

April 3, 2001

The Honorable George V. Voinovich, Chairman  
Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety  
Committee on Environment and Public Works  
United States Senate  
Washington, DC 20510

RE: Orange County v. NRC, No. 01-1073 (D.C. Cir., filed Feb. 16, 2001)

Dear Chairman:

This lawsuit challenges the immediate effectiveness of a license amendment permitting Carolina Power and Light Company to put into service two previously unused spent fuel pools at CP&L's Shearon Harris facility. The NRC staff issued the immediately effective license amendment upon a determination that the amendment posed "no significant hazards consideration." The petitioner in the court of appeals is Orange County, North Carolina. Orange County also is an intervenor in the Shearon Harris license amendment proceeding. That proceeding currently is before the Commission on Orange County's petition for review of an adverse Licensing Board decision.

Orange County has informed us that it will ask the court of appeals to hold its lawsuit in abeyance to await the Commission's disposition of the County's pending petition for Commission review and pending motion for a stay.

Sincerely,

/R

John F. Cordes, Jr.  
Solicitor

cc: Senator Joseph I. Lieberman

April 3, 2001

The Honorable Joe Barton, Chairman  
Subcommittee on Energy and Air Quality  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

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Sincerely,

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John F. Cordes, Jr.  
Solicitor

cc: Representative Rick Boucher

April 3, 2001

The Honorable Sonny Callahan, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, DC 20515

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John F. Cordes, Jr.  
Solicitor

cc: Representative Peter J. Visclosky

April 3, 2001

The Honorable Pete Domenici, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

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cc: Senator Harry Reid