

## **SAFEGUARDS INFORMATION**

October 28, 2004

Mr. J. W. Moyer  
Vice President  
c/o Mr. William Guthrie  
Carolina Power and Light Company  
H. B. Robinson Steam Electric Plant, Unit 2  
3581 West Entrance Road  
Hartsville, SC 29550

**SUBJECT: H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT 2 - ADMINISTRATIVE CHANGE TO RENEWED FACILITY OPERATING LICENSE IN CONJUNCTION WITH THE COMMISSION ORDER EA-03-086 REGARDING REVISED DESIGN BASIS THREAT; AND REVISIONS TO PHYSICAL SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN (TAC NO. MC2964)**

Dear Mr. Moyer:

By letter dated April 29, 2004, Carolina Power and Light Company submitted a supplemental response in accordance with Order EA-03-086, the Order requiring compliance with the revised design basis threat, dated April 29, 2003, (DBT Order) for the H. B. Robinson Steam Electric Plant, Unit 2. Section III.A of the DBT Order required licensees to revise physical security plans (PSPs), training and qualification plans (T&Q Plans), and safeguards contingency plans (SCPs) in order to provide protection against the revised DBT set forth in Attachment 2 to the DBT Order. These revised plans, along with an implementation schedule, were required to be submitted to the Nuclear Regulatory Commission (NRC or the Commission) for review and approval no later than April 29, 2004.

The NRC staff's review of the H. B. Robinson Steam Electric Plant, Unit 2 PSP, SCP, and T&Q Plan submitted in your letter dated April 29, 2004, as supplemented on May 18 July 9, July 26, August 19, October 1, and October 20, 2004, has focused on ensuring the necessary programmatic elements are contained in these plans in order to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.

**NOTICE: Enclosure 2 contains Safeguards Information.  
Upon separation from Enclosure 2, this letter and  
Enclosure 1 are DECONTROLLED.**

## **SAFEGUARDS INFORMATION**

The NRC staff has determined that subject to subsequent inspection and evaluation, these plans contain the necessary programmatic elements that, when effectively implemented, will provide the required high assurance that H. B. Robinson Steam Electric Plant, Unit 2 will be protected against the revised DBT. The NRC staff, therefore approves the **PSP, SCP, and T&Q Plan** for H. B. Robinson Steam Electric Plant, Unit 2. However, ultimately the effectiveness of these plans will be judged on your ability to meet regulatory requirements through facility implementing procedures and site practices. As such your facility implementing procedures and practices will continue to be subject to future NRC review and inspection, including NRC-conducted force-on-force exercises.

In addition, the NRC staff noted that your PSP included alternatives to certain requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 73.55. In each case, the NRC staff found that the alternative measure provides an equivalent level of protection to that of the associated requirement and meet the high assurance objective of 10 CFR 73.55(a). The NRC staff, therefore, approves the alternatives shown in the table below. The NRC staff's evaluation is discussed further in the enclosed Safety Evaluation (SE).

Approved Alternatives to the Requirements of 10 CFR Part 73

<b>SE Section</b>	<b>PSP Section</b>	<b>Alternative to 10 CFR</b>	<b>Description</b>
3.6.2	6.2	73.55(c)(3)	Isolation Zones
3.9.4.3	9.4.3	73.55(d)(4)	Protected Area (PA) vehicle search requirements
3.9.4.4	9.4.4	73.55(d)(1)	PA personnel search requirements
3.9.5.2	9.5	73.55(d)(4)	PA access control requirements
3.10.1	10.1	73.55(c)(5)	PA illumination requirements
3.13.1	14.1	73.55(c)(1) 73.55(d)(7)(i)(B)	Temporary reclassification of Vital Areas to PA status (devitalization)

Finally, consistent with the DBT Order, conforming administrative changes to Renewed Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to the Renewed FOL No. DPR-23 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply with the standards and requirements of the Atomic Energy Act of 1954, as amended and the Commission's rules and regulations set forth in 10 CFR Chapter I.

J. W. Moyer

- 3 -

Please replace the enclosed pages to your Renewed FOL as indicated in Enclosure 1.

A copy of our SE with regard to your security plans (designated as Safeguards Information) is provided in Enclosure 2.

Sincerely,

**/RA/**

John A. Nakoski, Section Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-261

Enclosures: 1. Administrative Change to Renewed FOL No. DPR-23  
2. Safety Evaluation Regarding the Security Plans (**SAFEGUARDS INFORMATION**)

cc w/encl 1 only: See mailing list 1

cc w/encls 1 and 2: William Guthrie, Security Manager

J. W. Moyer

- 3 -

Please replace the enclosed pages to your Renewed FOL as indicated in Enclosure 1.

A copy of our SE with regard to your security plans (designated as Safeguards Information) is provided in Enclosure 2.

Sincerely,

**/RA/**

John A. Nakoski, Section Chief  
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cc w/encls 1 and 2: William Guthrie, Security Manager

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H. B. ROBINSON

cc: w/o encl.:

Steven R. Carr  
Associate General Counsel - Legal  
Department  
Progress Energy Service Company, LLC  
Post Office Box 1551  
Raleigh, North Carolina 27602-1551

Ms. Margaret A. Force  
Assistant Attorney General  
State of North Carolina  
Post Office Box 629  
Raleigh, North Carolina 27602

U. S. Nuclear Regulatory Commission  
Resident Inspector's Office  
H. B. Robinson Steam Electric Plant  
2112 Old Camden Road  
Hartsville, South Carolina 29550

Mr. Dan Stoddard  
Plant General Manager  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
Carolina Power & Light Company  
3581 West Entrance Road  
Hartsville, South Carolina 29550

Mr. William C. Noll  
Director of Site Operations  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
Carolina Power & Light Company  
3581 West Entrance Road  
Hartsville, South Carolina 29550

Public Service Commission  
State of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

J. F. Lucas  
Manager - Support Services - Nuclear  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
Carolina Power & Light Company  
3581 West Entrance Road  
Hartsville, South Carolina 29550

Mr. C. T. Baucom  
Supervisor, Licensing/Regulatory Programs  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
Carolina Power & Light Company  
3581 West Entrance Road  
Hartsville, South Carolina 29550

Ms. Beverly Hall, Section Chief  
N.C. Department of Environment  
and Natural Resources  
Division of Radiation Protection  
3825 Barrett Dr.  
Raleigh, North Carolina 27609-7721

Mr. Robert P. Gruber  
Executive Director  
Public Staff - NCUC  
4326 Mail Service Center  
Raleigh, North Carolina 27699-4326

Mr. Henry H. Porter, Assistant Director  
South Carolina Department of Health  
Bureau of Land & Waste Management  
2600 Bull Street  
Columbia, South Carolina 29201

Mr. Chris L. Burton  
Manager  
Performance Evaluation and  
Regulatory Affairs PEB 7  
Progress Energy  
Post Office Box 1551  
Raleigh, North Carolina 27602-1551

Mr. John H. O'Neill, Jr.  
Shaw, Pittman, Potts, & Trowbridge  
2300 N Street NW.  
Washington, DC 20037-1128

Mr. J. W. Moyer, Vice President  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550-0790

CAROLINA POWER AND LIGHT COMPANY

DOCKET NO. 50-261

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT 2

ADMINISTRATIVE LICENSE CHANGE TO RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-23

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. Consistent with Order EA-03-086, the order requiring compliance with revised design basis threat, (DBT Order) issued on April 29, 2003, conforming administrative changes to Facility Operating Licenses (FOLs) are required to ensure implementation of DBT Order requirements. Therefore, an administrative license change to Renewed FOL No. DPR-23 is being made to incorporate the reference to the revised Physical Security Plan, Safeguards Contingency Plan, and Training and Qualification Plan required by the DBT Order. These changes comply 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 administrative license change 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 administrative license change 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 administrative license change is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

Enclosure 1

2. Accordingly, the Renewed FOL is changed, as indicated in the attachment.
3. This administrative license change is effective as of its date of issuance and shall be implemented on or before October 29, 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

John A. Nakoski, Section Chief  
Security Plan Review Team  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Renewed FOL

Date of Issuance: October 28, 2004

CHANGES TO RENEWED FACILITY OPERATING LICENSE NO. No. DPR-23

DOCKET NO. 50-261

Replace the following page of the Renewed Facility Operating License No. DPR-23 with the attached revised page as indicated. The revised page is identified by a revision date and contains marginal lines indicating the area of change.

Remove Page

4

Insert Page

4

C. Reports

Carolina Power & Light Company shall make certain reports in accordance with the requirements of the Technical Specifications.

D. Records

Carolina Power & Light Company shall keep facility operating records in accordance with the requirements of the Technical Specifications.

E. Fire Protection Program

Carolina Power & Company shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Updated Final Safety Analysis Report for the facility and as approved in the Fire Protection Safety Evaluation Report dated February 28, 1978, and supplements thereto. Carolina Power & Light Company may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

F. Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Seach Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822), and the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The combined set of plans, which contains Safeguards Information protected under 10 CFR 73.21, is entitled: "H. B. Robinson Steam Electric Plant Security, Training and Qualification, and Safeguards Contingency Plan, Revision 0" submitted by letter dated October 1, 2004, as supplemented by the letter October 10 and 20, 2004.

G. The following programs shall be implemented and maintained by the licenses:

- (1) A secondary water chemistry monitoring program to inhibit steam generator tube degradation. This program shall include: the identification of Critical parameters, their sampling frequency, sampling points and control band limits; requirements for the documentation and review of sample results; the identification of the authority responsible for the interpretation of sample results; the procedures used to measure the