

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 01-1073

September Term, 2002

Orange County, North Carolina
Petitioner

MANDATE

Pursuant to the provisions of Fed. R. App.Pro. 41(a)

v.

Nuclear Regulatory Commission and
United States of America,
Respondents

ISSUED:

11/13/02

[Signature]
Deputy Clerk

ATTACHED:

Amending Order
 Opinion
 Order on Costs

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

FILED

SEP 19 2002

CLERK

And Consolidated Case No. 01-1246

Petitions for Review of Orders of the
Nuclear Regulatory Commission

Before: EDWARDS and ROGERS, *Circuit Judges*, and WILLIAMS, *Senior Circuit Judge*

J U D G M E N T

These causes were considered on petitions for review of orders of the Nuclear Regulatory Commission and were briefed and argued by counsel. It is

ORDERED and **ADJUDGED** that the petitions for review are hereby denied.

In an administrative proceeding, Orange County presented arguments that the NRC's environmental assessment of a proposed storage expansion of a nuclear reactor was inadequate. After comparing risk calculations offered by the petitioner, the agency's staff, and the applicant facility, the NRC upheld the finding that the chances of an accident were too remote to trigger a full evidentiary hearing on the issue. See *In re Carolina Power & Light Company*, 53 NRC 370 (2001). Once the agency determined that the expansion posed no significant safety hazards, the NRC granted the license amendment for the expansion. In re Carolina Power & Light Company, 53 NRC 113 (2001). Finding no error in NRC's determinations, the court hereby denies the petitions for review primarily for the reasons stated in the agency's orders.

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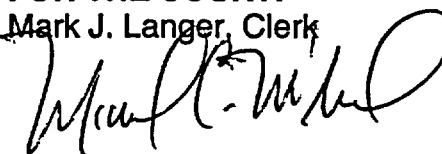
Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. R. 41.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

By:



Michael C. McGrail
Deputy Clerk

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America,
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Carolina Power & Light Company,
Intervenor

Consolidated with 01-1246

Filed On:

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FILED	NOV 13 2002
CLERK	

ORDER

Upon consideration of respondent's bill of costs, it is


ORDERED that respondent's request for costs be granted. Costs are awarded to the U.S. Nuclear Regulatory Commission, in the amount of \$23.68 and taxed against petitioner.

Costs are payable directly between parties. Payment should not be submitted to the Clerk.

FOR THE COURT:

Mark J. Langer, Clerk

BY:


Michael C. McGrail
Deputy Clerk