

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

Stefan R. Wolfe, Chair
Dr. David A. Smith
Nicholas G. Trikouros

In the Matter of

LONG MOTT ENERGY, LLC

(Long Mott Generating Station)

Docket No. 50-614-CP

ASLBP No. 25-991-01-CP-BD01

January 22, 2026

MEMORANDUM

(Notice Regarding Issuance of Decision on Intervention Petition Supplement
Containing Sensitive Unclassified Non-Safeguards Information (SUNSI))

In this proceeding concerning the March 2025 10 C.F.R. Part 50 construction permit (“CP”) application of Long Mott Energy, LLC (“LME”) for authorization to build the Long Mott Generating Station in Calhoun County, Texas, the Licensing Board today issued two rulings associated with the August 11, 2025 hearing request filed by petitioner San Antonio Bay Estuarine Waterkeeper (“Petitioner”). The first, LBP-26-01, 103 NRC ____ (Jan. 22, 2026), is a publicly available decision addressing Petitioner’s representational standing to intervene in this adjudication and the admissibility of three contentions challenging certain safety and environmental aspects of the LME CP Application. The other, LBP-26-02, 103 NRC ____ (Jan. 22, 2026), is a currently nonpublic decision concerning the admissibility of a Waterkeeper contention filed as a supplement to its August 2025 hearing request that questions the

adequacy of the aircraft impact assessment in LME's preliminary safety analysis report ("PSAR").

LME previously identified the portion of the PSAR that is the subject of Petitioner's aircraft impact assessment contention as containing Sensitive Unclassified Non-Safeguards Information ("SUNSI"), resulting in that segment being withheld from the public record of this licensing proceeding. Based on the redacted version of that PSAR segment in the public record, the Board has attempted to ensure its decision on this aspect of Petitioner's hearing request contains no SUNSI requiring nonpublic treatment. Nonetheless, out of an abundance of caution, the participants to this proceeding have been provided with a copy of that contention admissibility decision as a nonpublic document to permit their review to confirm whether the decision contains any nonpublic information that requires redaction.

Given the delay in the availability of that decision to the public, the Board provides the following high-level, publicly available summary of its ruling in LBP-26-02, albeit with the caveat that, like the summaries and headnotes that accompany licensing board and Commission published decisions, this synopsis has no legal significance:

Regarding Petitioner's contention contesting the aircraft impact assessment in LME's PSAR, the Board determines that because LME was not required to submit an aircraft impact assessment as part of its CP Application, that contention is inadmissible under 10 C.F.R. § 2.309(f)(1)(iii), (iv), as outside the scope of this proceeding and lacking materiality in that it seeks to go beyond the scope of the challenge allowed under 10 C.F.R. § 50.150(a)(1), (b). Id. at ___ (slip op. at 8, 9).

Once the participants have completed their SUNSI review of this Board decision and provided the Board with the results of that review, the Board will ensure that a publicly available

version of its decision is placed on this proceeding's docket and served on all the participants to this proceeding.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Stefan R. Wolfe, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland

January 22, 2026

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM (Notice Regarding Issuance of Decision on Intervention Petition Supplement Containing Sensitive Unclassified Non-Safeguards Information (SUNSI))** have been served upon the following persons by Electronic Information Exchange.

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Long Mott Energy, LLC., Docket No. 50-614-CP

**MEMORANDUM (Notice Regarding Issuance of Decision on Intervention Petition
Supplement Containing Sensitive Unclassified Non-Safeguards Information (SUNSI))**

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 22nd day of January 2026.