

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

Before Administrative Judges:

E. Roy Hawken, Chairman
Dr. Anthony J. Baratta
Dr. Gary S. Arnold

In the Matter of

SOUTHERN CALIFORNIA EDISON CO.

(San Onofre Nuclear Generating Station, Units
2 and 3)

Docket Nos. 50-361-CAL, 50-362-CAL

ASLBP No. 13-924-01-CAL-BD01

December 12, 2012

ORDER

(Directing SCE and NRC Staff to File Expedited Answers
to Petitioner's Extension and Clarification Request)

On November 8, 2012, the Commission in CLI-12-20 referred to the Atomic Licensing Board Panel a portion of Friends of the Earth's June 18, 2012 intervention petition challenging a Confirmatory Action Letter (CAL) issued by the NRC to Southern California Edison Company (SCE) on March 27, 2012. See CLI-12-20, slip op. at 5.

On December 3, 2012, this Licensing Board held a conference call¹ to discuss the procedural path forward, and on December 7, 2012, we issued an Order that summarized the conference call and that provided directives concerning briefing of the referred issues.² Specifically, we, inter alia, proposed a briefing schedule and directed the parties to file a joint motion proposing a revised schedule, if necessary.³ The Board also directed SCE, in coordination with Friends of the Earth, to prepare and execute a Joint Non-Disclosure

¹ See Licensing Board Order (Scheduling Conference Call) (Nov. 26, 2012) (unpublished).

² See Licensing Board Order (Conference Call Summary and Directives Relating to Briefing) (Dec. 7, 2012) (unpublished).

³ See id. at 5.

Agreement and a proposed protective order regarding certain proprietary documents that appear to be relevant to the issue of whether the CAL constitutes a de facto license amendment.⁴

On December 11, 2012, Friends of the Earth filed a motion asking the Board to amend the proposed briefing schedule and to clarify the scope of the documents that are subject to disclosure in this case.⁵ In its motion, Friends of the Earth represent that (1) SCE opposes the motion,⁶ and (2) the NRC Staff does not oppose the Board ordering SCE to provide the documents requested by Friends of the Earth, except with respect to documents related to the Augmented Inspection Team report, nor does the NRC Staff oppose a reasonable extension of time for Friends of the Earth to file its initial brief.⁷

In the interest of proceeding expeditiously, the Board directs SCE and the NRC Staff to file their answers to Friends of the Earth's December 11, 2012 motion no later than 3:00 PM Eastern Standard Time, Friday, December 14, 2012.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

E. Roy Hawkens, Chairman
ADMINISTRATIVE JUDGE

Issued at Rockville, Maryland
this 12th day of December 2012.

⁴ Id. at 4.

⁵ See Petitioner's Motion to Amend the Proposed Scheduling Order and Clarify Scope of Disclosure (Dec. 11, 2012).

⁶ See id. at 1.

⁷ See id. at 1-2.

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)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Directing SCE and NRC Staff to File Expedited Answers to Petitioner's Extension and Clarification Request)** have been served upon the following persons by Electronic Information Exchange and by electronic mail as indicated by an asterisk*.

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San Onofre Nuclear Generating Station, Units 2 and 3, Docket Nos. 50-361 and 50-362-CAL
**ORDER (Directing SCE and NRC Staff to File Expedited Answers to
Petitioner's Extension and Clarification Request)**

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[Original signed by Brian Newell]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 12th day of December, 2012