

May 10, 2001

MEMORANDUM John F. Cordes, Director
FOR: Office of Commission Appellate Adjudication
FROM: Annette L. Vietti-Cook, Secretary /RA/
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 10:25 A.M., THURSDAY, MAY 10, 2001,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-01-0058 - Northeast Nuclear Energy Company (Millstone Nuclear Power Station, Unit No. 3; Facility Operating License NPF-49) Partial Review of LBP-00-26 (Oct. 26, 2000), as Directed by CLI-01-03 (Jan. 17, 2001) Regarding GDC 62, Prevention of Criticality in Fuel Storage & Handling

The Commission approved a Memorandum and Order related to the partial review of LBP-00-26, as directed by the Commission's Memorandum and Order in [CLI-01-03](#) regarding interpretation of General Design Criteria 62, Prevention of Criticality in Fuel Storage and Handling. The Memorandum and Order affirms the Licensing Board's decision in favor of Northeast Nuclear Energy Company that General Design Criteria 62 permits a licensee to use administrative controls to implement physical criticality prevention systems.

(Subsequently, on May 10, 2001, the Secretary signed the Memorandum and Order.)

II. SECY-01-0078 - Carolina Power & Light Company (Shearon Harris Nuclear Power Plant), Docket No. 50-400-LA, LBP-00-19, and LBP-01-09

The Commission approved a Memorandum and Order responding to Orange County's petition for review of a series of Licensing Board decisions approving a license amendment filed by Carolina Power & Light Company (CP&L) to increase spent fuel storage capacity at its Shearon Harris Nuclear Power plant, and to Orange County's emergency motion for a stay of LBP-01-09 pending disposition of the review. The Memorandum and Order denies Orange County's petition for review of the Board rulings in LBP-00-12, LBP-00-19, and LBP-01-09; and denies Orange County's request for an emergency stay of LBP-01-09.

(Subsequently, on May 10, 2001, the Secretary signed the Memorandum and Order.)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
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