

Mr. James Scarola, Vice President
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Carolina Power & Light Company
Post Office Box 165, Mail Code: Zone 1
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May 30, 2002

SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 - ISSUANCE OF
AMENDMENT RE: EMERGENCY CHANGE TO THE TECHNICAL
SPECIFICATIONS REGARDING POST-ACCIDENT MONITORING
INSTRUMENTATION (TAC NO. MB5133)

Dear Mr. Scarola:

The Nuclear Regulatory Commission has issued Amendment No. 110 to Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1. This amendment changes the Technical Specifications (TS) in response to your request dated May 29, 2002.

The amendment authorizes a change to TS 3/4.3.3.6 "Accident Monitoring Instrumentation" and associated Bases. Specifically, this change revises the Limiting Condition for Operation Actions for Reactor Vessel Level and In Core Thermocouple to be consistent with NUREG-1431, Revision 2, "Standard Technical Specifications Westinghouse Plants."

A copy of the related Safety Evaluation is enclosed. Notice of Issuance will be included in the Commission's regular bi-weekly Federal Register notice.

Sincerely,

/RA/

John M. Goshen, Project Manager, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosures:

1. Amendment No. 110 to NPF-63
2. Safety Evaluation

cc w/enclosures:

See next page

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CAROLINA POWER & LIGHT COMPANY, et al.
DOCKET NO. 50-400
SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.110
License No. NPF-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company, (the licensee), dated May, 29, 2002, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications, as indicated in the attachment to this license amendment; and paragraph 2.C.(2) of Facility Operating License No. NPF-63 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 110, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 2 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Thomas Koshy, Acting Chief, Section 2
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: May 30, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 110

FACILITY OPERATING LICENSE NO. NPF-63

DOCKET NO. 50-400

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

3/4 3-66
3/4 3-67
B 3/4 3-5

Insert Pages

3/4 3-66
3/4 3-67
B 3/4 3-5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 110 TO FACILITY OPERATING LICENSE NO. NPF-63
CAROLINA POWER & LIGHT COMPANY
SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1
DOCKET NO. 50-400

1.0 INTRODUCTION

By letter dated May 29, 2002, the Carolina Power & Light Company (CP&L, the licensee) submitted a request for changes to the Shearon Harris Nuclear Power Plant (HNP) Technical Specifications (TS). The requested changes are based on guidance contained in NUREG-1431, "Standard Technical Specifications Westinghouse Plants" (STS) and

- revise the restoration time for one channel of In Core Thermocouple or Reactor Vessel Level out of service from 7 days to 30 days, and require a written report to be submitted to the Nuclear Regulatory Commission (NRC), and
- revise the restoration time for two channels of In Core Thermocouple or Reactor Vessel Level out of service from 48 hours to 7 days.

The licensee requested that the amendment be issued under emergency circumstances. The NRC reviewed the application. The staff's review findings are delineated below.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act (Act) requires applicants for nuclear power plant operating licenses to include TS as part of the license. The licensee provides TS in order to maintain the operational capability of structures, systems, and components that are required to protect the health and safety of the public. The Commission's regulatory requirements that are related to the content of the TS are contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36. The TS requirements in 10 CFR 50.36 include the following categories: 1) safety limits, limiting safety systems settings, and control settings; 2) limiting conditions for operation (LCOs); 3) surveillance requirements; 4) design features; and 5) administrative controls.

The staff reviewed the proposed changes for compliance with 10 CFR 50.36 and agreement with the precedent as established in NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4." The licensee cannot justify TS changes solely on the basis of

adopting the model STS. In each case, the staff makes a determination that the change maintains adequate safety. Changes that result in relaxation of TS requirements, i.e., less restrictive conditions, require detailed justification on the part of the licensee. CP&L provided this justification in its May 29, 2002, letter, which the staff reviewed and found acceptable. The basis for acceptability is located in Section 3.0 of this Safety Evaluation.

The HNP Accident Monitoring instrumentation TS are currently modeled after NUREG-0452, "Standard Technical Specifications," which was the previous Westinghouse TS standard prior to the issuance of NUREG-1431. HNP uses the guidance of Regulatory Guide (RG) 1.97, Revision 3, "Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant Conditions During and Following an Accident" to meet the requirements of NUREG-0737, "Clarification of TMI Action Plan Requirements." The TS 3/4.3.3.6 instruments, their associated Limiting Conditions for Operation (LCOs), and surveillance requirements are based on the guidance contained in NUREG-0452 and NUREG-0737.

The revised guidance for LCOs for accident instrumentation contained in NUREG-1431 is:

"A.1

Condition A applies when one or more Functions have one required channel that is inoperable. Required Action A.1 requires restoring the inoperable channel to OPERABLE status within 30 days. The 30-day Completion Time is based on operating experience and takes into account the remaining OPERABLE channel (or in the case of a Function that has only one required channel, other non-Regulatory Guide 1.97 instrument channels to monitor the Function), the passive nature of the instrument (no critical automatic action is assumed to occur from these instruments), and the low probability of an event requiring PAM [Post-Accident Monitoring] instrumentation during this interval.

"B.1

Condition B applies when the Required Action and associated Completion Time for Condition A are not met. This Required Action specifies initiation of actions in Specification 5.6.7, which requires a written report to be submitted to the NRC immediately. This report discusses the results of the root cause evaluation of the inoperability and identifies proposed restorative actions. This action is appropriate in lieu of a shutdown requirement since alternative actions are identified before loss of functional capability, and given the likelihood of unit conditions that would require information provided by this instrumentation.

"C.1

Condition C applies when one or more Functions have two inoperable required channels (i.e., two channels inoperable in the same Function). Required Action C.1 requires restoring one channel in the Function(s) to OPERABLE status within 7 days. The Completion Time of 7 days is based on the relatively low probability of an event requiring PAM instrument operation and the availability of alternate means to obtain the required information. Continuous operation with two required channels inoperable in a Function is not acceptable because the alternate indications may not fully meet all performance qualification requirements applied to the PAM instrumentation. Therefore, requiring restoration of one inoperable channel of the Function limits the risk that the

PAM Function will be in a degraded condition should an accident occur. Condition C is modified by a Note that excludes hydrogen monitor channels.”

These revised action statements were previously evaluated by comparison with LCOs for accident monitoring equipment and instrumentation already existing in TS.

3.0 TECHNICAL EVALUATION

The HNP uses redundant safety-related Reactor Vessel Level Instrumentation System (RVLIS) processors to meet the Reactor Vessel Level and In Core Thermocouple Monitoring functions in TS 3/4.3.3.6. RVLIS is a fully qualified and redundant system for monitoring water inventory in the reactor vessel. Each of the two channels provides differential pressure cells and transmitters for narrow- and wide-range monitoring over the full length of the vessel, with the reactor coolant pumps off (natural circulation) and on, respectively. Additionally, narrow-range monitoring is provided for each channel of the upper plenum during natural circulation. Each channel's microprocessor utilizes these differential pressure signals in conjunction with other inputs such as Reactor Coolant System (RCS) pressure, RCS temperature (loop resistance temperature detectors or in core thermocouples), and RVLIS reference leg temperature sensors to compensate for density changes in the system reference legs so as to provide direct water level readings available for operator use.

Qualified in core thermocouples are utilized to determine core exit temperature. These thermocouples are inputs to and processed by the RVLIS microprocessors. Both RVLIS water level readings and in core exit thermocouple data are data-linked to the plant computer for primary display, which is located on the Main Control Board. The data link is supplied from an isolated non-Class 1E output from the qualified RVLIS microprocessors. The RVLIS Train A cabinet and associated isolation device is located on the 286-foot level of the Reactor Auxiliary Building (RAB); the RVLIS Train B cabinet and associated isolation device is located on the 305-foot level of the RAB adjacent to the Main Control Room.

Additionally, qualified microprocessor outputs (RVLIS water level and thermocouple data) are transmitted to dedicated redundant backup displays. These backup displays are alphanumeric and qualified (Class 1E), and are located in the control room. The primary and backup displays have a selective capability for providing RVLIS water level, thermocouple data, and temperature mapping functions.

A failure of one RVLIS microprocessor causes a failure of one channel of RVLIS and one channel of In Core Thermocouple monitoring. Because of this specific design, the licensee has requested a revision of the LCOs for these two functions only and not all accident monitoring instrumentation.

The HNP TS Bases for Accident Monitoring states the following: “The OPERABILITY of the accident monitoring instrumentation ensures that sufficient information is available on selected plant parameters to monitor and assess these variables following an accident. This capability is consistent with the recommendations of Regulatory Guide 1.97, Revision 3.” The RVLIS and In Core Thermocouple design meet the intent of RG 1.97. The HNP design (and RG 1.97) stipulates redundancy for RVLIS and In Core thermocouples. A fully redundant, 100% functional channel would be available should a channel fail. The RVLIS and In Core Thermocouple systems do not automatically actuate any component. These monitoring

systems are used for indication only. Diverse monitoring is available for core cooling indication requirements such as Reactor Coolant Hot and Cold Leg temperature indications as well as RCS pressure.

The current HNP TS require a plant shutdown with one channel of accident monitors inoperable (after 7 days has elapsed). NUREG-1431 "Standard Technical Specifications Westinghouse Plants" allow up to 30 days for a single channel of accident monitoring to be inoperable. The Bases in STS for the 30 days are as follows: "The thirty-day completion time is based on operating experience and takes into account the remaining OPERABLE channel, the passive nature of the instrument (no critical automatic action is assumed to occur from these instruments), and the low probability of an event requiring a PAM instrument during this interval." If the 30-day completion time was not met, then a written report to the NRC would be required to outline the preplanned alternate method of monitoring (in this case, the other redundant channel would be available), the cause of the inoperability, and plans and a schedule for restoring the instrumentation channels of the Function to operable status.

NUREG-1431 requires that if both channels of RVLIS or In Core thermocouples are inoperable restoration of an inoperable channel is required within 7 days. The completion time of 7 days is based on the relatively low probability of an event requiring PAM instrumentation operation and the availability of alternate means to obtain the required information. Diverse monitoring is available for core cooling indication requirements such as Reactor Coolant Hot and Cold Leg temperature indications as well as RCS pressure. These parameters can be used to manually calculate subcooling margin, which normally uses core exit temperatures. Other parameters available to the operators that provide indication that a steam bubble may be forming in the reactor vessel head area include: makeup water flow (charging flow) balanced with letdown flow, RCS subcooling margin (can be determined manually using RCS pressure and temperature), RCS pressure, and pressurizer level. Guidance for the plant operators is also contained in procedures such as Emergency Operating Procedure-End Path Procedure (EPP)-007, "Natural Circulation Cooldown with Steam Void in Vessel Without RVLIS."

For the reasons presented above, these less restrictive requirements are acceptable because they will not affect the safe operation of the plant. The STS requirements are consistent with current industry license practices, operating experience, and plant accident and transient analysis, and provide reasonable assurance that public health and safety will be protected.

4.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.92(c) state that the Commission may make a final determination that a license amendment involves no significant hazards consideration if operation of the facility in accordance with the amendment would not:

- (1) Involve a significant increase in the probability of consequence of an accident previously evaluated; or,
- (2) Create the possibility of a new or different kind of accident from any previously evaluated; or,
- (3) Involve a significant reduction in a margin of safety.

The licensee provided an analysis to address these questions, which is set forth below:

This change does not involve a significant hazards consideration for the following reasons:

1. The proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The Harris Nuclear Plant (HNP) Technical Specification (TS) Bases for Accident Monitoring states the following: "The OPERABILITY of the accident monitoring instrumentation ensures that sufficient information is available on selected plant parameters to monitor and assess these variables following an accident. This capability is consistent with the recommendations of Regulatory Guide (RG) 1.97, Revision 3." The Reactor Vessel Level [Instrumentation] System (RVLIS) and In Core Thermocouple design meets the intent of RG 1.97. The HNP design (and RG 1.97) stipulates redundancy for RVLIS and In Core thermocouples. A fully 100% functional channel would be available should a channel fail. The RVLIS and In Core Thermocouple systems do not automatically actuate any component. These monitoring systems are used for indication only. Diverse monitoring is available for core cooling indication requirements such as Reactor Coolant Hot and Cold Leg temperature indications as well as Reactor Coolant System pressure.

Since the RVLIS and In Core Thermocouple systems do not automatically actuate any component and these monitoring systems are used for indication only, these changes do not significantly affect the consequences of an accident. RVLIS and In Core Thermocouples are not credited in the HNP Final Safety Analysis Report (FSAR) accident analysis as equipment available for transient and accident conditions. The changes in this license amendment do not modify the design or operation of Structures, Systems, and Components (SSCs) that initiate or mitigate the consequences of an accident.

RVLIS and In Core Thermocouples as monitoring instrumentation systems cannot affect system parameters and therefore cannot initiate an accident as described in the HNP FSAR. Therefore, the proposed amendment does not involve a significant increase in the probability of an accident previously evaluated.

2. The proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes do not involve new plant components or procedures, but only revise existing Technical Specification Actions Requirements. RVLIS and In Core Thermocouples as monitoring instrumentation systems cannot affect system parameters and therefore cannot initiate an accident as described in the HNP FSAR. These changes do not modify the design or operation of Structures, Systems, and Components (SSCs) that could initiate an accident.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment does not involve a significant reduction in the margin of safety.

The inclusion of RG 1.97 category 1, type A or B, instrumentation in the TS provides assurance that adequate information is available to the operators to maintain HNP in a safe condition during and following a design basis accident. The proposed changes do not affect the design or operation of safety related components relied upon to automatically mitigate the consequences of a design basis event. The RVLIS and In Core Thermocouple systems do not automatically actuate any component. These monitoring systems are used for indication only. Diverse monitoring is available for core cooling indication requirements such as Reactor Coolant Hot and Cold Leg temperature, Pressurizer level, Charging and Letdown flow indications as well as Reactor Coolant System pressure. Plant procedures are in place to direct operators on the availability of alternate monitoring parameters in the event they are necessary. RVLIS and In Core Thermocouples as monitoring instrumentation systems cannot affect system parameters and therefore cannot initiate an accident as described in the HNP FSAR.

The required 30-day action time associated with this change for when one or more Functions have one required channel that is inoperable, takes into account recent operating experience and the remaining OPERABLE channel [, the] passive nature of the instrument (no critical automatic action is assumed to occur from these instruments), and the low probability of an event requiring Post Accident Monitoring (PAM) instrumentation during this interval.

For conditions when two required channels are inoperable, the revised action in this license amendment requires restoring one channel in the Function to OPERABLE status within 7 days. The Completion Time of 7 days is based on the relatively low probability of an event requiring PAM instrument operation and the availability of alternate means to obtain the required information. The proposed change will not allow continuous operation with two required channels inoperable. Therefore, requiring restoration of one inoperable channel of the Function limits the risk that the PAM Function will be in a degraded condition should an accident occur.

Based on these considerations, the proposed change does not involve a significant reduction in the margin of safety.

Based on the above considerations, the NRC staff concludes that the amendment meets the three criteria of 10 CFR 50.92. Therefore, the NRC staff has made a final determination that the proposed amendment does not involve a significant hazards consideration.

5.0 EMERGENCY CIRCUMSTANCES

In its May 29, 2002, application the licensee requested that this amendment be treated under emergency circumstances. In accordance with 10 CFR 50.91(a)(5), the licensee provided information (reproduced verbatim below) regarding why this emergency situation occurred and how it could not be avoided:

Recently, one train of the Inadequate Core Cooling Monitors at HNP experienced a failure. The associated TS require that the inoperable channel be restored to service within 7 days or the plant must be [shut down]. It is possible that the failed channel will not be restored within the allowed out of service time such that a plant shutdown would be required. Maintenance to recover the failed channel has been successful in restoring the equipment to an operable condition for limited periods. The HNP staff and the vendor for the equipment have not been successful in determining the appropriate permanent repair through electronic card replacements, recalibration efforts, and other electronic component replacements. After diligent efforts to find and repair the problem, including bringing in the vendor's system expert, it is evident that there is a strong possibility that it will take longer than the allowed 7 days for the vendor to make the necessary repairs.

The NRC staff reviewed the licensee's efforts to restore the affected instrument to operability. The NRC staff finds that an emergency situation does exist, in that failure to act in a timely way would result in a required shutdown of HNP. Accordingly, the NRC staff finds that the requirements in 10 CFR 50.91(a)(5) have been met and that the licensee has not abused the emergency provision of this regulation. The requested amendment can be used without prior notice and opportunity for a hearing or for public comment.

6.0 STATE CONSULTATION

In accordance with the Commission's regulations, the North Carolina State official was notified of the proposed issuance of the amendment. The State official had no comments.

7.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has made a final no significant hazards finding with respect to this amendment. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

8.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: John Goshen, NRR

Date: May 30, 2002

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Carolina Power & Light Company

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