

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

Before Administrative Judges:

Lawrence G. McDade, Chairman
Dr. Paul B. Abramson
Dr. Gary Arnold

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Watts Bar Unit 2)

Docket No. 50-391-OL

ASLBP No. 09-893-01-OL-BD01

August 9, 2012

ORDER

(Holding Waste Confidence Contention in Abeyance)

On August 7, 2012, the Commission issued CLI-12-16, which directed that all contentions arising from the Court of Appeals for the D.C. Circuit's New York v. NRC decision be held in abeyance.¹ Accordingly, all pleadings addressing the Southern Alliance for Clean Energy's contention concerning temporary storage and ultimate disposal of spent reactor fuel at Watts Bar Unit 2 are to be held in abeyance pending further order.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Lawrence G. McDade, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 9, 2012

¹ See Calvert Cliffs Nuclear Project, LLC (Calvert Cliffs Nuclear Power Plant, Unit 3), et al., CLI-12-16, 76 NRC __, __ (slip op. at 6) (Aug. 7, 2012).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (HOLDING WASTE CONFIDENCE CONTENTION IN ABEYANCE)** have been served upon the following persons by the Electronic Information Exchange and by electronic mail as indicated by an asterisk*.

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ORDER (HOLDING WASTE CONFIDENCE CONTENTION IN ABEYANCE)

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

Dated at Rockville, Maryland
this 9th day of August 2012