

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

Before Administrative Judges:

William J. Froehlich, Chairman  
Nicholas G. Trikouros  
Dr. William E. Kastenber

In the Matter of:

FirstEnergy NUCLEAR OPERATING  
COMPANY

(Davis-Besse Nuclear Power Station, Unit 1)

Docket No. 50-346-LR

ASLBP No. 11-907-01-LR-BD01

July 17, 2012

ORDER

(Setting Dates for Answers and Reply to Motions to Amend Contention 5)

On July 16, 2012, Beyond Nuclear, Citizens Environment Alliance of Southwestern Ontario, Don't Waste Michigan, and the Green Party of Ohio (collectively, "Intervenors") filed a third motion to amend their proposed Contention 5, regarding the cracking that has occurred in the shield building of the Davis-Besse Nuclear Power Station.<sup>1</sup> In this motion, Intervenors note that they intend to file a fourth motion to amend proposed Contention 5 no later than Monday, July 23, 2012.<sup>2</sup>

The Board hereby instructs the parties as follows. Rather than file separate answers to these two motions, FirstEnergy Nuclear Operating Company and the Nuclear Regulatory Commission Staff should each file one answer responding to both of these motions no later than

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<sup>1</sup> See Intervenors' Third Motion to Amend and/or Supplement Proposed Contention No. 5 (Shield Building Cracking) (July 16, 2012).

<sup>2</sup> Id. at 2.

August 17, 2012 (25 days after July 23).<sup>3</sup> Intervenors should file a reply no later than seven days after that, or August 24, 2012.<sup>4</sup>

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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William J. Froehlich, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
July 17, 2012

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<sup>3</sup> See Initial Scheduling Order (June 15, 2011) at 13 (unpublished).

<sup>4</sup> Id.

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FIRST ENERGY NUCLEAR OPERATING )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Setting Dates for Answers and Reply to Motions to Amend Contention 5)** have been served upon the following persons by Electronic Information Exchange.

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Docket No. 50-346-LR

**ORDER (Setting Dates for Answers and Reply to Motions to Amend Contention 5)**

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[Original signed by Christine M. Pierpoint]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 17<sup>th</sup> day of July 2012