



# Progress Energy

## SAFEGUARDS INFORMATION

APR 29 2004

Serial: RNP-RA/04-0029

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2  
DOCKET NO. 50-261/LICENSE NO. DPR-23

SUPPLEMENTAL RESPONSE TO THE APRIL 29, 2003, ORDER EA-03-086

Ladies and Gentlemen:

On April 29, 2003, the U. S. Nuclear Regulatory Commission (NRC) issued EA-03-086, "Issuance of Order Requiring Compliance with Revised Design Basis Threat for Operating Power Reactors," (Order) for the H. B. Robinson Steam Electric Plant (HBRSEP), Unit No. 2. On June 3, 2003, Progress Energy Carolinas, Inc. (PEC), also known as Carolina Power and Light Company, provided its 35-day response to the Order. In a letter from the NRC to Mr. C. S. Hinnant, dated September 25, 2003, the NRC clarified certain requirements of the Order.

Order EA-03-086 imposes license conditions on nuclear power plants licensed pursuant to the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations. Section III.A of the Order requires licensees to revise their physical security plans and safeguards contingency plans to provide protection against the revised design basis threat (DBT) set forth in Attachment 2 to the Order. Section III.A also requires licensees to revise the security force training and qualification plan to provide protection against the revised DBT. These revised plans, along with an implementation schedule, are required to be submitted to the NRC for review and approval no later than April 29, 2004.

In accordance with the Order and 10 CFR 50.4, PEC submits its Supplemental Response for HBRSEP, Unit No. 2. The enclosed CD ROM, "RNP-RA/04-0029/Supl. Response to Order EA-03-086," contains revisions to the *HBRSEP, Unit No. 2 Physical Security Plan* (File # 001), the *HBRSEP, Unit No. 2 Guard Training and Qualification Plan* (File # 002), and the *HBRSEP, Unit No. 2 Safeguards Contingency Plan* (File # 003) as required by the Order. These plans contain the integrated commitments to comply with the Order, and other security-related Orders issued on February 25, 2002, January 7, 2003, and April 29, 2003. As a result, these plans supercede

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Progress Energy Carolinas, Inc.  
Robinson Nuclear Plant  
3581 West Entrance Road  
Hartsville, SC 29550

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previous applicable PEC submittals, including those related to the February 25, 2002, January 7, 2003, and April 29, 2003, security Orders. PEC will continue to implement the provisions of those previous submittals, except to the extent that they are superseded by these plans. Changes being implemented as part of these plans are evaluated, prior to implementation, to ensure that the changes do not compromise plant safety.

The revised plans are consistent with Nuclear Energy Institute, Inc. (NEI)-03-01 (Revision 1), *Nuclear Power Plant Access Authorization Program* (April 2004); NEI-03-09 (Revision 2), *Security Officer Training Program* (April 2004); and NEI-03-12 (Revision 2 (Draft)), *Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan* (April 2004). The schedule for completing these actions, which includes the identification of major transitional activities, is provided in the *HBRSEP, Unit No. 2 Implementation Schedule* (File # 004). To facilitate the NRC's review, any provisions that are different from NEI-03-12 are identified and the justification provided in the *HBRSEP, Unit No. 2 Deviations from NEI-03-12* (File # 005). *HBRSEP, Unit No. 2 Previous Exemptions to 10 CFR 73* (File # 006), is a listing of any exemptions to 10 CFR 73 previously granted to PEC and an explanation of their status under the plans hereby submitted. *HBRSEP, Unit No. 2 Justification for Alternatives* (File # 007), includes the justification for any of the alternatives provided in NEI-03-12 or in the "NRC Guidance on Implementation of the April 2003 Revised Design Basis Threat," that PEC has adopted. Further, PEC has chosen to implement Option 2 of Section 9.4.1.2 of NEI-03-12, and the justification for that choice is provided in *HBRSEP, Unit No. 2 Justification for Vehicle Search Criteria* (File # 008).

When the final revision of NEI-03-12 is approved by the NRC, PEC will supplement this response, if necessary, to conform to NEI-03-12 as finally approved. However, upon submittal of these plans, PEC will be implementing its revised protection strategy and completing plant modifications and security personnel training pursuant to these plans to ensure completion by October 29, 2004. Upon implementation completion, HBRSEP, Unit No. 2, will be in compliance with all applicable security requirements. For the purposes of complying with the annual audit requirement of 10 CFR 73, the date of the PEC letter to the NRC certifying Order implementation completion will be the effective date for determining the commencement of the annual audit requirement period.

Because of the October 29, 2004, implementation requirement; the need to integrate the requirements of the revised DBT Order with the security Orders issued February 25, 2002, January 7, 2003, and April 29, 2003; and, the NRC's determination that it would be appropriate to exercise enforcement discretion to accommodate any issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of the Orders, PEC requests

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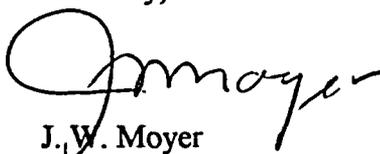
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that enforcement discretion be exercised during the transition period until full implementation of the plans is accomplished and the physical plant modifications and security training are complete. At that time, the revised plans will be fully implemented and the exercise of enforcement discretion will no longer be necessary.

Please refer any questions regarding this submittal to Mr. William Guthrie, Superintendent – Security, at (843) 857-1241.

Sincerely,

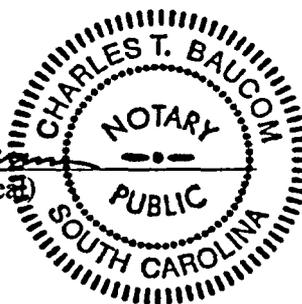


J. W. Moyer

Vice President

H. B. Robinson Steam Electric Plant, Unit No. 2

J. W. Moyer, having been first duly sworn, did depose and say that the information contained herein is true and correct to the best of his information, knowledge and belief; and the sources of his information are officers, employees, and agents of Progress Energy Carolinas, Inc., also known as Carolina Power and Light Company.

  
Notary (Seal)

My commission expires: 9/13/2009

JMG/jmg

Enclosure: CD-ROM entitled "RNP-RA/04-0029/Supl. Response to Order EA-03-086"

- c: L. A. Reyes, NRC, Region II  
NRC Resident Inspector, HBRSEP (w/o Enclosure)  
C. P. Patel, NRC, NRR (w/o Enclosure)

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A total of one (1) CD-ROM is included in this submission. The CD-ROM, labeled "RNP-RA/04-0029/Supl. Response to Order EA-03-086" contains the following eight (8) files:

File #	File Title	File Size	File Classification
001	001_HBRSEP U2_Phys_Sec_Plan.pdf	290 KB	Safeguards Information
002	002_HBRSEP U2_Grd_Trng_Qual_Plan.pdf	215 KB	Safeguards Information
003	003_HBRSEP U2_Cntngcy_Plan.pdf	276 KB	Safeguards Information
004	004_HBRSEP U2_Impl_Schedule.pdf	67 KB	Safeguards Information (Decontrolled)
005	005_HBRSEP U2_Dev_NEI0312.pdf	62 KB	Safeguards Information (Decontrolled)
006	006_HBRSEP U2_Prev_Exempt.pdf	64 KB	Safeguards Information (Decontrolled)
007	007_HBRSEP U2_Just_Altern.pdf	62 KB	Safeguards Information (Decontrolled)
008	008_HBRSEP U2_Just_Veh_Srch_Crit.pdf	65 KB	Safeguards Information

The files on the enclosed CD-ROM are classified as Safeguards Information and should be withheld from public disclosure in accordance with 10 CFR 73.21.

The contact person for the information provided on the enclosed CD-ROM is provided below:

**Contact Name:** William Guthrie  
**Mailing Address:** Progress Energy Carolinas, Inc.  
Robinson Nuclear Plant  
3581 West Entrance Road  
Hartsville, SC 29550

**E-Mail Address:** [William.Guthrie@pgnmail.com](mailto:William.Guthrie@pgnmail.com)  
**Phone Number:** (843) 857-1241

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