



AUG 06 2004

Serial: HNP-04-093
10 CFR 50.90

U.S. Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, DC 20555

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT NO. 1
DOCKET NO. 50-400/LICENSE NO. NPF-63

**WITHDRAWAL OF THE REQUEST FOR A LICENSE AMENDMENT REGARDING
TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENT 4.4.5.3a**

Ladies and Gentlemen:

By letter dated December 8, 2003, Carolina Power & Light Company doing business as Progress Energy Carolinas, Inc., requested an amendment to the Shearon Harris Nuclear Power Plant (HNP), Unit 1, Facility Operating License No. NPF-63. The proposed one-time change would have modified the facility technical specifications pertaining to Steam Generator (SG) inspection frequency requirements in Surveillance Requirement (SR) 4.4.5.3a. On May 14, 2004, the second inservice inspection of the SGs was conducted and completed during a mid-cycle outage.

Since the inspection frequency requirements in SR 4.4.5.3a have been met, the above cited request is no longer applicable. Therefore, HNP requests withdrawal of the request for a license amendment.

In accordance with 10 CFR 50.91(b), HNP is providing the State of North Carolina with a copy of this letter.

Please refer any question regarding this withdrawal to me at (919) 362-3137.

Sincerely,

A handwritten signature in cursive script that reads 'John R. Caves'.

John R. Caves
Supervisor, Licensing/Regulatory Programs

JRC/jpy

c:

Mr. R. A. Musser, NRC Senior Resident Inspector
Ms. B. O. Hall, N.C. DENR Section Chief
Mr. C. P. Patel, NRC Project Manager
Mr. L. A. Reyes, NRC Regional Administrator

Progress Energy Carolinas, Inc.
Harris Nuclear Plant
P.O. Box 165
New Hill, NC 27562

A001



James Scarola
Vice President
Harris Nuclear Plant
Progress Energy Carolinas, Inc.

AUG 06 2004

Serial: HNP-04-100
10 CFR 50.90

U.S. Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, DC 20555

**SHEARON HARRIS NUCLEAR POWER PLANT, UNIT NO. 1
DOCKET NO. 50-400/LICENSE NO. NPF-63
CLARIFICATION TO THE REQUEST FOR A LICENSE AMENDMENT
TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS
(SR) 4.0.5.A AND ASSOCIATED BASES**

Ladies and Gentlemen:

On May 5, 2004, in accordance with the Code of Federal Regulations, Title 10, Part 50.90, Carolina Power & Light Company doing business as Progress Energy Carolinas, Inc., requested a license amendment for the Harris Nuclear Plant (HNP) to Technical Specification (TS) Surveillance Requirements (SR) 4.0.5.a, "Surveillance Requirements for inservice inspection and testing of American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components." Specifically, the proposed change would reference the ASME Code for Operation and Maintenance of Nuclear Power Plants (OM Code) in Technical Specification SR 4.0.5.a and the associated Bases. HNP is submitting the proposed change to update the Technical Specifications to allow use of the ASME OM Code for the visual examination of snubbers pursuant to 10 CFR 50.55a(b)(3)(v).

On July 16, 2004, based on discussions with the NRC staff, it was determined that a change in wording to the originally requested TS amendment would provide clarification and facilitate the NRC's review of the request.

Attachment 1 provides the updated marked-up Technical Specifications page.

Attachment 2 provides the updated retyped Technical Specifications page.

Attachment 3 provides the updated marked-up Technical Specifications Bases page. This bases page is provided for information only and does not require issuance by the NRC.

The clarification provided by this submittal does not change the intent or the justification for the originally proposed TS amendment. Therefore, this updated proposed TS amendment does not affect the basis for determining that the proposed amendment does not involve a Significant Hazards Consideration pursuant to 10 CFR 50.92. As such, the 10 CFR 50.92 Evaluation, provided in the May 5, 2004 submittal and published in the Federal Register (i.e., 69 FR 34697 dated June 22, 2004) remains valid.

P.O. Box 165
New Hill, NC 27562

T > 919.362.2502
F > 919.362.2095

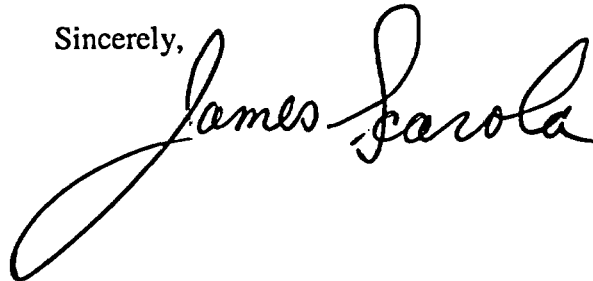
In accordance with 10 CFR 50.91(b), HNP is providing the State of North Carolina with a copy of the proposed marked-up and retyped Technical Specifications pages.

HNP requests that the proposed amendment be issued by October 1, 2004 to support planning for HNP RFO-12 which is scheduled for October 16, 2004.

Please refer any question regarding this submittal to Mr. John Caves at (919) 362-3137.

I declare, under penalty of perjury, that the attached information is true and correct
(Executed on AUG 06 2004).

Sincerely,

A handwritten signature in black ink, reading "James Scarola". The signature is written in a cursive style with a large, looping initial "J".

JS/jpy

Attachments:

1. Marked-up Technical Specifications Page
2. Retyped Technical Specifications Page
3. Marked-up Technical Specifications Bases Page

c:

Mr. R. A. Musser, NRC Senior Resident Inspector
Ms. B. O. Hall, N.C. DENR Section Chief
Mr. C. P. Patel, NRC Project Manager
Mr. L. A. Reyes, NRC Regional Administrator

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT NO. 1
DOCKET NO. 50-400/LICENSE NO. NPF-63
CLARIFICATION TO THE REQUEST FOR A LICENSE AMENDMENT
TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS (SR) 4.0.5.A
AND ASSOCIATED BASES

MARKED-UP TECHNICAL SPECIFICATIONS PAGE

APPLICABILITY

SURVEILLANCE REQUIREMENTS

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

4.0.2 Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.

4.0.3 If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is less. This delay period is permitted to allow performance of the surveillance.

If the surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the LCO must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

DELETE

INSERT

(including supports and attachments)

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i);

INSERT

Section 50.55a(f)(6)(i) or

REPLACE

Section 50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v),

DELETE

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT NO. 1
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TECHNICAL SPECIFICATION SURVEILLANCE REQUIREMENTS (SR) 4.0.5.A
AND ASSOCIATED BASES

RETYPE TECHNICAL SPECIFICATIONS PAGE

APPLICABILITY

SURVEILLANCE REQUIREMENTS

4.0.1 Surveillance Requirements shall be met during the OPERATIONAL MODES or other conditions specified for individual Limiting Conditions for Operation unless otherwise stated in an individual Surveillance Requirement.

4.0.2 Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25% of the specified surveillance interval.

4.0.3 If it is discovered that a surveillance was not performed within its specified surveillance interval, then compliance with the requirement to declare the LCO not met may be delayed, from the time of discovery, up to 24 hours or up to the limit of the specified surveillance interval, whichever is less. This delay period is permitted to allow performance of the surveillance.

If the surveillance is not performed within the delay period, the LCO must immediately be declared not met, and the applicable ACTION requirements must be met.

When the surveillance is performed within the delay period and the surveillance criteria are not met, the LCO must immediately be declared not met, and the applicable ACTION requirements must be met.

Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components (including supports and attachments) and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(f)(6)(i) or Section 50.55a(g)(6)(i):

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MARKED-UP TECHNICAL SPECIFICATIONS BASES PAGE
(FOR INFORMATION)

APPLICABILITY

(including supports and attachments)

INSERT

BASES

4.0.5 This specification ensures that inservice inspection of ASME Code Class 1, 2 and 3 components and inservice testing of ASME Code Class 1, 2 and 3 pumps and valves will be performed in accordance with a periodically updated version of Section XI of the ASME Boiler and Pressure Vessel Code and Addenda as required by 10 CFR 50.55a. Relief from any of the above requirements has been provided in writing by the Commission and is not a part of these Technical Specifications.

This specification includes a clarification of the frequencies for performing the inservice inspection and testing activities required by Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda. This clarification is provided to ensure consistency in surveillance intervals throughout these Technical Specifications and to remove any ambiguities relative to the frequencies for performing the required inservice inspection and testing activities.

Under the terms of this specification, the more restrictive requirements of the Technical Specifications take precedence over the ASME Boiler and Pressure Vessel Code and applicable Addenda. For example, the requirements of Specification 4.0.4 to perform surveillance activities prior to entry into an OPERATIONAL MODE or other specified applicability condition takes precedence over the ASME Boiler and Pressure Vessel Code provision which allows pumps to be tested up to 1 week after return to normal operation. And for example, the Technical Specification definition of OPERABLE does not grant a grace period before a device that is not capable of performing its specified function is declared inoperable and takes precedence over the ASME Boiler and Pressure Vessel Code provision which allows a valve to be incapable of performing its specified function for up to 24 hours before being declared inoperable.

REPLACE

50.55a(f) or (g) as modified by 10 CFR 50.55a(b)(3)(v).

DELETE