May 27, 2008

The Honorable Paula Jacobs, Chairman
Waccamaw Siouan Tribe
PO Box 69
Bolton, NC 28423

SUBJECT: REQUEST FOR COMMENTS CONCERNING THE SHEARON HARRIS NUCLEAR POWER PLANT, UNITS 2 AND 3 COMBINED LICENSE APPLICATION REVIEW

Dear Chairman Jacobs:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Progress Energy Carolinas, Inc. (PEC) for a combined license (COL) for the construction and operation of two new nuclear power plants at its Shearon Harris Nuclear Power Plant (HAR) Site in southwestern corner of Wake County, North Carolina. As part of the review of this COL application, the NRC is preparing an Environmental Impact Statement (EIS) as required by Title 10, Part 51 of the *Code of Federal Regulations*, the NRC's regulation that implements the National Environmental Policy Act (NEPA) of 1969. The NRC staff is currently seeking information from consulting parties and other individuals and organizations likely to have knowledge of, or concerns with, historic properties in the area to identify issues relating to the proposed undertaking's potential effects on historic properties.

The HAR Site is located in the southwestern corner of Wake County, North Carolina with portions located in southeastern Chatham County. The City of Raleigh, North Carolina is approximately 34.9 kilometers (km) (21.7 miles [mi]) northeast of the site and the City of Sanford, North Carolina, is approximately 26.5 km (16.5 mi) southwest of the site. The HAR Site is located just northwest of the existing Shearon Harris Nuclear Power Plant on a peninsula that extends into Harris Reservoir. PEC plans to construct two new nuclear units northwest of the existing site. The EIS will document the NRC staff's evaluation of the impacts of construction and operation of two new nuclear plants at the HAR Site. PEC has also identified three alternative sites that will be evaluated in the EIS. The NRC's staff review will consider alternatives including evaluation of alternative sites. The EIS will contain the results of the review of the environmental impacts on the area surrounding the HAR Site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic properties (among others), and will contain a recommendation on whether the requested COL should be granted or denied. If granted, the COL would authorize the applicant to construct and operate the new proposed units.

The NRC environmental review process includes an opportunity for public and inter-governmental participation in the environmental review. The HAR Site is in close proximity to lands that may be of interest to the Waccamaw Siouan Tribe. We want to ensure that you are aware of our efforts and pursuant to 10 CFR 51.28(a), the NRC invites the Waccamaw Siouan Tribe to provide input to the scoping process relating to the NRC's environmental review of the application.

In accordance with 36 CFR 800.8(c), the NRC is using the process required by NEPA to comply with the obligations imposed by Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Accordingly, the Waccamaw Siouan Tribe will be conferring with the NRC staff by participating in the scoping process; identifying historic properties on the HAR Site; assessing the effects of the proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on historic properties. The NRC's draft EIS will include identification of historic properties, assessment of impacts, and our preliminary determination. The anticipated publication date for the draft EIS is June 2009. To complete consultation under 36 CFR 800.8, the NRC will forward the draft EIS to you for your review and comment and will address your comments in the final EIS.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in any potential historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional, religious and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties. The area of potential effect for this COL review is the area at the HAR Site and its immediate environs which may be impacted by land-disturbing activities associated with the construction and operation of the new units.

PEC submitted the application for COL on February 18, 2008, pursuant to NRC requirements at 10 CFR Part 52. The application was accepted for docketing on April 23, 2008. The HAR COL application is 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 Agency-wide Documents Access and Management System (ADAMS). ADAMS is accessible at http://www.nrc.gov/reading-rm/adams.html. The Environmental Report is listed under Accession Number ML08061078. 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 1-800-397-4209/301-415-4737 or via e-mail at pdr@nrc.gov. The HAR COL application is also available on the Internet at http://www.nrc.gov/reactors/new-licensing/col/harris.html. In addition, the Eva H. Perry Library, located at 2100 Shepherd's Vineyard Drive, Apex, North Carolina; Holly Springs Library, located at 300 West Ballentine Street, Holly Springs, North Carolina; West Regional Library, located at 4000 Louis Stephens Drive, Cary, North Carolina have agreed to make the application available for public inspection.

On Tuesday, June 10, 2008, the NRC is providing the public with the opportunity to participate in environmental scoping meetings to be held from 12:30 p.m. to 3:00 p.m., and 6:00 p.m. to 8:30 p.m., at Holly Springs Cultural Center, 300 West Ballentine Street, Holly Springs, North Carolina 27540. Representatives of your tribe are invited to attend. Each meeting will be preceded by an open house from 11:30 p.m. to 12:30 p.m., and 5:00 p.m. to 6:00 p.m., during which members of the public may meet and talk with NRC staff members on an informal basis.

Please submit any written comments your tribe may have to offer on the scope of the environmental review by July 25, 2008. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or via e-mail to Harris.COLEIS@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 will send a copy to you.

If you have any questions or require additional information, please contact Dr. Donald Palmrose, Project Manager for the HAR COL Project at 301-415-3803 or via e-mail at donald.palmrose@nrc.gov.

Sincerely,

/RA/
William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-022 and 52-023

cc: See next page

Please submit any written comments your tribe may have to offer on the scope of the environmental review by July 25, 2008. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001 or via e-mail to Harris.COLEIS@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 will send a copy to you.

If you have any questions or require additional information, please contact Dr. Donald Palmrose, Project Manager for the HAR COL Project at 301-415-3803 or via e-mail at donald.palmrose@nrc.gov.

Sincerely,

William Burton, Branch Chief
Environmental Projects Branch 1
Division of Site and Environmental Reviews
Office of New Reactors

Docket Nos.: 52-022 and 52-023

cc: See next page

DISTRIBUTION:

PUBLIC
DPalmrose
SSanders
WBurton
OCA
RHannah, RII
RidsNroDserRap 1
RidsOgcMailCenter
Tara O'Neil(tara.oneil@pnl.gov)
BOlson
TTerry
RidsNroDser
Roger Dirkes(rl.dirkes@pnl.gov)
OPA
OBryan, SRI
RidsOpaMail
MVaaler
GHawkins
MKing,RI
RMusser
GWilson
RidsRgn2MailCenter
SBrock
RSchaaf

Accession No: ML081430404

OFFICE	LA:RAP1:DSER:NRO	PM:RAP1:DSER:NRO	PM:RAP1:DSER:NRO	OGC *NLO*	BC:RAP1:DSER:NRO
NAME	G. Hawkins */gdh/*	T. Terry */tlt/*	D. Palmrose */dep/*	S. Brock */seb/*	W. Burton */wfb/*
DATE	05/22/08	05/22/08	05/22/08	05/23/08	05/27/08

OFFICIAL RECORD COPY

COL Progress Energy - Harris Mailing List (Revised 01/23/08)

cc:

Mr. Glenn H. Archinoff
AECL Technologies
481 North Frederick Avenue
Suite 405
Gaithersburg, MD 20877

Mr. Lionel Batty
Nuclear Business Team
Graftech
12300 Snow Road
Parma, OH 44130

Mr. Paul Bauer
607 Deer Mountain Road
Pittsvoro, NC 27312

Ms. Michele Boyd
Legislative Director
Energy Program
Public Citizens Critical Mass Energy
and Environmental Program
215 Pennsylvania Avenue, SE
Washington, DC 20003

W. Craig Conklin, Director
Chemical and Nuclear Preparedness &
Protection Division (CNPPD)
Office of Infrastructure Protection
Department of Homeland Security
Washington, DC 20528

Mr. Marvin Fertel
Senior Vice President
and Chief Nuclear Officer
Nuclear Energy Institute
1776 I Street, NW
Suite 400
Washington, DC 20006-3708

General Atomics
Washington Operations
1899 Pennsylvania Ave., NW
Suite 300
Washington, DC 20006

Mr. Ian M. Grant
Canadian Nuclear Safety Commission
280 Slater Street, Station B
P.O. Box 1046
Ottawa, Ontario
K1P 5S9

Mr. Eugene S. Grecheck
Vice President
Nuclear Support Services
Dominion Energy, Inc.
5000 Dominion Blvd.
Glen Allen, VA 23060

Mr. Jay M. Gutierrez
Morgan, Lewis & Bockius, LLP
1111 Keystone State Avenue, NW
Washington, DC 20004

Mr. C. S. Hinnant
Sr. Vice President and
Chief Nuclear Officer
Progress Energy, Inc.
P.O. Box 1551
Raleigh, NC 27602

Mr. Laurence Parme
Manager, GT-MHR Safety & Licensing
General Atomics Company
P.O. Box 85608
San Diego, CA 92186-5608

Mr. Edward L. Quinn
Longenecker and Associates
Utility Operations Division
Agency
23292 Pompeii Drive
Dana Point, CA 92629

Vanessa E. Quinn, Acting Director
Technological Hazards Division
National Preparedness Directorate
Federal Emergency Management Agency
500 C Street, NW
Washington, DC 20472

Mr. David Repka
Winston & Strawn LLP
1700 K. Street, NW
Washington, DC 20006-3817

Mr. John Runkle
General Counsel
Conservation Council of NC
P.O. Box 3793
Chapel Hill, NC 27515

Dr. Arkal Shenoy
Director, Modular Helium
Reactor Programs
General Atomics Company
P.O. Box 85608
San Diego, CA 92186-5608

Dr. Walter A. Simon
Senior Vice President for
Reactor Programs
General Atomics Company
P.O. Box 85608
San Diego, CA 92186-5608

Mr. Robert E. Sweeney
IBEX ESI
4641 Montgomery Avenue
Suite 350
Bethesda, MD 20814

Mr. Gary Wright, Director
Division of Nuclear Facility Safety
Illinois Emergency Management
1035 Outer Park Drive
Springfield, IL 62704

Email

APH@NEI.org (Adrian Heymer)
awc@nei.org (Anne W. Cottingham)
bennettS2@bv.com (Steve A. Bennett)
brian.mccabe@pgnmail.com (Brian McCabe)
BrinkmCB@westinghouse.com (Charles Brinkman)
chris.burton@pgnmail.com (Chris Burton)
chris.maslak@ge.com (Chris Maslak)
cristina.Ionescu@pgnmail.com (Christina Ionescu)
CumminWE@Westinghouse.com (Edward W. Cummins)
cwaltman@roe.com (C. Waltman)
david.hinds@ge.com (David Hinds)
david.lewis@pillsburylaw.com (David Lewis)
dlochbaum@UCSUSA.org (David Lochbaum)
ecullington@earthlink.net (E. Cullington)
erg-xl@cox.net (Eddie R. Grant)
frankq@hursttech.com (Frank Quinn)
garry.miller@pgnmail.com (Garry D. Miller)
gcesare@enercon.com (Guy Cesare)
greshaja@westinghouse.com (James Gresham)
gzinke@entergy.com (George Alan Zinke)
jgutierrez@morganlewis.com (Jay M. Gutierrez)
jim.riccio@wdc.greenpeace.org (James Riccio)
jim@ncwarn.org (Jim Warren)
JJNesrsta@cpsenergy.com (James J. Nesrsta)
joe.w.donahue@pgnmail.com (Joe Donahue)
John.O'Neill@pillsburylaw.com (John O'Neill)
Joseph_Hegner@dom.com (Joseph Hegner)
KSutton@morganlewis.com (Kathryn M. Sutton)
kwaugh@impact-net.org (Kenneth O. Waugh)
maria.webb@pillsburylaw.com (Maria Webb)
marilyn.kray@exeloncorp.com
mark.beaumont@wsms.com (Mark Beaumont)
matias.travieso-diaz@pillsburylaw.com (Matias Travieso-Diaz)
media@nei.org (Scott Peterson)
mike_moran@fpl.com (Mike Moran)
murawski@newsobserver.com (John Murawski)
mwetterhahn@winston.com (M. Wetterhahn)
nirsnet@nirs.org (Michael Mariotte)
patriciaL.campbell@ge.com (Patricia L. Campbell)
paul.gaukler@pillsburylaw.com (Paul Gaukler)
Paul@beyondnuclear.org (Paul Gunter)
phinnen@entergy.com (Paul Hinnenkamp)
pshastings@duke-energy.com (Peter Hastings)
RJB@NEI.org (Russell Bell)
RKTemple@cpsenergy.com (R.K. Temple)
robert.kitchen@pgnmail.com (Robert H. Kitchen)
roberta.swain@ge.com (Roberta Swain)

sandra.sloan@areva.com (Sandra Sloan)
sfrantz@morganlewis.com (Stephen P. Frantz)
steven.hucik@ge.com (Steven Hucik)
Tansel.Selekler@nuclear.energy.gov (Tansel Selekler)
tjh2@nrc.gov (Thomas Herrity)
VictorB@bv.com (Bill Victor)
Wanda.K.Marshall@dom.com (Wanda K. Marshall)
waraksre@westinghouse.com (Rosemarie E. Waraks)
whorin@winston.com (W. Horin)