

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

CONNECTICUT COALITION
AGAINST MILLSTONE,
Petitioner

v.

U.S. NUCLEAR REGULATORY
COMMISSION,
Respondent

Docket No. 50-336 LA-2

No. 04-0109

JANUARY 6, 2004

PETITION FOR REVIEW

The Intervenor, Connecticut Coalition Against Millstone, hereby petitions this Court, pursuant to 28 U.S.C. Sections 2342 and 2344 and Rule 15(a) of the Federal Rules of Appellate Procedure, to review the final decision of the U.S. Nuclear Regulatory Commission by Memorandum and Order dated October 23, 2003 (CLI-03-14), In the Matter of Dominion Nuclear Connecticut, Inc. (Millstone Nuclear Power Station Unit No. 2), Docket No. 50-336-LA-2, terminating reactor license amendment proceedings arising from Dominion Nuclear Connecticut, Inc.'s license amendment application dated September 26, 2002 seeking revisions to various technical specifications regarding Millstone Nuclear Power Station Unit 2.

The Intervenor also petitions this Court, pursuant to 28 U.S.C. Sections 2342 and 2344 and Rule 15(a) of the Federal Rules of Appellate Procedure, to review the final decision of the U.S. Nuclear Regulatory Commission by Memorandum of

Order dated December 18, 2003 (CLI -03-18) denying the Intervenor's Petition for Reconsideration.

This Court has jurisdiction of this matter pursuant to 28 U.S.C. Section 2342. Venue lies in the Second Circuit pursuant to 28 U.S.C. Section 2343.

The Connecticut Coalition Against Millstone, an organization of statewide safe energy groups, families residing within the five-mile emergency evacuation zone of the Millstone Nuclear Power Station and former employees of the Millstone Nuclear Power Station, was admitted as an intervening party in the licensing proceedings below. The Connecticut Coalition Against Millstone submits that the U.S. Nuclear Regulatory Commission decision was contrary to law, was not supported by substantial evidence and was arbitrary and capricious. The Connecticut Coalition Against Millstone requests a declaration that the Commission's action was unlawful, an order to convene an evidentiary hearing and any other appropriate relief.

Respectfully submitted,
**CONNECTICUT COALITION
AGAINST MILLSTONE**

By:


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition for Review has been served on the following via U.S. Mail, postage pre-paid, on January 6, 2004:

U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Office of the Secretary
ATTN: Rulemaking and Adjudication Staff
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Office of Commission Appellate Jurisdiction
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

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Office of General Counsel
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

A handwritten signature in black ink, appearing to read "David A. Repka", is written over a horizontal line.