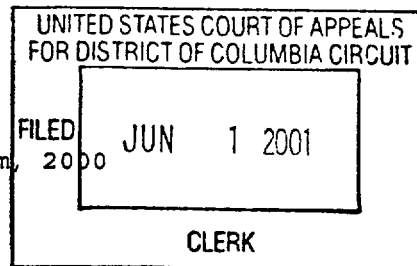


Order

UNITED STATES COURT OF APPEALS
DISTRICT OF COLUMBIA CIRCUIT



No. 01-1246

September Term, 2000

Orange County, North Carolina, Petitioner
v.
Nuclear Regulatory Commission, et al., Respondents

O R D E R

This case was filed and docketed on 5/31/01. The case was filed as a petition for review and was assigned the above number.

It is ORDERED that petitioner(s) shall submit the following document(s) (original and one copy required, unless otherwise noted) by the indicated date(s):

- 7/2/01 Docketing statement.
- 7/2/01 Statement of issues to be raised.
- 7/2/01 Certificate of Counsel (Cir. R. 28(a)(1)).
- 7/2/01 Statement as to whether or not a deferred appendix under F.R.A.P. 30(c) will be utilized. (A motion will not be necessary.)
- 7/2/01 Original and four copies of procedural motions which would affect the calendaring of this case.
- 7/16/01 Dispositive motions, if any. See Cir. R. 27(g). (Original and four copies.)

It is FURTHER ORDERED that respondent(s) shall submit the following document(s) (original and one copy required, unless otherwise noted) by the indicated date(s):

- 7/16/01 Entry of Appearance form.
- 7/16/01 Certified Index to Record.
- 7/2/01 Original and four copies of procedural motions which would affect the calendaring of this case.
- 7/16/01 Dispositive motions, if any. See Cir. R. 27(g). (Original and four copies.)

It is FURTHER ORDERED that briefing in this case is deferred pending further order of the Court.

The Clerk is directed to certify and transmit a copy of this order, along with the petition for review, to respondent(s).

FOR THE COURT:
Mark J. Langer, Clerk

BY:

Mattie Powell-Taylor
Mattie Powell-Taylor, Deputy Clerk

A True copy:

United States Court of Appeals
for the District of Columbia Circuit

Mattie Powell-Taylor Deputy Clerk

FILED
CIRCUIT

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT
MAY 31 2001
CLERK

RECEIVED

ORANGE COUNTY, NORTH CAROLINA,

Petitioner,

v.

UNITED STATES NUCLEAR REGULATORY
COMMISSION and the UNITED STATES
OF AMERICA,

Respondents

No.

01-1246

PETITION FOR REVIEW

The Board of Commissioners of Orange County, North Carolina (hereinafter "Orange County"), hereby petitions the Court for review of the following final order by the Atomic Safety and Licensing Board ("ASLB") of the U.S. Nuclear Regulatory Commission ("NRC" or "Commission") in a license amendment proceeding concerning the Shearon Harris Nuclear Power Plant: LBP-01-09, Memorandum and Order (Denying Request for Evidentiary Hearing and Terminating Proceeding) (March 1, 2001). A copy of LBP-01-09 is attached as Exhibit 1. LBP-01-09 was rendered final by CLI-01-011, in which the NRC Commissioners denied Orange County's administrative petition for review of LBP-01-09. CLI-01-11, Memorandum and Order (May 10, 2001). A copy of CLI-01-11 is attached as Exhibit 2.

Orange County seeks review and reversal of LBP-01-09 on the grounds that it violates the Atomic Energy Act and the National Environmental Policy Act, and constitutes an abuse of the Commission's discretion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane Curran". The signature is fluid and cursive, with a large initial "D" and "C".

Diane Curran

Harmon, Curran, Spielberg & Eisenberg, L.L.P.

1726 M Street N.W., Suite 600

Washington, D.C. 20036

Attorney for Orange County

May 31, 2001

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

ORANGE COUNTY, NORTH CAROLINA,)
Petitioner,) No. _____
v.)
UNITED STATES NUCLEAR REGULATORY)
COMMISSION and the UNITED STATES)
OF AMERICA,)
Respondents)

CERTIFICATE OF SERVICE

I certify that on May 31, 2001, copies of the foregoing Petition for Review were served on the following by first-class mail:

Ronald Spritzer, Esq.
Appellate Division
Environment and Natural Resources
U.S. Department of Justice
P.O. Box 23795 – L’Enfant Plaza
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Respectfully submitted,



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