

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

Before Administrative Judges:

William J. Froehlich, Chairman
Dr. Michael F. Kennedy
Dr. William E. Kastenber

In the Matter of
EXELON GENERATION COMPANY, LLC
(Limerick Generating Station, Units 1 and 2)

Docket Nos. 50-352-LR, 50-353-LR

ASLBP No. 12-916-04-LR-BD01

August 22, 2012

NOTICE

(Advising Parties of Amendments to 10 C.F.R. Part 2)

On August 3, 2012, the Nuclear Regulatory Commission amended its regulations related to adjudicatory proceedings under 10 C.F.R. Part 2.¹ These new regulations take effect on September 4, 2012, and apply to “obligations and disputes that arise after” that date.² While we expect that the parties will familiarize themselves with these new regulations in their entirety, we highlight two changes that are particularly relevant in this proceeding.

First, because the NRC Staff has yet to issue its Draft and Final Supplemental Environmental Impact Statements, and because publication of these documents often gives rise to the filing of new contentions, we note that the Commission has amended the regulations regarding the filing of new and amended contentions.³ Second, we note that the Commission has clarified that the 10-day deadline in 10 C.F.R. § 2.323(a) for filing motions applies to “all

¹ Amendments to Adjudicatory Process Rules and Related Requirements; Final Rule, 77 Fed.Reg. 46,561 (Aug. 3, 2012).

² Id. at 46,562.

³ See id. at 46,571-72, 46,591.

motions . . . except § 2.309 motions for new or amended contentions” filed after the initial period for petitions to intervene.⁴ However, our Initial Scheduling Order (ISO) specifically provided that dispositive motions would be subject to a 30-day deadline rather than the default 10-day deadline.⁵ We will continue to enforce the 30-day deadline that we specified in the ISO.

The ISO will continue to govern the conduct of this proceeding in all other regards as well. If any of the parties believes that the new regulations require a change to our ISO, it should bring the matter to the Board’s attention in a response to this issuance filed no later than Wednesday, August 29, 2012.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 22, 2012

⁴ Id. at 46,593.

⁵ See Initial Scheduling Order (May 7, 2012) at 10 (unpublished).

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Exelon Generation Company, LLC) Docket Nos. 50-352-LR and 50-353-LR
(Limerick Generating Station, Units 1 and 2))
) ASLBP No. 12-916-04-LR-BD01
(License Renewal))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE (Advising Parties of Amendments to 10 C.F.R. Part 2)** have been served upon the following persons by Electronic Information Exchange.

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

William J. Froehlich, Chair
Administrative Judge
E-mail: william.froehlich@nrc.gov

Michael F. Kennedy
Administrative Judge
E-mail: michael.kennedy@nrc.gov

William E. Kastenbergh
Administrative Judge
E-mail: William.kastenbergh@nrc.gov

Matthew Flyntz
Law Clerk
E-mail: matthew.flyntz@nrc.gov

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop O-16C1
Washington, DC 20555-0001
OCA Mail Center: 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: hearingdocket@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-15D21
Washington, DC 20555-0001
Catherine Kanatas, Esq.
Maxwell Smith, Esq.
Mary Spencer, Esq.
Joseph Lindell, Esq.
Edward Williamson, Esq.
Brian Newell, Paralegal
catherine.kanatas@nrc.gov
maxwell.smith@nrc.gov
mary.spencer@nrc.gov
joseph.lindell@nrc.gov
edward.williamson@nrc.gov
brian.newell@nrc.gov

OGC Mail Center: OGCMailCenter@nrc.gov

Limerick Generating Station, Units 1 and 2, Docket Nos. 50-362-LR and 50-363-LR
NOTICE (Advising Parties of Amendments to 10 C.F.R. Part 2)

Exelon Generation Company, LLC
Exelon Business Services Company
200 Exelon Way, Suite 305
Kennett Square, PA 19348
Donald Ferraro, Asst. General Counsel
donald.ferraro@exeloncorp.com

Exelon Generation Company, LLC
4300 Warrenville Road
Warrenville, IL 60555
J. Bradley Fewell, Dep. General Counsel
bradley.fewell@exeloncorp.com

Natural Resources Defense Council (NRDC)
1152 – 15th Street, N.W., #300
Washington, DC 20005
Geoffrey H. Fettus, Sr. Project Attorney
gfettus@nrdc.org

National Legal Scholars Law Firm, P.C.
241 Poverty Lane, Unit 1
Lebanon, New Hampshire 03766
Anthony Roisman, Managing Partner
aroisman@nationallegalscholars.com

Morgan, Lewis & Bockius, LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004
Alex Polonsky, Esq.
Kathryn Sutton, Esq.
Anna Jones, Esq.
Laura Swett, Esq.
Edwin Villarico, Sr. Paralegal
Mary Freeze, Legal Secretary
apolonsky@morganlewis.com
ksutton@morganlewis.com
anna.jones@morganlewis.com
lswett@morganlewis.com
evillarico@morganlewis.com
mfreeze@morganlewis.com

Morgan, Lewis & Bockius, LLP
1701 Market Street
Philadelphia, PA 19103-2921
Brooke Leach, Esq.
bleach@morganlewis.com

[Original signed by Herald Speiser]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 22nd day of August, 2012