

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

Before Administrative Judges:

Ronald M. Spritzer, Chairman
Nicholas G. Trikouros
Dr. Gary S. Arnold

In the Matter of

SOUTHERN NUCLEAR OPERATING
COMPANY, INC.

(Vogtle Electric Generating Plant,
Units 3 and 4)

Docket Nos. 52-025-LA-2 and 52-026-LA-2

ASLBP No. 16-946-02-LA-BD01

June 29, 2016

ORDER
(Scheduling Oral Argument)

Before the Board is a petition to intervene and request for a hearing, filed by Blue Ridge Environmental Defense League and its chapter Concerned Citizens of Shell Bluff (collectively "Petitioner").¹ Oral argument on standing and contention admissibility will be held on Wednesday, August 3, 2016, beginning at 9:30 a.m. EDT.

Oral argument will occur by online video conference. Citrix GoToMeeting will be used for the video component of oral argument and telephone access will be used for the audio component. The Board will conduct oral argument from the Atomic Safety and Licensing Board Panel's hearing room, located in the Nuclear Regulatory Commission's headquarters at 11555 Rockville Pike, Rockville, Maryland 20852. The designated representatives of Petitioner, Southern Nuclear Operating Company, Inc. ("Licensee"), and the NRC Staff (collectively

¹ Petition for Leave to Intervene and Request for Hearing by the Blue Ridge Environmental Defense League and its Chapter Concerned Citizens of Shell Bluff Regarding Southern Nuclear Operating Company's Request for a License Amendment and Exemption for Containment Hydrogen Igniter Changes, LAR-15-003 (May 2, 2016).

“participants”) will participate remotely. Members of the public may observe oral argument from the hearing room, but listen-only telephone access will also be made available.

Instructions

On or before Tuesday, July 26, 2016, each participant shall provide the names of its representatives by email to the Board and the service list. Only designated representatives will be permitted to present oral argument. The Board’s law clerk will contact the participants’ designated representatives by email to provide the web address and telephone number required to participate in oral argument by Friday, July 29, 2016. Each counsel or other representative for each participant in this proceeding who has not already done so must file and serve a notice of appearance on or before Tuesday, July 26, 2016, containing all of the information required by 10 C.F.R. § 2.314(b).

On Tuesday, August 2, 2016, beginning at 10:00 a.m. EDT, the Board’s IT Specialist will conduct a 15 to 30 minute technology test of the online video conferencing system with the participants. Each participant will need (1) a telephone line, (2) a computer or tablet with an embedded or attached web camera, (3) an internet connection with at least 1 Mbps connection speed, and (4) a compatible web browser.² The Board’s law clerk will contact the participants by email to provide the web address³ and telephone number required to participate in the technology test by Friday, July 29, 2016.

The primary purpose of this oral argument is for the Board to ask questions and receive answers concerning standing and contention admissibility issues presented by the pleadings.

² The participants should review the Citrix GoToMeeting frequently asked questions web page (<http://www.gotomeeting.com/meeting/online-meeting-support>) for specific system requirements. For the purpose of this oral argument, there is no cost to the participants for using GoToMeeting.

³ A participant’s computer or tablet may require installation of a free plugin or free software from Citrix. Accessing the provided web address prior to the technology test will prompt a plugin or software download, if required.

The Petitioner shall have 30 minutes to present its arguments on all issues, and the NRC Staff and the Licensee shall each have 20 minutes. The Petitioner may reserve up to 5 minutes of its allotted time for rebuttal. No other rebuttal will be permitted.⁴

In general, the participants should not repeat arguments already presented in their written filings, but should focus on responding to the Board's questions. The argument is not an evidentiary hearing, and the participants therefore should not attempt to introduce evidence during the argument. The participants should advise the Board and the other participants no later than Tuesday, July 26, 2016 if they plan to refer to any type of visual aid during the argument. No material that is not already cited in the record before the Board should be used as a visual aid.

Although the designated representatives will participate remotely, the Board encourages all participants to conduct themselves as if in-person and participate from an office setting.

Public Attendance

The public is welcome to attend the argument at the Atomic Safety and Licensing Board Panel's hearing room. However, only the designated representatives will be permitted to participate in the argument. Neither signs nor any manner of demonstration will be permitted in the hearing room. Those people wishing to attend the oral argument in person should contact the Board's law clerk, Cooper Strickland at 301-415-5880 or Cooper.Strickland@nrc.gov, no later than Friday, July 29, 2016 to provide their names for security purposes. All members of the public participating in person must present a valid photo ID and should arrive at least twenty minutes early so as to allow sufficient time to pass through security screening. Furthermore, cell phones are not permitted in the hearing room.

⁴ The Board anticipates that oral argument will last approximately two hours.

Listen-Only Telephone Access

The Board's law clerk will contact the participants by email to provide the telephone number and pass code for listen-only access to oral argument. Members of the public who wish to listen to the conference may also contact the Board's law clerk, Cooper Strickland at 301-415-5880 or Cooper.Strickland@nrc.gov, for the necessary listen-only telephone access information by Friday, July 29, 2016.

Transcript Availability

Sometime after August 3, 2016, a transcript of the oral argument will be available for public inspection electronically on the NRC's Electronic Hearing Docket (EHD). EHD is accessible from the NRC website at <https://adams.nrc.gov/ehd>. For additional information regarding the EHD please see <http://www.nrc.gov/about-nrc/regulatory/adjudicatory.html#ehd>. Persons who do not have access to the internet or who encounter problems in accessing the documents located on the NRC's website may contact the NRC Public Document Room reference staff by email to pdr@nrc.gov or by telephone at (800) 397-4209 or (301) 415-4737. Reference staff are available Monday through Friday between 8:00 AM and 4:00 PM ET, except federal holidays. For additional information regarding the NRC Public Document Room please see <http://www.nrc.gov/reading-rm/pdr.html>.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ronald M. Spritzer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 29, 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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SOUTHERN NUCLEAR OPERATING CO.) Docket Nos. 52-025 and 52-026-LA-2
)
(Vogtle Electric Generating Plant,)
Units 3 and 4))
)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Oral Argument)** have been served upon the following persons by the Electronic Information Exchange and e-mail.

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OGC Mail Center: Members of this office have received a copy of this filing by EIE service.

Vogle Electric Generating Plant, Units 3 and 4, Docket Nos. 52-025 and 52-026-LA-2
ORDER (Scheduling Oral Argument)

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

Dated at Rockville, Maryland
this 29th day of June, 2016