

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

**/RA/**

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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.

Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3F23  
Washington, DC 20555-0001

Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Mail Stop - O-15 D21  
Washington, DC 20555-0001

Michael M. Gibson, Chair  
Administrative Judge  
E-mail: [michael.gibson@nrc.gov](mailto:michael.gibson@nrc.gov)

Sara Kirkwood, Esq.  
Michael Spencer, Esq.  
Anthony C. Wilson, Esq.  
Richard Harper, Esq.  
Nicholas Koontz, Paralegal  
E-mail:  
[sara.kirkwood@nrc.gov](mailto:sara.kirkwood@nrc.gov)  
[michael.spencer@nrc.gov](mailto:michael.spencer@nrc.gov)  
[anthony.wilson@nrc.gov](mailto:anthony.wilson@nrc.gov)  
[richard.harper@nrc.gov](mailto:richard.harper@nrc.gov)  
[nicholas.koontz@nrc.gov](mailto:nicholas.koontz@nrc.gov)

Gary S. Arnold  
Administrative Judge  
E-mail: [gary.arnold@nrc.gov](mailto:gary.arnold@nrc.gov)

Randall J. Charbeneau  
Administrative Judge  
E-mail: [Randall.Charbeneau@nrc.gov](mailto:Randall.Charbeneau@nrc.gov)

Kathleen E. Oprea, Law Clerk  
E-mail: [kathleen.oprea@nrc.gov](mailto:kathleen.oprea@nrc.gov)

OGC Mail Center :  
[OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov)

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16C1  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

Office of the Secretary of the  
Commission  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16C1  
Washington, DC 20555-0001  
Hearing Docket  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

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

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

Morgan, Lewis & Bockius, LLP  
1111 Pennsylvania Ave., NW  
Washington, DC 20004  
Counsel for the Applicant  
Stephen J. Burdick, Esq.  
Steven P. Frantz, Esq.  
Alvin Gutterman, Esq.  
John E. Matthews, Esq.  
Charles B. Moldenhauer, Esq.  
Mary Freeze, Assistant  
Audrea Salters, Legal Secretary  
E-mail:  
[sburdick@morganlewis.com](mailto:sburdick@morganlewis.com)  
[sfrantz@morganlewis.com](mailto:sfrantz@morganlewis.com);  
[agutterman@morganlewis.com](mailto:agutterman@morganlewis.com)  
[jmatthews@morganlewis.com](mailto:jmatthews@morganlewis.com)  
[cmoldenhauer@morganlewis.com](mailto:cmoldenhauer@morganlewis.com)  
[mfreeze@morganlewis.com](mailto:mfreeze@morganlewis.com);  
[asalters@morganlewis.com](mailto:asalters@morganlewis.com)

Sustainable Energy and Economic  
Development (SEED) Coalition  
Robert V. Eye, Esq.  
Brett A. Jarmer, Esq.  
April Middleton, Assistant  
Kauffman & Eye  
112 SW 6<sup>th</sup> Avenue, Suite 202  
Topeka, Kansas 66603  
E-mail: [bob@kauffmaneye.com](mailto:bob@kauffmaneye.com)  
E-mail: [brett@kauffmaneye.com](mailto:brett@kauffmaneye.com)  
E-mail: [april@kauffmaneye.com](mailto:april@kauffmaneye.com)

Southwest Workers' Union  
Lanny Alan Sinkin, Esq.  
1801 Westlake Drive #212  
Austin, Texas 78746  
E-mail: [lanny.sinkin@gmail.com](mailto:lanny.sinkin@gmail.com)

Sustainable Energy and Economic  
Development (SEED) Coalition  
Diane Curran  
Harmon, Curran, Spielberg, &  
Eisenberg, LLP  
1726 M Street N.W., Suite 600  
Washington, DC 20036  
E-mail: [dcurran@harmoncurran.com](mailto:dcurran@harmoncurran.com)

Sustainable Energy & Economic  
Development (SEED) Coalition  
Eliza Brown, Clean Energy Advocate  
1303 San Antonio #100  
Austin, Texas 78701  
E-mail: [eliza.seedcoalition@gmail.com](mailto:eliza.seedcoalition@gmail.com)

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

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