



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 15, 2007

DOCKETED
USNRC

August 16, 2007 (7:51am)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

John D. Runkle, Esquire
North Carolina Waste
Awareness and Reduction Network
Post Office Box 3793
Chapel Hill, NC 27515-3793

SERVED August 16, 2007

RE-SERVED August 17, 2007

Re: Director's Decision DD-07-03
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant, Unit 1
Docket No. 50-400 (2.206)

Dear Mr. Runkle:

On June 13, 2007, the Director of the Office of Nuclear Reactor Regulation issued Director's Decision DD-07-03. On June 28, 2007, the Commission received your letter dated June 27, 2007, requesting on behalf of the North Carolina Waste Awareness and Reduction Network that the Commission institute a review of DD-07-03.

NRC regulations provide that, within 25 days after the date of the Director's Decision, the Commission may on its own motion review that decision, in whole or in part, to determine if the director has abused his discretion. Review is at the discretion of the Commission; no petition or other request for Commission review of a Director's Decision will be entertained by the Commission (See 10 CFR 2.206(c)(2)). Therefore, to the extent that you request that the Commission undertake a formal review of DD-07-03, your request is denied.

The Commission has decided not to undertake a formal review of the Director's Decision in this matter. The decision became final agency action on July 9, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "Annette Vietti-Cook", with a stylized flourish at the end.

Annette L. Vietti-Cook

cc: Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

CAROLINA POWER & LIGHT CO.)

Docket No. 50-400 (2.206)

(Shearon Harris Nuclear Power Plant, Unit 1))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE RE DD-07-03* have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Janice E. Moore, Esq.
Office of the General Counsel
Mail Stop - O-15 D21
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

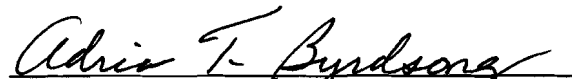
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David T. Conley, Esq.
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Legal Department
Progress Energy Service Company, LLC
P.O. Box 1551
Raleigh, NC 27602


Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 17th day of August 2007

*On 08/16/07, this letter was originally served on the parties to the proceeding. This is to complete service on the Director's Decision service list.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
CAROLINA POWER & LIGHT CO.)	Docket No. 50-400-LR
)	
)	
(Shearon Harris Nuclear Power Plant,)	
Unit 1))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE RE DD-07-03 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
Ann Marshall Young, Chair
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

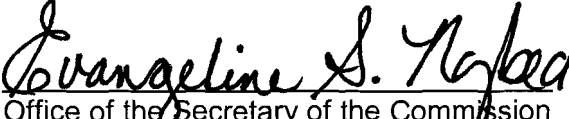
Administrative Judge
Alice Mignerey
Atomic Safety and Licensing Board Panel
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Washington, DC 20555-0001

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Docket No. 50-400-LR
LETTER FROM ANNETTE L. VIETTI-COOK TO JOHN D. RUNKLE
RE DD-07-03

John H. O'Neill, Jr., Esq.
David R. Lewis, Esq.
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037


Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 16th day of August 2007