

RAS 2759

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

From: "NC-WARN" <NC-WARN@pobox.com>  
 To: "WARN" <nc-warn@pobox.com>  
 Date: Mon, Feb 19, 2001 10:43 PM  
 Subject: CHATHAM DEALS CP&L A BLOW!

DOCKETED  
USHRC

01 FEB 20 A10:04

FOR IMMEDIATE RELEASE

Contact: Jim Warren  
 February 19, 2001  
 919-490-0747

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Chatham County Deals Blow to CP&amp;L Nuclear Expansion

Edwards, Price Urged to Ensure Open Scientific Process on Waste Plan

SERVED FEB 20 2001

DURHAM - In another setback to Carolina Power & Light's plan to expand high-level waste storage in Wake County, the Chatham County Board of Commissioners tonight called on Sen. John Edwards and Rep. David Price to press for scientific hearings on the plan. The commissioners indicated that they have lost confidence in the Nuclear Regulatory Commission's process for reviewing the proposal to create the nation's largest storage site for highly irradiated nuclear fuel at the Shearon Harris Nuclear Plant.

In a powerfully worded resolution that drew jubilant applause from a standing room-only crowd wearing yellow signs calling for safety, the commissioners supported a recent letter by the two federal officials which questioned the NRC's handling of the review. They also called for Edwards and Price to seek judiciary hearings where scientific concerns can be openly resolved, and to call on their congressional colleagues to support that position. Orange County has been trying for two years to convince the NRC to conduct open hearings where CP&L would have to answer the concerns of two experts working for the county who warn that the waste expansion would increase the risk of a catastrophic nuclear accident.

While carrying no binding authority, Chatham's move represents a blow for CP&L because, as one of the two closest neighbors to Shearon Harris, Chatham's voice carries much weight. CP&L has long claimed that Orange County's opposition is an anomaly, and that Wake and Chatham counties have full confidence in the utility's plan - and the company has lobbied hard to keep it that way. Two years ago, a different Chatham commission took a 3-2 pro-CP&L position on the expansion. Tonight the county government and residents agreed that they want to prioritize safety, and they have no faith in the NRC's closed-door review process.

Even staunchly pro-CP&L Commissioner Rick Givens denounced the NRC process as badly flawed, saying "I can't understand how one part of the agency could make a ruling in December that undercut a different part of the agency which is considering whether to hold hearings." Commissioner Bob Atwater, who crafted the resolution, said he is not sure why the NRC's process has gone so bad, but "I know when it smells."

Tonight's move follows an order last week by the five-member NRC commission (which rules the large federal agency) which suspended a December approval of the CP&L plan by a high-ranking NRC staff official. A separate arm of the

Template = SECY-038

SECY-02

NRC, the Atomic Safety and Licensing Board, is considering Orange County's request for trial-like hearings on the potential for a severe nuclear accident. The NRC recently admitted there is a 1 in 100 chance of a waste pool accident in the U.S. - a figure that does not account for the risk of terrorism.

CP&L has tried to spin the 26 month long process as proof that NRC's review has been "exhaustive." However, critics point out that the entire review could have been completed long ago if the company hadn't thrown \$2 million worth of legal roadblocks in the way of Orange's request for formal hearings. Along with Orange County, Chatham joins the towns of Carrboro, Chapel Hill and Hillsborough, along with Durham County, in supporting hearings to resolve concerns about nuclear accidents.

Plant neighbor Harold Taylor of Moncure said after the meeting: "This is a further erosion of support for CP&L's waste proposal. We'll see if other political and civic leaders in this region will join the call for safety, or whether we'll keep hearing the cheerleading to 'support CP&L - right or wrong!'"

##

---

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 NC WARN 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

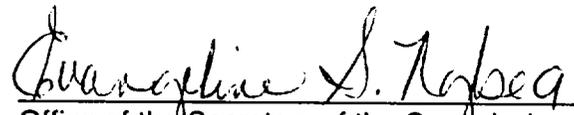
Susan L. Uttal, Esq.  
Robert M. Weisman, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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 NC WARN

  
Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 20<sup>th</sup> day of February 2001