

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

Before Administrative Judges:

Alex S. Karlin, Chairman  
Dr. Anthony J. Baratta  
Dr. Randall J. Charbeneau

In the Matter of

PROGRESS ENERGY FLORIDA, INC.

(Levy County Nuclear Power Plant, Units 1 and 2)

Docket Nos. 52-029-COL, 52-030-COL

ASLBP No. 09-879-04-COL-BD01

August 16, 2012

ORDER

(Holding Proposed New Contention in Abeyance)

Intervenors' Motion for Leave to File a New Contention Concerning Temporary Storage and Ultimate Disposal of Spent Reactor Fuel at Levy Nuclear Power Plant (July 9, 2012) is held in abeyance as mandated in CLI-12-16.<sup>1</sup> In accordance with CLI-12-14 and 10 C.F.R. § 2.318(a), until this pending contention is decided, the contested portion of this adjudicatory proceeding, and the jurisdiction of this Board, does not terminate.<sup>2</sup>

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

**/RA/**

Alex S. Karlin, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 16, 2012

<sup>1</sup> Calvert Cliffs Nuclear Project, LLC (Calvert Cliffs Nuclear Power Plant Unit 3), et al., CLI-12-16, 76 NRC \_\_, \_\_ (slip op. at 6) (Aug. 7, 2012).

<sup>2</sup> See Virginia Electric and Power Co., d/b/a Dominion Virginia Power and Old Dominion Electric Cooperative (Combined License Application for North Anna Unit 3), CLI-12-14, 75 NRC \_\_, \_\_ (slip op. at 10) (June 7, 2012).

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NUCLEAR REGULATORY COMMISSION

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PROGRESS ENERGY FLORIDA, INC.	)	Docket Nos. 52-029-COL
	)	and 52-030-COL
(Levy County Nuclear Power Plant	)	
Units 1 and 2)	)	
	)	
(Combined License)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (HOLDING PROPOSED NEW CONTENTION IN ABEYANCE) have been served upon the following persons by Electronic Information Exchange and by electronic mail as indicated by an asterisk\*.

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Docket Nos. 52-029-COL and 52-030-COL  
ORDER (HOLDING PROPOSED NEW CONTENTION IN ABEYANCE)

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[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 16<sup>th</sup> day of August 2012