

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

Before Administrative Judges:

Michael M. Gibson, Chairman  
Dr. Gary S. Arnold  
Dr. Randall J. Charbeneau

In the Matter of

NUCLEAR INNOVATION NORTH AMERICA  
LLC

(South Texas Project Units 3 and 4)

Docket Nos. 52-12-COL and 52-13-COL

ASLBP No. 09-885-08-COL-BD01

April 10, 2014

ORDER

(Regarding Issuance of Partial Initial Decision)

Today the Board issued a Partial Initial Decision (LBP-14-03) concerning the application of Nuclear Innovation North America, LLC for combined licenses under 10 C.F.R. Part 52 for the construction and operation of two new nuclear reactor units—proposed South Texas Project Units 3 and 4, employing the Advanced Boiling Water Reactor certified design—on the existing South Texas site, located near Bay City, Texas.<sup>1</sup> In this Partial Initial Decision, the Board rules in favor of the Applicant on Contention FC-1.

During the course of the hearing on this matter, the Board received testimony and exhibits that may contain confidential business information. As a result, portions of this Partial Initial Decision may contain information that must be withheld. To ensure that such information is not inadvertently disclosed, the Partial Initial Decision has been released to the parties for their consideration as to whether the Partial Initial Decision contains confidential business information that should not be disclosed to the public.

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<sup>1</sup> South Texas Project Nuclear Operating Company; Notice of Receipt and Availability of Application for a Combined License, 72 Fed. Reg. 60,394 (Oct. 24, 2007).

To that end, the parties should jointly submit proposed redactions to the Board's Partial Initial Decision no later than April 21, 2014. These proposed redactions should be for the sole purpose of preventing the release of confidential business information that should not be disclosed to the public. Each proposed redaction must specify, by page and line number, any confidential business information that should not be disclosed to the public, and the reasons for the requested redaction.

Thereafter, the Board will release a publicly available version of the Partial Initial Decision as soon as practicable thereafter.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Michael M. Gibson, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
April 10, 2014

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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NUCLEAR INNOVATION NORTH AMERICA LLC ) Docket Nos. 52-012-COL and 52-013-COL  
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(South Texas Project, Units 3 and 4) )  
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Regarding Issuance of Partial Initial Decision)** have been served upon the following persons by the Electronic Information Exchange.

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South Texas Project, Units 3 and 4  
Docket Nos. 52-012-COL and 52-013-COL

**ORDER (Regarding Issuance of Partial Initial Decision)**

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

Dated at Rockville, Maryland  
this 10th day of April, 2014