UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ORDER

On June 29, 2010, the Atomic Safety and Licensing Board issued LBP-10-11, which, among other things, denied the U.S. Department of Energy’s motion to withdraw the construction authorization application at issue in this proceeding. The participants are invited to file briefs with the Commission as to whether the Commission should review, and reverse or uphold, the Board’s decision. The briefing will proceed simultaneously, rather than sequentially. All participants’ initial briefs are due July 9, 2010, and are limited to 40 pages, exclusive of title page, table of contents or table of authorities. All participants’ responsive briefs must be filed by July 16, 2010, and are limited to 20 pages, exclusive of title page, table of contents or table of authorities.

This order is issued pursuant to my authority under 10 C.F.R. § 2.346(a).

IT IS SO ORDERED.

For the Commission

[NRC SEAL]

/RA/

Annette L. Vietti-Cook
Secretary of the Commission

Dated at Rockville, Maryland,
This 30th day of June, 2010.
CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER OF THE SECRETARY, dated June 30, 2010, have been served upon the following persons by Electronic Information Exchange.

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