

December 21, 2007

Mr. Thomas D. Walt, Vice President
H. B. Robinson Nuclear Plant, Unit No. 2
Carolina Power and Light Company
3581 West Entrance Road
Hartsville, SC 29550-0790

SUBJECT: H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2 - RESPONSE TO
LETTER OF INTENT TO ADOPT NATIONAL FIRE PROTECTION
ASSOCIATION STANDARD 805

Dear Mr. Walt:

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated August 22, 2007 (Agencywide Documents Access and Management System Accession No. ML072420196), Carolina Power and Light Company, now doing business as Progress Energy Carolinas, Inc. (PEC, the licensee), informed the NRC staff of its intent to adopt National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generation Plants," 2001 Edition, pursuant to Section 50.48(c) of Part 50 to Title 10 of the *Code of Federal Regulations*, at the H. B. Robinson Steam Electric Plant, Unit No. 2 (HBRSEP).

PEC's letter stated that it intends to transition to the performance-based standard for fire protection at HBRSEP, and that the period of transition was to commence on the date of the letter of intent. PEC also requested an enforcement discretion period of 3 years in accordance with the NRC's enforcement policy.

On April 18, 2006, the NRC published in the Federal Register (71 FR 19905) a revision to its enforcement policy extending the NFPA 805 transition discretion period from 24 to 36 months. Therefore, the requested 36-month discretion period for HBRSEP is granted. As such, the NRC considers the discretion period for HBRSEP to begin on August 22, 2007, and to expire on August 22, 2010. In addition, in accordance with the Enforcement Policy, the discretion will continue past the 36 month period until the NRC staff approves the license amendment request for transitioning to NFPA-805.

It should be noted that in order to receive enforcement discretion, a licensee must, in part: (a) evaluate the risk significance of all noncompliances to assure that they do not constitute "Red" (or Severity Level I) findings under the NRC's reactor oversight program, (b) enter all noncompliances into a corrective action program, and (c) implement and maintain appropriate compensatory measures until the corrective actions are completed, or until the NRC staff issues the license amendment with its associated safety evaluation. Regulatory Issue Summary 2005-07, "Compensatory Measures to Satisfy the Fire Protection Program Requirements," provides additional guidance regarding appropriate compensatory measures.

T. D. Walt

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If you have any questions regarding this matter, please contact Marlayna Vaaler, Project Manager, at 301-415-3178 or MGV@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-261

cc: See next page

T. D. Walt

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If you have any questions regarding this matter, please contact Marlayna Vaaler, Project Manager, at 301-415-3178 or MGV@nrc.gov.

Sincerely,

/RA/

Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-261

cc: See next page

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Date	12/20/07	12/21/07			

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Mr. T. D. Walt
Carolina Power & Light Company

**H. B. Robinson Steam Electric Plant,
Unit No. 2**

cc:

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