

RECEIVED
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 long horizontal stroke extending to the right.

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

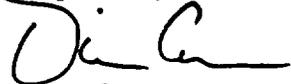
I certify that on May 31, 2001, copies of the foregoing Petition for Review were served on the following by first-class mail:

Ronald Spritzer, Esq.
Appellate Division
Environment and Natural Resources
U.S. Department of Justice
P.O. Box 23795 – L’Enfant Plaza
Washington, D.C. 20026

Charles E. Mullins, Esq.
E. Leo Slaggie, Esq.
John F. Cordes, Esq.
Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

John H. O’Neill, Esq.
Douglas Rosinski, Esq.
ShawPittman
2300 N Street N.W.
Washington, D.C. 20036

Respectfully submitted,


Diane Curran
Harmon, Curran, Spielberg & Eisenberg, L.L.P.
1726 M Street N.W., Suite 600
Washington, D.C. 20036
202/328-3500