

EDO Principal Correspondence Control

FROM: DUE: 03/15/07
Mayor Devin C. Foy
Town of Chapel Hill, North Carolina

EDO CONTROL: G20070164
DOC DT: 03/05/07
FINAL REPLY:
EDATS: SECY-2007-0055

TO:
Chairman Klein

FOR SIGNATURE OF : ** PRI ** CRC NO: 07-0168
Chairman Klein

DESC: ROUTING:
North Carolina Field Hearing on Shearon Harris
Fire Compliance Petition
Reyes
Virgilio
Kane
Silber
Johnson
Burns
Dyer, NRR
Zimmerman, NSIR
Sheron, RES
Travers, RII
Cyr, OGC
Mensah, NRR
Jones, OGC

DATE: 03/14/07

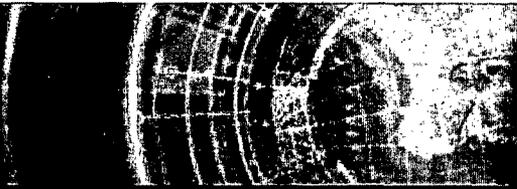
ASSIGNED TO: CONTACT:
EDO Shoop

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. G20060793, G20070149, G20070153 and G20070154.
The responses to the referenced tickets are before
the Chairman. Prepare response to be consistent to
referenced letters.

EDATS

Electronic Document and Action Tracking System



EDATS Number: SECY-2007-0055

Initiating Office: SECY

General Information

Assigned To: OEDO

OEDO Due Date: 3/15/2007 5:00 PM

Other Assignees:

SECY Due Date: 3/28/2007 5:00 PM

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

Description:

ADAMS Accession Numbers

Incoming:

Response/Package:

Document Information

Originating Organization: Town of Chapel Hill, North Carolina

Originator Name: Mayor Devin C. Foy

Incoming Task Received: Letter

Date of Incoming Document: 3/5/2007

Document Received by OEDO Date: 3/14/2007

Date Response Requested by Originator: NONE

Addressee: Chairman Klein

Process Information

Action Type: Letter

Priority: Medium

Sensitivity: None

Signature Level: Chairman Klein

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions: The responses to the referenced tickets are before the Chairman. Prepare response to be consistent to referenced letters.

Other Information

Cross Reference Number: G20070164,LTR-07-0168,G20060793,G20070149,G20070153,G20070154

Related Task:

File Routing: EDATS

Agency Lesson Learned: NO

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 13, 2007 11:14

PAPER NUMBER: LTR-07-0168 **LOGGING DATE:** 03/13/2007
ACTION OFFICE: EDO

AUTHOR: Kevin Foy
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: 03/05/2007
ACKNOWLEDGED: No
SPECIAL HANDLING: Made publicly available in ADAMS via EDO/DPC
NOTES: Chairman's correspondence
FILE LOCATION: ADAMS

DATE DUE: 03/21/2007 **DATE SIGNED:**
28



834

MAYOR'S OFFICE
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 968-2714 fax (919) 969-2063
www.townofchapelhill.org

March 5, 2006

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 March 22 at 7 p.m., at the Barn at Fearington Village, 500 Village Center, in Pittsboro, N.C., 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.

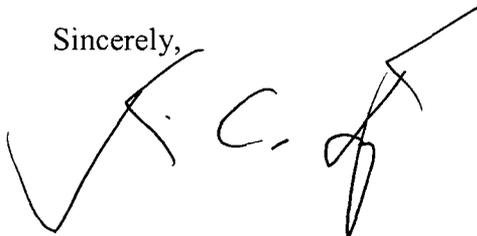
This issue is of heightened concern to elected officials in this area following the January 29 Commission decision not to require protection of U.S. nuclear plants against attacks by air. Instead, NRC issued a statement saying it, "has also taken action that require nuclear plant operators to be able to manage large fires or explosions - no matter what caused them."

07 MAR - 8 PM 3:18
CHAIRMAN REC'D

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,

A handwritten signature in black ink, appearing to read 'K. C. Foy', with a large, sweeping flourish extending upwards and to the right.

Kevin C. Foy
Mayor