to 10 C.F.R. § 2.1207(b)(2).

b. Exhibit Numbering and Sequencing. Each party shall number their pre-filed testimony and exhibits in a format that consists of a three-character party designation, followed

---

[2] Any such electronic copies must also comply with the agency's E-filing guidance. See U.S. Nuclear Regulatory Commission, Guidance for Electronic Submissions to the NRC, Rev. 6 (May 17, 2010), available at http://www.nrc.gov/site-help/e-submittals/guide-electronic-sub-r6.pdf [hereinafter NRC E-Filing Guidance].

[3] Similarly, if any party has documentary material in addition to its pre-filed testimony and exhibits that it does not wish to provide in support of its direct presentation but nonetheless believes might become relevant in the course of the proceeding, it should ensure that it has available at the hearing a properly marked electronic copy of any such documents, along with enough properly marked paper copies of any such documents for distribution to the representatives for the other parties, all Board members, and the Board's law clerk.

by a six-character zero-filled number. The three-character designation to be used by each of the parties is as follows: Applicants – APL, NRC Staff – NRC, Joint Intervenors – JNT. A typical number sequence for the NRC Staff's exhibits would thus be as follows:

NRC000001

NRC000002

* * * * * * * * *

NRC000100

To the extent practicable, the parties shall order and number their pre-filed testimony and exhibits in the sequence in which they plan to identify and present them for inclusion in the record.

c. Exhibit Number Location. The exhibit number should be placed in the upper right hand corner of the first page of the pre-filed testimony or exhibit. A separate cover sheet should be used only if there is no space on the first page of the document where the exhibit number can be legibly placed.

d. Exhibit Date. All pre-filed testimony and exhibits must be marked with their dates of filing or dates of revision on the first page below the exhibit number.

e. Revised Exhibits. If a party needs to revise a previously submitted pre-filed testimony or exhibit, it should be re-filed with the letter "R" in the fourth character place (e.g., NRC000001 would become NRCR00001). If a second or subsequent revision of the same document is necessary, the pre-filed testimony or exhibit should be re-filed with a sequential designation in the fifth character place (e.g., NRCR20001).

f. Large File-Size Exhibits. If a pre-filed testimony or exhibit needs to be separated into multiple segments to ensure that it does not exceed the agency's guidance on recommended file sizes for submissions,[4] each segment should be labeled by placing an alpha

[4] See NRC E-Filing Guidance at 14–15.

designation in the first character place of the exhibit number in a way that will reflect the relationship of that part to the other parts of the exhibit. For example, if an NRC Staff exhibit that would otherwise have the exhibit number NRC000001 were submitted in three parts because of the file size, each portion would have a different exhibit number in the following sequence: NRC00001A, NRC00001B, and NRC00001C.

g. Duplicate Exhibits. Only one copy of each document should be offered into evidence in this proceeding. Thus, if the NRC Staff offers into evidence a certain document, Applicants and Joint Intervenors should not then offer into evidence the same document, but should instead rely on the document already proffered by the NRC Staff. Accordingly, the parties should confer with one another and determine whether any of the pre-filed exhibits that a party intends to offer into evidence would otherwise be duplicated by another party in the proceeding. In each instance that this is found to be the case, the parties should coordinate which party will first offer the exhibit into evidence. The other parties intending to use that material as an exhibit should revise their evidentiary submissions to reference the initial submitting party's exhibit number.[5]

h. Exhibit List. At the time that new or revised pre-filed testimony or exhibits are filed, each party should submit an electronic copy of its pre-filed exhibit list (preferably in Microsoft Word format) to the Board's law clerk, Kirsten Stoddard (Kirsten.Stoddard@nrc.gov), using the exhibit list template included in Attachment A of this Order.[6] Upon request, the Board's law clerk will provide the parties with the template of the exhibit list.

i. Citations in Pre-Filed Testimony. Pre-filed testimony that includes citations or discussions to outside sources—other than citations to legal authorities, including cases,

[5] When duplicate pre-filed party exhibits have been identified, and the party that is recognized as the one that will initially offer the document subsequently decides not to offer the document, that party must provide timely notice of its intent to the other parties.

[6] Parties may also wish to share exhibit lists amongst themselves in order to avoid duplicate exhibits.

statutes, and regulations—should be accompanied by an evidentiary exhibit that includes the relevant portions of the material cited.

j. Witness Testimony. For any witness providing written expert opinion testimony, please provide a resume, or a detailed statement describing that individual's qualifications, or both.

III. Miscellaneous Matters

The Board intends on holding a pre-hearing conference call with the parties at a later date to discuss additional administrative details concerning the evidentiary hearing.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD[7]

/RA/

Ronald M. Spritzer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
September 22, 2011

[7] Copies of this order were sent on this date by the agency's E-Filing system to the counsel/representatives for: (1) Joint Intervenors Nuclear Information and Resource Services, Beyond Nuclear, Public Citizen Energy Program, and Southern Maryland Citizens Alliance for Renewable Energy Solutions; (2) UniStar Nuclear Operating Services, LLC and Calvert Cliffs-3 Nuclear Project, LLC; (3) NRC Staff; and (4) State of Maryland.

Attachment A Submitted/Revised: [Month/Day/Year]

Calvert Cliffs 3 Nuclear Project, L.L.C., and UniStar Nuclear Operating Services, L.L.C.
(Combined License Application for Calvert Cliffs Unit 3)
Docket No. 52-016-COL
ASLBP No. 09-874-02-COL-BD01
January/February 2012 Evidentiary Hearing

[Party] Hearing Exhibits

[Party] Exhibit #	Witness/Panel	Description

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
CALVERT CLIFFS 3 NUCLEAR PROJECT, LLC.	)	
AND UNISTAR NUCLEAR OPERATING	)	
SERVICES, LLC	)	Docket No. 52-016-COL
	)	
(Calvert Cliffs 3 Nuclear Project, LLC)	)	
(Combined License)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Licensing Board **ORDER (Providing Directions on Pre-Filed Evidentiary Material),** have been served upon the following persons by Electronic Information Exchange.

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

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

Administrative Judge
Gary S. Arnold
E-mail: gary.arnold@nrc.gov

Administrative Judge
William W. Sager
E-mail: wws1@nrc.gov

Joshua A. Kirstein, Law Clerk
John.kirstein@nrc.gov
Kirsten A. Stoddard, Law Clerk
kirsten.stoddard@nrc.gov

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

Marian Zobler, Esq.
Sara Kirkwood, Esq.
Susan Vrahoretis, Esq.
Marcia J. Simon, Esq.
Anthony Wilson, Esq.
Joseph Gilman, Paralegal
E-mail: marian.zobler@nrc.gov
sara.kirkwood@nrc.gov
susan.Vrahoretis@nrc.gov
marcia.Simon@nrc.gov
anthony Wilson@nrc.gov
joseph.gilman@nrc.gov

OGG Mail Center: ogcmailcenter@nrc.gov

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

Docket No. 52-016-COL
ORDER (Providing Directions on Pre-Filed Evidentiary Material)

UniStar Nuclear Energy, LLC
100 Constellation Way
Suite 200C
Baltimore, MD 21202
Carey W. Fleming, Esq.
Senior Counsel
E-mail: carey.fleming@cengllc.com

Winston & Strawn, LLP
1700 K Street, N.W.
Washington, DC 20006-3817
David A. Repka, Esq.
Tyson R. Smith, Esq.
Emily J. Duncan, Esq.
William A. Horin, Esq.
Rachel Miras-Wilson, Esq.
E-mail: DRepka@winston.com
trsmith@winston.com
ejduncan@winston.com
whorin@winston.com
rwilson@winston.com

State of Maryland
Office of the Attorney General
Maryland Energy Administration and
Power Plant Research Program of the
Department of Natural Resources
1623 Forest Drive, Suite 300
Annapolis, Maryland 21403
Brent A. Bolea, Assistant Attorney General
M. Brent Hare, Assistant Attorney General
E-mail: BBolea@energy.state.md.us
bhare@energy.state.md.us

Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Jonathan M. Rund, Esq.
E-mail: jrund@morganlewis.com

Nuclear Information Resource Service
6390 Carroll Avenue, #340
Takoma Park, MD 20912
Michael Mariotte, Executive Director
Diane D'Arrigo
E-mail: nirsnet@nirs.org
dianed@nirs.org

Beyond Nuclear
6930 Carroll Avenue Suite 400
Takoma Park, MD 20912
Paul Gunter, Director
E-mail: paul@beyondnuclear.org

Public Citizen
215 Pennsylvania Ave, SE
Washington, DC 20003
Allison Fisher, Organizer- Energy Program
E-mail: afisher@citizen.org

Southern MD CARES
P.O. Box 354
Solomons, MD 20688
June Sevilla, Spokesperson
E-mail: gmakeda@chesapeake.net

Hogan & Hartson LLP
Columbia Square, 555 Thirteenth Street, NW
Washington, D.C. 20004
Amy Roma, Esq.
E-mail: acroma@hhlaw.com

[Original signed by Linda D. Lewis]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 22nd day of September 2011