

April 11, 2002
EN-02-013

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Carolina Power & Light Co. (EA-00-022, EA-01-310)
(Shearon Harris)
Docket No. 50-400

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a WHITE Significance Determination Process (SDP) finding and associated Notice of Violation will be issued on or around April 16, 2002, to Carolina Power & Light Co. as a result of inspections at the Shearon Harris Nuclear Power Plant. This WHITE finding, an issue with low to moderate increased importance to safety, which may require additional NRC inspections, concerned the Thermo-Lag fire barrier assembly that serves as the fire area separation barrier between Fire Area 1-A-SWGR-B [B Train Switchgear Room/Auxiliary Control Panel Room] and Fire Area 1-A-CSR-A [A Train Cable Spreading Room]. This fire barrier did not have the required three-hour fire resistance rating. This condition represented a violation of 10 CFR 50.48 and Harris Operating License Condition 2.F in that the fire resistance rating was indeterminate instead of the required three hour rating. An additional violation of License Condition 2.F was identified in that the 1997 change to the Fire Protection Program revising the rating of the Thermo-Lag fire barrier assembly from three hours to that suitable for the hazard required prior NRC approval. Accordingly, a Notice of Violation representing both a violation associated with a WHITE finding and a Severity Level III violation is being issued.

It should be noted that the licensee has not been specifically informed of this action. The schedule of issuance and notification are:

Mailing of Final Significance Determination and Notice of Violation	April 16, 2002
Telephone Notification of licensee	April 16, 2002

Contacts: D.J. Nelson, OE, 415-3280
J. Luehman, OE, 415-2741

Distribution:

<u>OWFN</u>	<u>OWFN</u>	<u>TWFN</u>	<u>Regional Offices</u>
Chairman Meserve	EDO	OCFO	RI RII
Comm. Dicus	DEDR	OP CENTER	RIII RIV
Comm. Diaz	DEDE	NMSS	
Comm. McGaffigan	OE	OIG	
Comm. Merrifield	OGC	OCIO	<u>MAIL</u>
SECY	NRR	RES	ADAMS
OCA	OI	ACRS	
PA	SP		
IP			

OE:ESDJNelson
04/11/02

OE:BWestreich
04/11/02

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**