

EDO Principal Correspondence Control

FROM: DUE: 11/27/06

EDO CONTROL: G20060861  
DOC DT: 10/16/06  
FINAL REPLY:

Donna S. Baker  
Orange County Board of Commissioners  
Hillsborough, North Carolina

TO:

Reyes, EDO

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO:

Dyer, NRR

DESC:

ROUTING:

2.206 - Emergency Enforcement Action - Suspension  
of Operating License No. NFP-63 for Shearon Harris  
Nuclear Plant Until Recurring Fire Protection  
Issues are Brought Into Compliance

Reyes  
Virgilio  
Kane  
Silber  
Johnson  
Burns  
Sheron, RES  
Carpenter, OE  
Travers, RII  
Cyr, OGC  
Williams, NRR  
Jones, OGC

DATE: 10/23/06

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20060858, G20060852.

Template: EDO-001

ERIDS: EDO-07

BARRY JACOBS, CHAIR  
STEPHEN H. HALKIOTIS, VICE-CHAIR  
MOSES CAREY, JR  
VALERIE P. FOUSHEE  
ALICE M. GORDON

ORANGE COUNTY BOARD OF COMMISSIONERS  
Post Office Box 8181  
200 SOUTH CAMERON STREET  
HILLSBOROUGH, NORTH CAROLINA 27278



October 16, 2006

Luis A. Reyes  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

RE: Petition for Emergency Enforcement Action Pursuant to 10 CFR §2.206 –  
Suspension of Operating License No. NPF-63 for Shearon Harris Nuclear Plant  
Until Recurring Fire Protection Issues are Brought Into Compliance

Dear Mr. Reyes,

The Board of Commissioners of Orange County, North Carolina, at its October 3, 2006 regular board meeting, adopted the enclosed resolutions entitled "A Resolution Calling for Coordinated Emergency Management and Evacuation Planning Within the 50-Mile Radius Ingestion Pathway for Potential Discharge of Airborne Nuclear Waste Material from the Shearon Harris Nuclear Power Plant" and "A Resolution In Support of an Emergency Petition to the US Nuclear Regulatory Commission by the NC Waste Awareness and Reduction Network, the Union of Concerned Scientists, the Nuclear Information and Research Service, NC Fair Share and Students United for a Responsible Global Environment Seeking Regulatory Action by the Commission to Enforce Existing Fire Protection Standards and Regulations Applicable to the Shearon Harris Nuclear Power Plant."

If you have any questions, please call Barry Jacobs, Chair of the Board of County Commissioners, at (919) 732-4941.

Sincerely,

  
Donna S. Baker, CMC  
Clerk to the Board

[WWW.CO.ORANGE.NC.US](http://WWW.CO.ORANGE.NC.US)

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EDO --G20060861

## **ORANGE COUNTY BOARD OF COMMISSIONERS**

### **A Resolution**

#### **Calling for Coordinated Emergency Management and Evacuation Planning Within the 50-Mile Radius Ingestion Pathway for Potential Discharge of Airborne Nuclear Waste Material from the Shearon Harris Nuclear Power Plant**

**WHEREAS**, the Orange County Board of Commissioners has a long and well-established practice of advocating for any and all activities that would promote the public health, safety and welfare, particularly in regard to feasible threats to that health, safety and welfare; and

**WHEREAS**, the Orange County Board of Commissioners has a long and well-established record of concern and activism related to the potential magnitude and catastrophic consequences of an airborne release of nuclear waste materials from the Shearon Harris nuclear power plant; and

**WHEREAS**, information developed within the least eight years has demonstrated the vulnerability of spent nuclear fuel to combustion with ensuing airborne release and dispersion of extremely harmful and dangerous nuclear waste material as a consequence of accident or sabotage/ terrorism; and

**WHEREAS**, there exists an area of a ten-mile radius around the Shearon Harris nuclear power plant for which there are in place emergency management and evacuation plans of debatable efficacy in case of a catastrophic accident and airborne release of nuclear waste material from the plant; and

**WHEREAS**, an airborne release of nuclear material may stem from an uncontrollable event of several days or greater duration that would affect at least all of the fifty-mile radius ingestion pathway area; and

**WHEREAS**, the fifty-mile radius ingestion pathway around the Shearon Harris plant contains approximately two million persons, the state capital, Fort Bragg, the Research Triangle, four major universities and a number of smaller universities, hundreds of public and private schools, thousands of businesses, dozens of local government jurisdictions; millions of pets, and a rich natural environment; and

**WHEREAS**, there is no coordinated emergency management and evacuation planning for the portion of the ingestion pathway beyond the area defined by the ten-mile radius around Shearon Harris; and

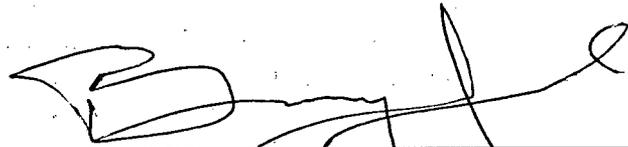
**WHEREAS**, fairly recent ice and snow storm events of a far less catastrophic level of severity have proven capable of reducing Research Triangle area traffic to a state of extended gridlock; and

**WHEREAS**, orderly or effective evacuation of the fifty-mile radius ingestion pathway under current emergency management and evacuation planning and coordination conditions would be fraught with difficulties, if not impossible; and

**WHEREAS**, protection of public health, safety and welfare in regard to the atmospheric release of nuclear waste material is a responsibility that must be shared by Progress Energy/CP&L; local law enforcement and emergency management/ response agencies and others; the NC Utilities Commission; the N.C. Department of Crime Control & Public Safety and others; and the US Department of Homeland Security, Environmental Protection Agency and others; as well as the public;

**NOW, THEREFORE**, do we, the Orange County Board of Commissioners, hereby resolve to request and recommend that Progress Energy/CP&L; the NC Utilities Commission, Department of Crime Control & Public Safety and others; and the US Department of Homeland Security, Environmental Protection Agency work with the appropriate local, state and federal government transportation planning, law enforcement and emergency management/response agencies and personnel to develop and coordinate emergency management, response and evacuation plans for the entire fifty-mile radius surrounding its Shearon Harris nuclear power plant.

This is the 3rd day of October, 2006



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Barry Jacobs, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY BOARD OF COMMISSIONERS**

**A Resolution**

**In Support of an Emergency Petition to the US Nuclear Regulatory Commission by the NC Waste Awareness and Reduction Network, the Union of Concerned Scientists, the Nuclear Information and Research Service, NC Fair Share and Students United for a Responsible Global Environment Seeking Regulatory Action by the Commission to Enforce Existing Fire Protection Standards and Regulations Applicable to the Shearon Harris Nuclear Power Plant**

**WHEREAS**, the Orange County Board of Commissioners has a long and well-established practice of advocating for any and all activities that would promote the public health, safety and welfare, particularly in regard to feasible threats to that health, safety and welfare; and

**WHEREAS**, approximately 50 percent of the risks of catastrophic nuclear plant failure are associated with fire-related accidents, as calculated by the Nuclear Regulatory Commission; and

**WHEREAS**, the Orange County Board of Commissioners also have a long and well-established record of concern regarding security and safety issues at the Shearon Harris nuclear power plant, related to the potential magnitude and catastrophic consequences of a nuclear power plant fire leading to an airborne release of nuclear waste materials; and

**WHEREAS**, information has recently been presented to the Board of County Commissioners as to ongoing problems with fire safety and fire protection practices at the Shearon Harris nuclear power plant; and

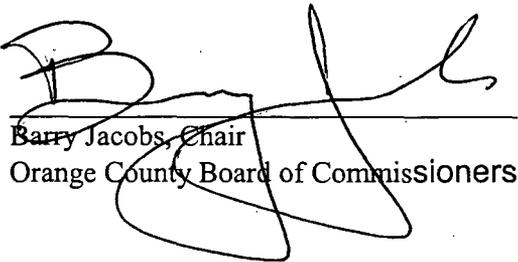
**WHEREAS**, Progress Energy/CP&L has indicated that it will apply to the NRC for permission to take up to nine more years to bring the Shearon Harris nuclear power plant into compliance with fire safety standards and regulations; and

**WHEREAS**, Progress Energy/CP&L has indicated that it will apply to the NRC for a twenty-year extension of its operating license for the Shearon Harris plant while the plant is not in compliance with existing fire safety standards and regulations; and

**WHEREAS**, Progress Energy/CP&L has indicated that it is in the process of evaluation of permitting, designing and constructing two nuclear power reactors at the Shearon Harris nuclear power plant while the existing plant is not in compliance with existing fire safety standards and regulations;

**NOW, THEREFORE**, do we, the Orange County Board of Commissioners, hereby resolve to support the petition of the NC Waste Awareness and Reduction Network, the Union of Concerned Scientists, the Nuclear Information and Research Service, NC Fair Share and Students United for a Responsible Global Environment to the US Nuclear Regulatory Commission asking that the NRC compel Progress Energy/CP&L to immediately bring the Shearon Harris nuclear power plant into compliance with existing federal fire safety standards and regulations applicable to nuclear power plants.

This is the 3rd day of October, 2006

  
Barry Jacobs, Chair  
Orange County Board of Commissioners

**ORANGE COUNTY**  
**BOARD OF COMMISSIONERS**  
200 SOUTH CAMERON ST. • P. O. BOX 8181  
HILLSBOROUGH, N.C. 27278



Luis A. Reyes  
Executive Director for Operations  
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**You Count in Orange County!**

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