

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

Before Administrative Judges:

William J. Froehlich, Chairman
Dr. Michael F. Kennedy
Dr. William E. Kastenber

In the Matter of

EXELON GENERATION COMPANY, LLC

(Limerick Generating Station, Units 1 and 2)

Docket Nos. 50-352-LR, 50-353-LR

ASLBP No. 12-916-04-LR-BD01

August 22, 2012

NOTICE

(Advising Parties of Amendments to 10 C.F.R. Part 2)

On August 3, 2012, the Nuclear Regulatory Commission amended its regulations related to adjudicatory proceedings under 10 C.F.R. Part 2.¹ These new regulations take effect on September 4, 2012, and apply to “obligations and disputes that arise after” that date.² While we expect that the parties will familiarize themselves with these new regulations in their entirety, we highlight two changes that are particularly relevant in this proceeding.

First, because the NRC Staff has yet to issue its Draft and Final Supplemental Environmental Impact Statements, and because publication of these documents often gives rise to the filing of new contentions, we note that the Commission has amended the regulations regarding the filing of new and amended contentions.³ Second, we note that the Commission has clarified that the 10-day deadline in 10 C.F.R. § 2.323(a) for filing motions applies to “all

¹ Amendments to Adjudicatory Process Rules and Related Requirements; Final Rule, 77 Fed.Reg. 46,561 (Aug. 3, 2012).

² Id. at 46,562.

³ See id. at 46,571-72, 46,591.

motions . . . except § 2.309 motions for new or amended contentions” filed after the initial period for petitions to intervene.⁴ However, our Initial Scheduling Order (ISO) specifically provided that dispositive motions would be subject to a 30-day deadline rather than the default 10-day deadline.⁵ We will continue to enforce the 30-day deadline that we specified in the ISO.

The ISO will continue to govern the conduct of this proceeding in all other regards as well. If any of the parties believes that the new regulations require a change to our ISO, it should bring the matter to the Board’s attention in a response to this issuance filed no later than Wednesday, August 29, 2012.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 22, 2012

⁴ Id. at 46,593.

⁵ See Initial Scheduling Order (May 7, 2012) at 10 (unpublished).

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
Exelon Generation Company, LLC)	Docket Nos. 50-352-LR and 50-353-LR
(Limerick Generating Station, Units 1 and 2))	
)	ASLBP No. 12-916-04-LR-BD01
(License Renewal))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE (Advising Parties of Amendments to 10 C.F.R. Part 2)** have been served upon the following persons by Electronic Information Exchange.

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Limerick Generating Station, Units 1 and 2, Docket Nos. 50-362-LR and 50-363-LR
NOTICE (Advising Parties of Amendments to 10 C.F.R. Part 2)

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[Original signed by Herald Speiser]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 22nd day of August, 2012