

August 7, 2008

LICENSEES: Carolina Power and Light Company, now doing business as Progress Energy Carolinas, Inc.
Duke Energy Carolinas, Inc.

FACILITIES: Shearon Harris Nuclear Plant, Unit 1
Oconee Nuclear Station, Units 1, 2, and 3

SUBJECT: SUMMARY OF JULY 17, 2008, MEETING WITH PROGRESS ENERGY CAROLINAS, INC., AND DUKE ENERGY CAROLINAS, LLC, TO DISCUSS THE MAY 29 AND 30, 2008, LICENSE AMENDMENT REQUESTS TO TRANSITION THE SHEARON HARRIS NUCLEAR PLANT, UNIT 1 AND THE OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3, TO NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805, "PERFORMANCE BASED STANDARD FOR FIRE PROTECTION" (TAC NOS. MD8807, MD8832, MD8833, AND MD8834)

On July 17, 2008, the U.S. Nuclear Regulatory Commission (NRC) staff met with representatives of Carolina Power and Light Company, now doing business as Progress Energy Carolinas, Inc., (Progress Energy) and Duke Energy Carolinas, Inc., (Duke Energy) to discuss the May 29 and 30, 2008, license amendment requests (LARs) to transition the fire protection programs at the Shearon Harris Nuclear Plant, Unit 1 (Harris) and the Oconee Nuclear Station, Units 1, 2, and 3 (Oconee) to risk-informed, performance-based fire protection programs in accordance with Title 10 of the *Code of Federal Regulations*, Section 50.48(c) and National Fire Protection Association (NFPA) Standard NFPA-805.

NFPA-805 allows the use of performance-based methods, such as fire modeling, and risk-informed methods, such as Fire Probabilistic Risk Assessment (Fire PRA), to demonstrate compliance with the nuclear safety performance criteria. The meeting was held at NRC Headquarters, Two White Flint North, 11545 Rockville Pike, Rockville, MD.

The Progress and Duke Energy representatives provided the staff with an overview of the LARs, including a discussion of the insights and lessons learned during the LAR preparation process, an outline of open items and challenges still to be faced, as well as highlighting the benefits the plants foresee from transition to NFPA-805.

Progress Energy noted the following points of interest regarding the Harris LAR submittal, which can be accessed in the Agencywide Documents Access and Management System (ADAMS) at Accession Nos. ML081560641 (cover letter, Enclosures 1 and 2) and ML08184706 (remainder of publically available LAR):

- The development of the Fire PRA represents a substantial amount (approximately 50 percent) of the total manhours expended to develop the LAR.
- During the LAR preparation process, the Harris internal events PRA was also significantly reworked and updated.

- Harris is planning to complete implementation of the programmatic NFPA-805 changes within 3 to 4 months of issuance of the NRC staff's safety evaluation report (SER), with all of the physical modifications completed by the end of 2010.

Duke Energy noted the following points of interest regarding the Oconee LAR submittal, which can be accessed in ADAMS at Accession Nos. ML081650475 (cover letter, Enclosure 1, and Enclosure 2 with Attachments A and B) and ML082041014 (remainder of public LAR):

- Approximately 25 percent of the total manhours expended to develop the Oconee LAR were used to reconstitute cable paths and enter them into a tracking database.
- Oconee is working to develop a generic Updated Final Safety Analysis Report section that licensees transitioning to NFPA-805 can use to adequately describe the program.
- The LAR contains license conditions whose purpose is to ensure that the details to be approved in the future NRC SER are well understood by both the licensee and the staff.
- Duke Energy sees a major benefit in transitioning to NFPA-805 for the older generation of nuclear plants, as the risk-informed approach is more conducive to assembling an all encompassing fire protection program for the older plant designs.
- Additional observations on preparing the Oconee NFPA-805 LAR are included in the Duke Energy meeting presentation that is attached as Enclosure 3.

The NRC staff gave a presentation on the acceptance review process that the NFPA-805 LARs are currently undergoing, and discussed the overall review process that will take place over the next several months. Details of both processes are included in the presentation in Enclosure 4.

Members of the public were present and made several opposing comments related to the Harris transition to NFPA-805, claiming that staff and licensee resources are still unable to meet the demands associated with developing and implementing the new fire protection programs.

The meeting agenda is attached as Enclosure 1, a list of meeting attendees is attached as Enclosure 2, and the meeting handouts are attached as Enclosures 3 and 4. Please direct any inquiries to Marlayna Vaaler at 301-415-3178, or marlayna.vaaler@nrc.gov.

Sincerely,

/RA/

Marlayna Vaaler, Project Manager
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-400, 50-269, 50-270, and 50-287

Enclosures: As stated

cc w/enclosures: See next page

- Harris is planning to complete implementation of the programmatic NFPA-805 changes within 3 to 4 months of issuance of the NRC staff's safety evaluation report (SER), with all of the physical modifications completed by the end of 2010.

Duke Energy noted the following points of interest regarding the Oconee LAR submittal, which can be accessed in ADAMS at Accession Nos. ML081650475 (cover letter, Enclosure 1, and Enclosure 2 with Attachments A and B) and ML082041014 (remainder of public LAR):

- Approximately 25 percent of the total manhours expended to develop the Oconee LAR were used to reconstitute cable paths and enter them into a tracking database.
- Oconee is working to develop a generic Updated Final Safety Analysis Report section that licensees transitioning to NFPA-805 can use to adequately describe the program.
- The LAR contains license conditions whose purpose is to ensure that the details to be approved in the future NRC SER are well understood by both the licensee and the staff.
- Duke Energy sees a major benefit in transitioning to NFPA-805 for the older generation of nuclear plants, as the risk-informed approach is more conducive to assembling an all encompassing fire protection program for the older plant designs.
- Additional observations on preparing the Oconee NFPA-805 LAR are included in the Duke Energy meeting presentation that is attached as Enclosure 3.

The NRC staff gave a presentation on the acceptance review process that the NFPA-805 LARs are currently undergoing, and discussed the overall review process that will take place over the next several months. Details of both processes are included in the presentation in Enclosure 4.

Members of the public were present and made several opposing comments related to the Harris transition to NFPA-805, claiming that staff and licensee resources are still unable to meet the demands associated with developing and implementing the new fire protection programs.

The meeting agenda is attached as Enclosure 1, a list of meeting attendees is attached as Enclosure 2, and the meeting handouts are attached as Enclosures 3 and 4. Please direct any inquiries to Marlayna Vaaler at 301-415-3178, or marlayna.vaaler@nrc.gov.

Sincerely,
/RA/
 Marlayna Vaaler, Project Manager
 Plant Licensing Branch II-2
 Division of Operating Reactor Licensing
 Office of Nuclear Reactor Regulation

Docket Nos. 50-400, 50-269, 50-270, and 50-287

Enclosures: As stated

cc w/enclosures: See next page

DISTRIBUTION:

PUBLIC	DRA r/f	LPL2-2 r/f	RidsNrrPMMVaaler
RidsNrrLACSola	RidsNrrDorlLpI2-2	RidsNrrDraAfpb	RidsOgcRp
RidsAcrsAcnw&mMailCenter	RidsRgn2MailCenter	RidsNrrPMLOlshan	
PLain, NRR	HBarrett, NRR		

Accession Number: ML0820605356 Handouts: ML082070391 Package: ML082060554 NRC-001

OFFICE	DORL/LPL2-2/PM	DORL/LPL2-2/LA	DRA/AFP/BC	DORL/LPL2-2/BC
NAME	MVaaler	CSola	AKlein	TBoyce
DATE	08/05/08	08/01/08	08/06/08	08/07/08

CATEGORY 1 MEETING TO DISCUSS THE MAY 29 AND 30, 2008,
LICENSE AMENDMENT REQUESTS TO TRANSITION
THE SHEARON HARRIS NUCLEAR PLANT, UNIT 1, AND
THE OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3,
TO NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805,
"PERFORMANCE BASED STANDARD FOR FIRE PROTECTION"

JULY 17, 2008

AGENDA

- | | |
|-------------------------|--|
| 9:00 a.m. – 9:20 a.m. | NRC Introductory Remarks and Kickoff Ceremony |
| 9:25 a.m. – 9:40 a.m. | Progress Energy NFPA-805 License Amendment Request:
Overview and Discussion of Lessons Learned for Harris |
| 9:40 a.m. – 9:55 a.m. | Duke Energy NFPA-805 License Amendment Request:
Overview and Discussion of Lessons Learned for Oconee |
| 9:55 a.m. – 10:00 a.m. | Break |
| 10:00 a.m. – 10:30 a.m. | NRC Discussion of NFPA-805 Acceptance Review Procedure |
| 10:30 a.m. – 10:45 a.m. | Opportunity for Questions or Comments from the NRC staff |
| 10:45 a.m. – 11:00 a.m. | Opportunity for Public Comment |
| 11:00 a.m. | Adjourn public meeting |

CATEGORY 1 MEETING TO DISCUSS THE MAY 29 AND 30, 2008,
 LICENSE AMENDMENT REQUESTS TO TRANSITION
 THE SHEARON HARRIS NUCLEAR PLANT, UNIT 1, AND
 THE OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3,
 TO NATIONAL FIRE PROTECTION ASSOCIATION STANDARD 805,
 "PERFORMANCE BASED STANDARD FOR FIRE PROTECTION"

JULY 17, 2008

ATTENDEES

NAME	AFFILIATION
Paul Lain	NRR/DRA/AFPB
Marlayna Vaaler	NRR/DORL/LPL2-2
Harry Barrett	NRR/DRA/AFPB
Joe Donahue	Progress Energy
Dave Baxter	Duke Energy
S. Hutchins	NEI
Jeff Ertman	Progress Energy
Rick Kimble	Progress Energy
Reene Gambrell	Duke Energy
Scott Batson	Duke Energy
L.N. Olshan	NRR/DORL/LPL2-1
David Goforth	Duke Energy
Jim Warren	NCWARN
Ken Heffner	Progress Energy
David Leslie	Duke Energy
Kyle Semmler	Duke Energy
Farideh Saba	NRR/DORL/LPL2-2
Jigar Patel	NRR/DRA
Jeff Circle	NRR/DRA/APOB
Alex Klein	NRR/DRA/AFPB
Ray Gallucci	NRR/DRA/AFPB
Daniel Frumkin	NRR/DRA/AFPB
Naeem Iqbal	NRR/DRA/AFPB
Chuck Moulton	NRR/DRA/AFPB
Ivonne Couret	NRC/OPA
Jack Grobe	NRR/ADES
Mark Cunningham	NRR/DRA

Mr. Chris L. Burton
Carolina Power & Light Company

**Shearon Harris Nuclear Power Plant,
Unit No. 1**

cc:

Mr. Chris L. Burton, Vice President
Shearon Harris Nuclear Power Plant
Carolina Power & Light Company
Post Office Box 165, Mail Code: Zone 1
New Hill, North Carolina 27562-0165

Chairman of the North Carolina
Utilities Commission
Post Office Box 29510
Raleigh, North Carolina 27626-0510

Mr. Kelvin Henderson
Plant General Manager
Shearon Harris Nuclear Power Plant
Progress Energy Carolinas, Inc.
Post Office Box 165, Mail Zone 3
New Hill, North Carolina 27562-0165

Public Service Commission
State of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Director of Site Operations
Shearon Harris Nuclear Power Plant
Progress Energy Carolinas, Inc.
Post Office Box 165, Mail Zone 1
New Hill, North Carolina 27562-0165

Ms. Beverly Hall, Section Chief
Division of Radiation Protection
N.C. Department of Environment
and Natural Resources
3825 Barrett Drive
Raleigh, North Carolina 27609-7721

Mr. David H. Corlett, Supervisor
Licensing/Regulatory Programs
Shearon Harris Nuclear Power Plant
Progress Energy Carolinas, Inc.
Post Office Box 165, Mail Zone 1
New Hill, North Carolina 27562-0165

Mr. Robert P. Gruber
Executive Director
Public Staff NCUC
4326 Mail Service Center
Raleigh, North Carolina 27699-4326

Ms. Kimberly A. Harshaw, Manager
Support Services
Shearon Harris Nuclear Power Plant
Progress Energy Carolinas, Inc.
Post Office Box 165, Mail Zone 1
New Hill, North Carolina 27562-0165

Ms. Margaret A. Force
Assistant Attorney General
State of North Carolina
Post Office Box 629
Raleigh, North Carolina 27602

Resident Inspector / Harris NPS
c/o U. S. Nuclear Regulatory Commission
5421 Shearon Harris Road
New Hill, North Carolina 27562-9998

Mr. Tony Gurley, Chair
Board of County Commissioners
of Wake County
Post Office Box 550
Raleigh, North Carolina 27602

Joseph W. Donahue, Vice President
Nuclear Engineering & Services
Progress Energy Carolinas, Inc.
Post Office Box 1551
Raleigh, North Carolina 27602-1551

Mr. Carl Thompson, Chair
Board of County Commissioners
of Chatham County
Post Office Box 87
Pittsboro, North Carolina 27312

Mr. J. Paul Fulford
Manager, Performance Evaluation and
Regulatory Affairs PEB 5
Progress Energy Carolinas, Inc.
Post Office Box 1551
Raleigh, North Carolina 27602-1551

Mr. John H. O'Neill, Jr.
Pillsbury Winthrop Shaw Pittman, LLP
2300 N Street NW.
Washington, DC 20037-1128

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

Mr. John D. Runkle
Attorney at Law
Post Office Box 3793
Chapel Hill, North Carolina 27515-3793

Mr. Jim Warren
NC Waste Awareness & Reduction Network
Post Office Box 61051
Durham, North Carolina 27715-1051

**Oconee Nuclear Station,
Units 1, 2 and 3**

cc:

Mr. Dave Baxter
Vice President, Oconee Site
Duke Power Company LLC
7800 Rochester Highway
Seneca, SC 29672

Ms. Lisa F. Vaughn
Associate General Counsel and Managing
Attorney
Duke Energy Carolinas, LLC
526 South Church Street - EC07H
Charlotte, North Carolina 28202

Manager, LIS
NUS Corporation
2650 McCormick Dr., 3rd Floor
Clearwater, FL 34619-1035

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
7812B Rochester Highway
Seneca, SC 29672

Mr. Henry Porter, Director
Division of Radioactive Waste Management
Bureau of Land and Waste Management
Dept. of Health and Env. Control
2600 Bull St.
Columbia, SC 29201-1708

Mr. B. G. Davenport
Regulatory Compliance Manager
Oconee Nuclear Site
Duke Energy Corporation
ON03RC
7800 Rochester Highway
Seneca, SC 29672

Ronnie L. Gardner, PMP
Manager, Site Operations and Corporate
Regulatory Affairs
AREVA NP Inc.
An AREVA AND Siemens Company
3315 Old Forest Road OF -16
Lynchburg, VA 24501

Mr. Leonard G. Green
Assistant Attorney General
NC Department of Justice
P.O. Box 629
Raleigh, NC 27602

Mr. R. L. Gill, Jr.
Manager - Nuclear Regulatory
Issues and Industry Affairs
Duke Power Company LLC
526 S. Church St.
Mail Stop EC05P
Charlotte, NC 28202

Division of Radiation Protection
NC Dept of Environment, Health, & Natural
Resources
3825 Barrett Dr.
Raleigh, NC 27609-7721

Mr. Peter R. Harden, IV
VP-Customer Relations and Sales
Westinghouse Electric Company
6000 Fairview Road
12th Floor
Charlotte, NC 28210

Mr. Dhiaa Jamil
Group Vice President, Nuclear Generation
and Chief Nuclear Officer
P.O. Box 1006-EC07H
Charlotte, NC 28201-1006

Mr. Charles Brinkman
Director, Washington Operations
Westinghouse Electric Company
12300 Twinbrook Parkway, Suite 330
Rockville, MD 20852

Ms. Kathryn B. Nolan
Senior Counsel
Duke Energy Carolinas, LLC
526 South Church Street - EC07H
Charlotte, NC 2820