

NECO Sheffield

June 26, 1978

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

SECY-78-346

INFORMATION REPORT

To: The Commissioners  
From: Stephen F. Eilperin, Solicitor  
Subject: People of the State of Illinois v. NRC,  
U.S.D.C., N.D. Ill., No. 77 C 4190  
Purpose: For information

Discussion:

You will recall that we had moved to dismiss this Sheffield low level waste disposal case as moot. Judge Kirkland has agreed with us and in his five-page opinion of June 16, dismissed the complaint in light of the facts that with the present site full, NECO can no longer bury wastes at Sheffield, and the Commission is preparing an EIS on NECO's application for license renewal and site expansion. If the State of Illinois wishes to appeal to the Seventh Circuit, it must file a notice of appeal by August 18.

I am attaching a copy of Judge Kirkland's opinion.

*S. F. Eilperin*  
Stephen F. Eilperin  
Solicitor

Attachment:  
Opinion

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