

RAS 2610

DOCKET NUMBER  
PROD. & UTIL. FAC. ~~50-400-LA~~

DOCKETED  
USNRC

From: "Judy Hogan" <judyhogan@mindspring.com>  
To: <judyhogan@mindspring.com>  
Date: Wed, Jan 10, 2001 6:44 PM  
Subject: Fw: CP&L ASSISTS PROSECUTION

01 JAN 11 A8:58

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Contact your city council, county commissioners, Rep Price and Senator Edwards, write to the newspapers. This has got to stop! Judy  
-----Original Message-----

From: NC WARN <ncwarn@pobox.com>  
To: WARN <nc-warn@pobox.com>  
Date: Wednesday, January 10, 2001 4:43 PM  
Subject: CP&L ASSISTS PROSECUTION

SERVED JAN 11 2001

NEWS ADVISORY  
January 10, 2001  
TRIAL FOR CP&L PROTESTERS

Contact: Jim Warren  
919-490-0747

CP&L Hires Private Attorney to Assist in Prosecution

Three protesters will be tried in Raleigh on Thursday for pressing Carolina Power & Light to stop blocking safety hearings on the company's proposal to double its storage of high-level waste at its Shearon Harris Nuclear Plant in Wake County.

Thursday, January 11, 9am Wake County Courthouse, Courtroom 2-D

316 Fayetteville St. Mall, Raleigh

Rev. Carrie Bolton, lawyer Lewis Pitts and NC WARN director Jim Warren were arrested on October 17th in an act of nonviolent civil disobedience to protest what they call CP&L's arrogant disregard for democratic process and regional safety.

The three were denied entry to CP&L's Raleigh headquarters, where they sought to obtain CEO William Cavanaugh's signature on an agreement to stop using legal maneuvers to block safety hearings before a Nuclear Regulatory Commission licensing board. They then sat down in the entry and refused to leave without seeing Cavanaugh. Raleigh police arrested them on charges of criminal trespass, a second degree misdemeanor in North Carolina which carries a maximum sentence of 15 days in jail.

CP&L has hired a private attorney to assist the Wake County district attorney's office in prosecuting the protesters. The unusual move comes at a time when controversy over CP&L's planned expansion is at peak levels. Orange County has filed a scathing appeal of a decision by a high level bureaucrat with the Nuclear Regulatory Commission to approve the waste expansion. That decision undercut a two-year review process by an NRC licensing board, which is considering whether to order safety hearings and an environmental impact study into the expansion.

Represented by Durham attorney Steward Fisher of Glenn, Mills and Fisher, PA, the group will argue that they were compelled to violate the law to protect themselves and the public. Two top experts warn of an increased risk of a major nuclear waste accident should CP&L gain approval for the expansion without full and open scientific hearings and an environmental impact study - which is required by federal law.

Amplifying safety concerns is the recent revelation that, in 2000, waste pools at two U.S. nuclear plants lost cooling for 48 hours, unnoticed. Temperatures rose well above levels where safety systems can be

Template = SECY-038

SECY-02

damaged; it is not known to what extent damage may have occurred. In some routine cases, pools can begin to boil in that amount of time. If sufficient water is lost to expose the waste to air, waste assemblies will ignite and likely lead to a large radioactive release into the atmosphere.

#

---

NC WARN  
Waste Awareness and Reduction Network  
PO Box 61051  
Durham, NC 27715-1051  
Phone: (919) 490-0747  
Fax: (919) 493-6614  
Email: NC-WARN@POBOX.COM  
Website: <http://www.ncwarn.org>

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
CAROLINA POWER & LIGHT COMPANY ) Docket No. 50-400-LA  
 )  
(Shearon Harris Nuclear Power Plant) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LIMITED APPEARANCE STATEMENT OF JUDY HOGAN 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  
G. Paul Bollwerk, III, Chairman  
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  
Thomas D. Murphy  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Susan L. Uttal, Esq.  
Robert M. Weisman, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Diane Curran, Esq.  
Harmon, Curran, Spielberg  
& Eisenberg, L.L.P.  
1726 M Street, NW, Suite 600  
Washington, DC 20036

William D. Johnson  
Vice President and Senior Counsel  
Carolina Power & Light Company  
P.O. Box 1551  
Raleigh, NC 27602

John H. O'Neill, Jr., Esq.  
Douglas J. Rosinski, Esq.  
Shaw Pittman  
2300 N Street, NW  
Washington, DC 20037

Docket No. 50-400-LA  
LIMITED APPEARANCE STATEMENT  
OF JUDY HOGAN

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 11<sup>th</sup> day of January 2001