



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

January 29, 2009

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

**SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1 – ACCEPTANCE  
REVIEW REGARDING RELIEF REQUEST TO DEFER AN AMERICAN  
SOCIETY OF MECHANICAL ENGINEERS CODE-REQUIRED REPAIR OF AN  
EMERGENCY SERVICE WATER SYSTEM WELD UNTIL THE NEXT  
REFUELING OUTAGE (TAC NO. ME0013)**

Dear Mr. Burton:

By letter dated October 24, 2008 (Agencywide Documents Access and Management System Accession No. ML083030139), Carolina Power & Light Company (the licensee), now doing business as Progress Energy Carolinas, Inc., submitted a relief request for the Shearon Harris Nuclear Power Plant, Unit 1 (HNP). The proposed relief request seeks approval to defer the code-required repair of a flaw in an American Society of Mechanical Engineers Code Class 3 piping socket weld in the HNP service water system. The relief request pertains to the third 10-year inspection interval at HNP.

Pursuant to Sections 50.55a(a)(3)(i) and 50.55a(a)(3)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR), the applicant shall demonstrate that the proposed alternatives would provide an acceptable level of quality and safety, or that compliance with the specified requirements of Section 50.55a would result in hardship or unusual difficulty without a compensating increase in the level of quality or safety.

The purpose of this letter is to provide the final results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review and make an independent assessment regarding the acceptability of the proposed change. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

The NRC staff has reviewed your application and concluded that it does provide technical information in sufficient detail to enable the staff to proceed with its detailed technical review and make an independent assessment regarding the acceptability of the proposed amendment in terms of regulatory requirements and the protection of public health and safety and the environment. If additional information is needed for the staff to complete its technical review,

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you will be advised by separate correspondence. Should you have any questions regarding this review, please contact me at (301) 415-3178.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marlayna Vaaler', written in a cursive style.

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

Docket No. 50-400

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you will be advised by separate correspondence. Should you have any questions regarding this review, please contact me at (301) 415-3178.

Sincerely,

**/RA/**

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

Docket No. 50-400

cc: Distribution via ListServ

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