

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED 08/28/07  
SERVED 08/28/07

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

E. Roy Hawkens, Chairman  
Dr. Paul B. Abramson  
Dr. Anthony J. Baratta

In the Matter of  
  
AMERGEN ENERGY COMPANY, LLC  
  
(License Renewal for Oyster Creek Nuclear  
Generating Station)

Docket No. 50-0219-LR  
  
ASLBP No. 06-844-01-LR  
  
August 28, 2007

**ORDER**

(Ruling on Citizens Motion for an Extension of Time)

On August 24, 2007, Intervenors in the above-captioned proceeding (six organizations hereinafter referred to collectively as Citizens<sup>1</sup>), submitted to the Licensing Board a Motion for an Extension of Time to file "motions and questions it may seek to admit, related to the NRC errata, which was filed after 5 pm on August 23, 2007."<sup>2</sup> Citizens request that the deadline to submit questions and motions relating to the NRC errata be extended until September 18. According to Citizens' Motion, AmerGen does not object to the request for an extension of time, however, the NRC Staff would only agree to an extension until August 31 (Citizens Motion at 2 n.1).

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<sup>1</sup> The six organizations are Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Inc., Grandmothers, Mothers and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation.

<sup>2</sup> [Citizens] Motion to Cross-Examine Peter Tamburro and For an Extension of Time Regarding NRC's Errata at 2 (Aug. 24, 2007) [hereinafter Citizens Motion]. Citizens' motion, in addition to requesting an extension of time, also requests permission for Citizens to cross-examine Mr. Tamburro. The Board will issue its ruling on the latter request after it has received responses from AmerGen and the NRC Staff.

Because the NRC Staff's errata consisted of a single change to one answer (see Letter from Mitzi Young to Administrative Judges (Aug. 23, 2007) (correcting a misstatement in Answer 28)), we agree with the Staff that the requested extension is excessive. Citizens' time to file any motions and questions regarding the NRC Staff's August 23 errata is extended until Wednesday, September 5, 2007.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD<sup>3</sup>

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E. Roy Hawkens, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 28, 2007

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<sup>3</sup> Copies of this Order were sent this date by Internet e-mail to counsel for: (1) AmerGen; (2) Citizens; (3) the NRC Staff; and (4) New Jersey.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
AMERGEN ENERGY COMPANY, LLC ) Docket No. 50-219-LR  
 )  
 )  
(Oyster Creek Nuclear Generating Station) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (RULING ON CITIZENS MOTION FOR AN EXTENSION OF TIME) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 50-219-LR  
LB ORDER (RULING ON CITIZENS MOTION FOR AN  
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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 28<sup>th</sup> day of August 2007