

EDO Principal Correspondence Control

FROM: DUE: 03/08/07 11:00 am EDO CONTROL: G20070149  
DOC DT: 02/23/07  
FINAL REPLY:

State Senator Ellie Kinnaird  
North Carolina General Assembly

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 07-0453

Chairman Klein

DESC:

ROUTING:

North Carolina Field Hearing on Shearon Harris  
Fire Compliance Petition

Reyes  
Virgilio  
Kane  
Silber  
Johnson  
Burns  
Sheron, RES  
Travers, RII  
Cyr, OGC  
Mensah, NRR  
Jones, OGC

DATE: 03/06/07

ASSIGNED TO:

CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

Note: Requests participation in a field hearing on  
March 22, 2007.

Ref. G20060793.

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 05, 2007 17:39

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**PAPER NUMBER:** LTR-07-0153 **LOGGING DATE:** 03/05/2007  
**ACTION OFFICE:** EDO

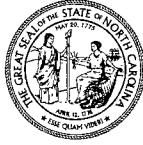
**AUTHOR:** Ellie Kinnaird  
**AFFILIATION:** NC  
**ADDRESSEE:** Dale Klein  
**SUBJECT:** North Carolina field hearing on Shearon Harris fire compliance petition

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, SECY to Ack

**LETTER DATE:** 02/23/2007  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Made publicly available in ADAMS via EDO/DPC  
**NOTES:** Requests participation in a field hearing on 3/22/2007.  
**FILE LOCATION:** ADAMS

**DATE DUE:** 03/09/2007 **DATE SIGNED:**

EDO --G20070149



North Carolina General Assembly  
Senate Chamber  
State Legislative Building  
Raleigh 27601-2808  
23 February 2007

SENATOR ELLIE KINNAIRD  
23RD DISTRICT

Mr. Dale Klein, Chair  
United States Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Subject: North Carolina Field Hearing On Shearon Harris Fire  
Compliance Petition

Dear Chairman Klein,

I am writing to request your participation in a field hearing, to be conducted on March 22nd at 7 PM, at the Barn at Fearington Village, 500 Village Center, off Rt. 15-501, Pittsboro, NC regarding the 2.206 petition on Harris fire safety compliance filed on September 20, 2006 by NC WARN, Union of Concerned Scientists and the Nuclear Information and Resource Service, Students United for a Responsible Global Environment and NC Fair Share.

As you know, a number of local governments have endorsed the petition and have expressed interest in a local hearing on this controversial matter. In addition, I anticipate that state and federal officials will participate, as will the petitioning organizations. I understand that during a November 13, 2006 meeting with the petitioners, the NRC expressed openness to participating in a local meeting.

The purpose of the field hearing will be to address the questions raised in the petition in a manner so that the public and elected officials can hear from the NRC, Progress Energy, and the petitioners as to their positions regarding:

- (1) The exact nature of Harris' compliance status and its relationship to NRC's Enforcement Discretion authority;
- (2) The nature and extent of potential risks of extended reliance on compensatory measures in place of compliance, and;
- (3) The time frame for restoring full compliance with either the old or new set of fire protection regulations.

This issue is of heightened concern to elected officials in this area following the January 29




Commission decision not to require protection of U.S. nuclear plants against attacks by air. Instead, NRC issued a statement saying it, "has also taken action that require nuclear plant operators to be able to manage large fires or explosions - no matter what caused them."

As I understand, there are serious concerns about whether such mitigation measures could adequately compensate for a violent impact by air accompanied by a jet fuel fire. Obviously, there are additional concerns about plants such as Harris, which is in non-compliance with regulations designed to ensure safe shutdown of the reactor in the event of any type of emergency, including an act of sabotage or terrorism.

I look forward to discussing this important matter with NRC, and to your earliest reply.

Sincerely,



Senator, District 23  
State of North Carolina

cc

Rep. David Price

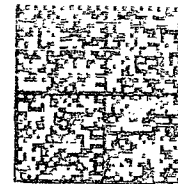
Rep. Brad Miller

Rep. Bob Etheridge

Local and state officials

North Carolina General Assembly  
Senate  
SENATOR ELLIE KINNAIRD  
Legislative Building  
Raleigh, NC 27601-2808

North Carolina  
General Assembly  
Official Business



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02/28/2007  
Mailed From 27603  
US POSTAGE

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United States Nuclear Regulatory Commission  
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Rockville, MD 20852



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