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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 07/13/00

ATOMIC SAFETY AND LICENSING BOARD

SERVED 07/13/00

Before Administrative Judges:

G. Paul Bollwerk, III, Chairman
Frederick J. Shon
Dr. Peter S. Lam

In the Matter of

CAROLINA POWER & LIGHT COMPANY

(Shearon Harris Nuclear Power Plant)

Docket No. 50-400-LA

ASLBP No. 99-762-02-LA

July 13, 2000

MEMORANDUM AND ORDER
(Granting Motion for Leave to Comment)

Pending with the Licensing Board is the July 12, 2000 motion of intervenor Board of Commissioners of Orange County, North Carolina, (BCOC) for leave to comment on a June 20, 2000 letter from Advisory Committee on Reactor Safeguards (ACRS) Chairman Dana A. Powers to NRC Chairman Richard Meserve regarding spent fuel pool accidents. Applicant Carolina Power & Light Co. (CP&L) and the NRC staff have not had a chance to respond to this motion. It is apparent, however, that permitting the parties to address this letter is consistent with the previous opportunities afforded by the Board to address other recent ACRS materials relating to this general subject matter.

Accordingly, the BCOC June 12, 2000 motion for leave to file comments is granted. Party comments regarding this ACRS letter should be filed with the Board on or before

Thursday, July 20, 2000, with any party replies to those responses due on or before Thursday, July 27, 2000.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD*

/RA/

G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 13, 2000

*Copies of this memorandum and order were sent this date by Internet e-mail transmission to counsel for (1) applicant CP&L; (2) intervenor BCOC; and (3) the staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM AND ORDER (GRANTING MOTION FOR LEAVE TO COMMENT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Docket No. 50-400-LA
LB MEMORANDUM AND ORDER
(GRANTING MOTION FOR LEAVE
TO COMMENT)

[Original signed by Adria T. Byrdsong]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of July 2000