



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

May 17, 1990

The Honorable Bob Graham, Chairman  
Subcommittee on Nuclear Regulation  
Committee on Environment & Public Works  
United States Senate  
Washington, D.C. 20510

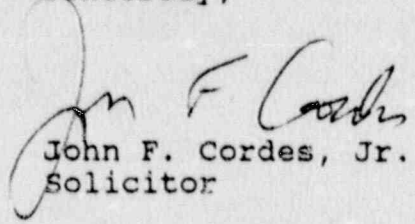
Re: Shoreham-Wading River Central School District, et al.  
v. NRC, No. 90-1241 (D.C. Cir.)

Dear Mr. Chairman:

This is the second lawsuit brought by the Shoreham-Wading River Central School District and the Scientists and Engineers for Secure Energy against the NRC for failure to perform an environmental review of the consequences of decommissioning the Shoreham plant. The D.C. Circuit dismissed petitioners' first suit for lack of a reviewable final order. Petitioners have now come back to the D.C. Circuit claiming that the NRC improperly has allowed Shoreham's owners an exemption from full insurance coverage and is about to relax Shoreham's emergency preparedness and physical security requirements, without preparing the environmental impact statement required by NEPA. Petitioners sought an emergency stay of the NRC's actions. We argued primarily that petitioners had shown no irreparable injury and that the NRC had not yet authorized any "irreversible" step toward decommissioning that might trigger the agency's NEPA duties. On May 11, the court denied petitioners' request for a stay and denied their motion for an expedited appeal. Petitioners have informed us that they will seek a stay before the Supreme Court.

We will keep you advised of pertinent developments in this case.

Sincerely,

  
John F. Cordes, Jr.  
Solicitor

cc: The Honorable Alan K. Simpson

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FULL TEXT ASCII SCAN



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

May 17, 1990

The Honorable Philip Sharp, Chairman  
Subcommittee on Energy and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, D.C. 20515

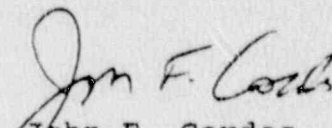
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cc: The Honorable Carlos J. Moorhead





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NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20515

May 17, 1990

The Honorable Morris K. Udall, Chairman  
Subcommittee on Energy and the Environment  
Committee on Interior and Insular Affairs  
United States House of Representatives  
Washington, D.C. 20515

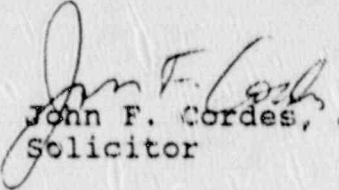
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Solicitor

cc: The Honorable James V. Hansen



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

May 17, 1990

The Honorable J. Bennett Johnston, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

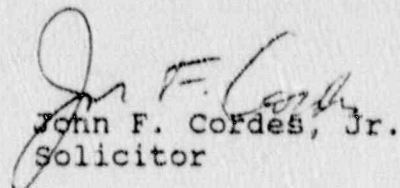
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Solicitor

cc: The Honorable Mark O. Hatfield





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NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

May 17, 1990

The Honorable Tom Bevill, Chairman  
Subcommittee on Energy and Water Development  
Committee on Appropriations  
United States House of Representatives  
Washington, D.C. 20515

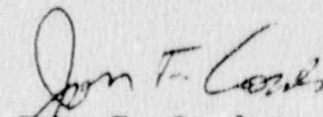
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cc: The Honorable John T. Myers