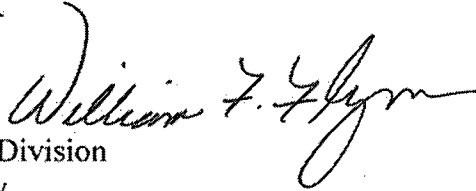


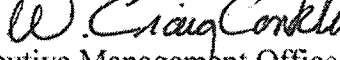


Homeland Security

September 9, 2008

MEMORANDUM FOR: Richard Correia, Director
Division of Security Policy, NSIR
Nuclear Regulatory Commission

FROM: William F. Flynn, Director 
Protective Security Coordination Division
Department of Homeland Security

W. Craig Conklin, Director 
Sector Specific Agency Executive Management Office
Department of Homeland Security

SUBJECT: Shearon Harris Nuclear Power Plant Consultation Report

The Energy Policy Act (EPA) of 2005, Section 657, *Department of Homeland Security Consultation*, states, "that before issuing a license for a utilization facility, the Nuclear Regulatory Commission (NRC) shall consult with the Department of Homeland Security (DHS) concerning the potential vulnerabilities of the location of the proposed facility to terrorist attack." To implement this mandate, the NRC and DHS promulgated a Memorandum of Understanding (MOU) on February 20, 2007 to establish a process to implement the provisions of Section 657 of the EPA of 2005.

On May 9, 2008, NRC notified DHS that it had accepted the Shearon Harris Nuclear Power Plant combined license application for Units 2 and 3 for docketing and began its review. Consistent with the MOU, DHS had 90 working days to conduct its review and provide a report of its findings to NRC.

DHS has completed this review. Enclosed is the New Reactor Consultation Report on the Shearon Harris Nuclear Power Plant Units 2 and 3, proposed to be built in New Hill, North Carolina. The New Reactor Consultation Report satisfies the requirement of Section 657 of the Energy Policy Act of 2005. DHS participants are available to discuss the findings if requested.