



SECRETARY

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 15, 2007

DOCKETED  
USNRC

August 16, 2007 (7:51am)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

John D. Runkle, Esquire  
North Carolina Waste  
Awareness and Reduction Network  
Post Office Box 3793  
Chapel Hill, NC 27515-3793

**SERVED August 16, 2007**

**RE-SERVED August 17, 2007**

Re: Director's Decision DD-07-03  
Carolina Power & Light Company  
Shearon Harris Nuclear Power Plant, Unit 1  
Docket No. 50-400 (2.206)

Dear Mr. Runkle:

On June 13, 2007, the Director of the Office of Nuclear Reactor Regulation issued Director's Decision DD-07-03. On June 28, 2007, the Commission received your letter dated June 27, 2007, requesting on behalf of the North Carolina Waste Awareness and Reduction Network that the Commission institute a review of DD-07-03.

NRC regulations provide that, within 25 days after the date of the Director's Decision, the Commission may on its own motion review that decision, in whole or in part, to determine if the director has abused his discretion. Review is at the discretion of the Commission; no petition or other request for Commission review of a Director's Decision will be entertained by the Commission (See 10 CFR 2.206(c)(2)). Therefore, to the extent that you request that the Commission undertake a formal review of DD-07-03, your request is denied.

The Commission has decided not to undertake a formal review of the Director's Decision in this matter. The decision became final agency action on July 9, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", with a stylized flourish at the end.

Annette L. Vietti-Cook

cc: Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

CAROLINA POWER & LIGHT CO. )

(Shearon Harris Nuclear Power Plant, Unit 1) )

Docket No. 50-400 (2.206)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE RE DD-07-03\* have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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

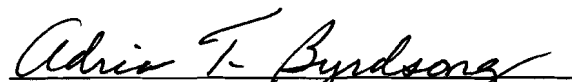
John D. Runkle, Esq.  
North Carolina Waste Awareness  
and Reduction Network  
P.O. Box 3793  
Chapel Hill, NC 27515

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation  
Mail Stop - O-5 E7  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Mohan C. Thadani  
Office of Nuclear Reactor Regulation  
Mail Stop - O-8 B1  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Tanya M. Mensah  
Office of Nuclear Reactor Regulation  
Mail Stop - O-7 E1A  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

David T. Conley, Esq.  
Associate General Counsel II -  
Legal Department  
Progress Energy Service Company, LLC  
P.O. Box 1551  
Raleigh, NC 27602

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 17<sup>th</sup> day of August 2007

\*On 08/16/07, this letter was originally served on the parties to the proceeding. This is to complete service on the Director's Decision service list.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
CAROLINA POWER & LIGHT CO.	)	Docket No. 50-400-LR
	)	
	)	
(Shearon Harris Nuclear Power Plant,	)	
Unit 1)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE RE DD-07-03 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Ann Marshall Young, Chair  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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

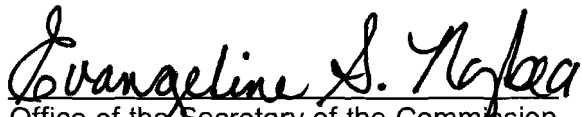
Administrative Judge  
Alice Mignerey  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

David E. Roth, Esq.  
Sherwin E. Turk, Esq.  
Susan L. Uttal, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

John D. Runkle, Esq.  
Attorney at Law  
P.O. Box 3793  
Chapel Hill, NC 27515

Docket No. 50-400-LR  
LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE  
RE DD-07-03

John H. O'Neill, Jr., Esq.  
David R. Lewis, Esq.  
Pillsbury Winthrop Shaw Pittman LLP  
2300 N Street, NW  
Washington, DC 20037

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 16<sup>th</sup> day of August 2007