March 20, 2007

The Honorable Michell A. Hicks, Chief
Eastern Band of Cherokee
P.O. Box 455
Cherokee, NC 28719

SUBJECT: REQUEST FOR COMMENTS CONCERNING SHEARON HARRIS NUCLEAR POWER PLANT LICENSE RENEWAL APPLICATION REVIEW

Dear Chief Hicks:

The U.S. Nuclear Regulatory Commission (NRC) is seeking input for its environmental review of an application from Carolina Power & Light Company (CP&L) doing business as Progress Energy Carolinas Inc., for the renewal of the operating license for the Shearon Harris Nuclear Power Plant (HNP), located in the southwest corner of Wake County, North Carolina. The city of Raleigh, North Carolina is approximately 16 miles northeast of the plant. HNP is in close proximity to lands that may be of interest to the Eastern Band of Cherokee. As described below, the NRC's process includes an opportunity for public and inter-governmental participation in the environmental review. We want to ensure that you are aware of our efforts and, pursuant to Title 10 of the *Code of Federal Regulations,* Part 51.28(b) (10 CFR 51.28(b)), the NRC invites the Eastern Band of Cherokee to provide input to the scoping process relating to the NRC's environmental review of the application. In addition, as outlined in 36 CFR 800.8(c), the NRC plans to coordinate compliance with Section 106 of the National Historic Preservation Act of 1966, through the requirements of the National Environmental Policy Act of 1969.

Under NRC regulations, the original operating license for a nuclear power plant is issued for up to 40 years. The license may be renewed for up to an additional 20 years if NRC requirements are met. The current operating license for HNP will expire on October 24, 2026. CP&L submitted its application for renewal of the HNP operating license in a letter dated November 14, 2006.

The NRC is gathering information for a HNP site-specific supplement to its "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), NUREG-1437. The GEIS is a programmatic environmental impact statement; it documents the NRC's staff's assessment of environmental impacts that would be associated with license renewal at any nuclear power plant site. The supplement to the GEIS will contain the results of the review of the environmental impacts on the area surrounding the HNP site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action. Provided for your information is the HNP Site Layout and Transmission Line Map (Enclosure).

To accommodate interested members of the public, the NRC will hold two identical public scoping meetings for the HNP license renewal supplement to the GEIS on April 18, 2007, at the New Horizons Fellowship, 820 East Williams St., Apex, North Carolina 27502. The first meeting will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second meeting will convene at 7:00 p.m. and will continue until 10:00 p.m., as necessary. Additionally, the NRC staff will host informal discussions one hour before the start of each session.

The license renewal application (LRA) and the GEIS are publicly available at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at http://adamswebsearch.nrc.gov/dologin.html. The accession number for the LRA is ML063350276. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail at pdr@nrc.gov.

The HNP LRA is also available on the Internet at http://www.nrc.gov/reactors/operating/licensing/renewal/applications/harris.html. In addition, the Eva H. Perry Library, located at 2100 Shepherd's Vineyard Dr., Apex, North Carolina 27502, has agreed to make the LRA available for public inspection.

Please submit any comments that the Eastern Band of Cherokee may have to offer on the scope of the environmental review by May 19, 2007. Written comments should be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Electronic comments may be submitted to the NRC by e-mail at ShearonHarrisEIS@nrc.gov. At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified and the conclusions reached, and mail a copy to you.

The staff expects to publish the draft supplement to the GEIS in December 2007. The NRC will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft supplemental environmental impact statement (SEIS) will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final SEIS for HNP is planned for August 2008. If you need additional information regarding the environmental review process, please contact Mr. Samuel Hernandez, Environmental Project Manager, at 301-415-4049 or by e-mail at shq@nrc.gov.

Sincerely,

/RA Jennifer Davis for/

Rani L. Franovich, Branch Chief
Environmental Branch B
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosure:
As stated

cc w/encls.: See next page

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Sincerely,

/RA Jennifer Davis for/

Rani L. Franovich, Branch Chief
Environmental Branch B
Division of License Renewal
Office of Nuclear Reactor Regulation

Docket No. 50-400

Enclosure:
As stated

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OFFICE	LA:DLR	PM:DLR:REBB	BC:DLR:REBB
NAME	S. Figueroa	S. Hernandez	R.Franovich J. Davis for
DATE	3/6/07	3/20/07	3/20/07

OFFICIAL RECORD COPY

Letter to M. Hicks from R. Franovich Dated January xx, 2007

SUBJECT: REQUEST FOR COMMENTS CONCERNING SHEARON HARRIS NUCLEAR POWER PLANT LICENSE RENEWAL APPLICATION REVIEW

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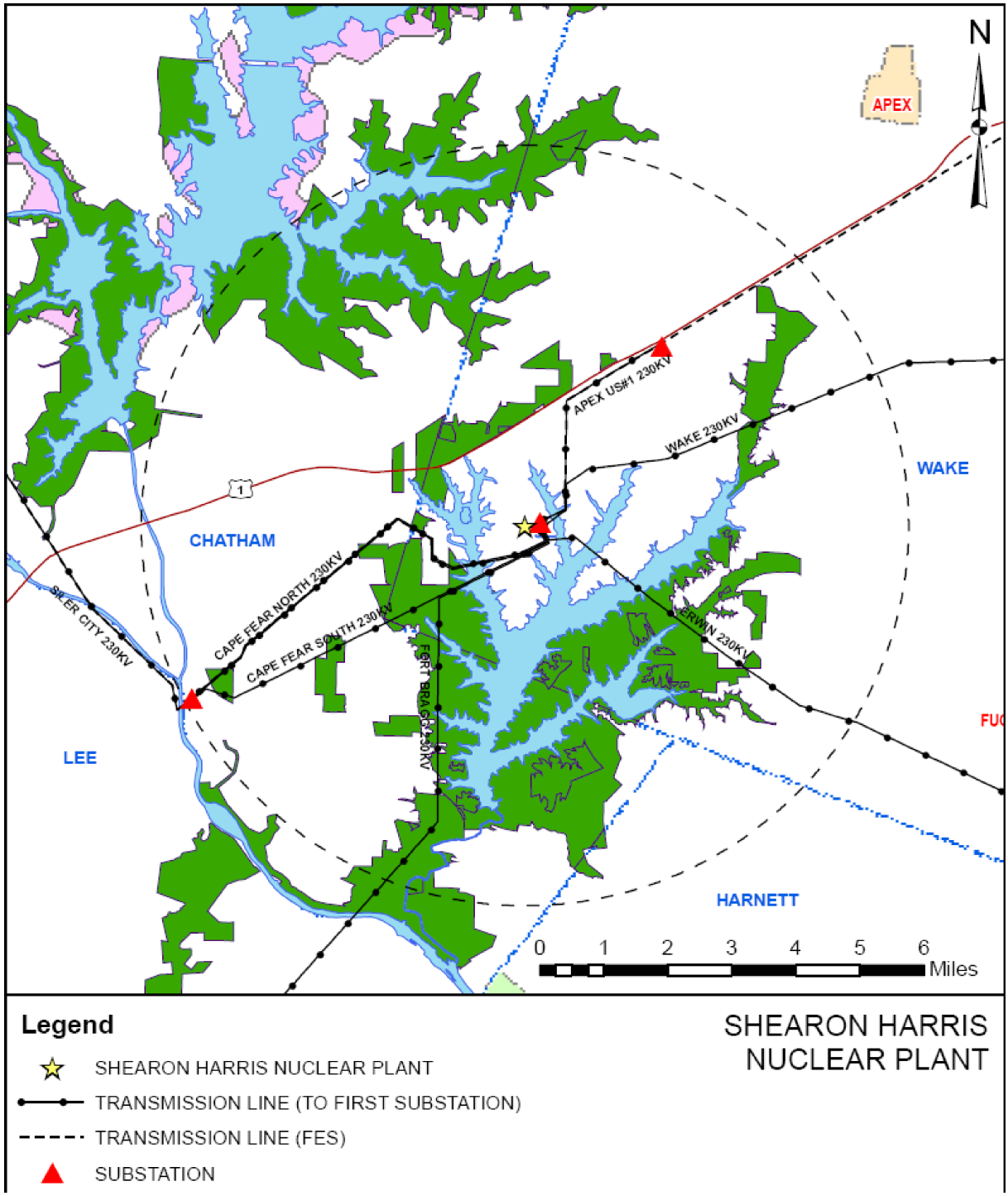
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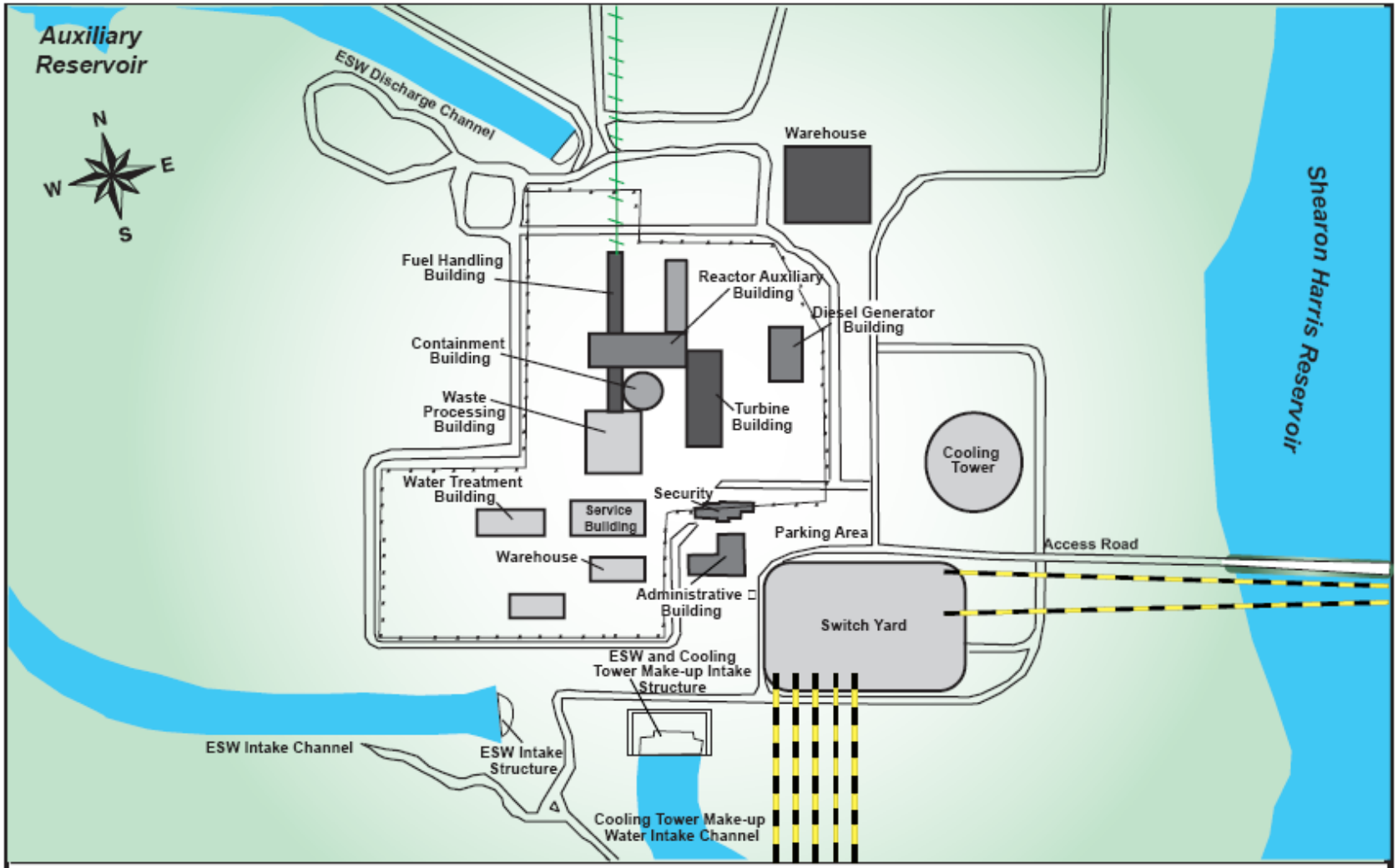
Miles
Legend
SHEARON HARRIS NUCLEAR PLANT
TRANSMISSION LINE (TO FIRST SUBSTATION)
TRANSMISSION LINE (FES)
SUBSTATION
SHEARON HARRIS
NUCLEAR PLANT

ENCLOSURE



LEGEND

Property
Fence
Railroad Tracks
Transmission Lines

0 500' 1,000'

Scale is approximate.

SHEARON HARRIS NUCLEAR PLANT
General Plant Layout

Shearon Harris Nuclear Power Plant, Unit 1

cc:

David T. Conley
Associate General Counsel II -
Legal Department
Progress Energy Service Company, LLC
Post Office Box 1551
Raleigh, NC 27602-1551

Resident Inspector / Harris NPS
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Shearon Harris Nuclear Power Plant, Unit 1

cc:

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