



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

July 2, 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 - ISSUANCE OF AMENDMENT REGARDING ADOPTION OF TECHNICAL SPECIFICATIONS TASKFORCE (TSTF) STANDARD TECHNICAL SPECIFICATION CHANGE TRAVELER TSTF-447, "ELIMINATION OF HYDROGEN RECOMBINERS AND CHANGE TO HYDROGEN AND OXYGEN MONITORS" (TAC NO. ME0728)

Dear Mr. Burton:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 131 to Renewed Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1, in response to your application dated February 26, 2009, to delete the Technical Specifications (TS) requirements related to hydrogen recombiners and hydrogen monitors. The proposed TS changes support implementation of the revisions to Title 10 of the *Code of Federal Regulations* Section 50.44, "Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors," which became effective on October 16, 2003.

These changes are consistent with Revision 1 of the NRC-approved Technical Specifications Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-447, "Elimination of Hydrogen Recombiners and Change to Hydrogen and Oxygen Monitors." The availability of this TS improvement was announced in the *Federal Register* on September 25, 2003.

A copy of the related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's regular biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Marlayna Vaaler".

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

Docket No. 50-400

Enclosures: 1. Amendment No. 131 to NPF-63
2. Safety Evaluation

cc w/enclosures: Distribution via Listserv



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

CAROLINA POWER & LIGHT COMPANY, et al.

DOCKET NO. 50-400

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1
AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 131
Renewed License No. NPF-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company (the licensee), dated February 26, 2009, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications, as indicated in the attachment to this license amendment; and paragraph 2.C.(2) of Renewed Facility Operating License No. NPF-63 is hereby amended to read as follows:

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 131, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 90 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Thomas H. Boyce, Chief
Plant Licensing Branch II-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to Renewed Facility
Operating License No. NPF-63
and the Technical Specifications

Date of Issuance: July 2, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 131

RENEWED FACILITY OPERATING LICENSE NO. NPF-63

DOCKET NO. 50-400

Replace page 4 of Renewed Operating License No. NPF-63 with the attached page 4.

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the area of change.

Remove Page

3/4 6-30

3/4 6-31

Insert Page

3/4 6-30

3/4 6-31

(1) Maximum Power Level

Carolina Power & Light Company is authorized to operate the facility at reactor core power levels not in excess of 2900 megawatts thermal (100 percent rated core power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 131, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Antitrust Conditions

Carolina Power & Light Company shall comply with the antitrust conditions delineated in Appendix C to this license.

(4) Initial Startup Test Program (Section 14)¹

Any changes to the Initial Test Program described in Section 14 of the FSAR made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) Steam Generator Tube Rupture (Section 15.6.3)

Prior to startup following the first refueling outage, Carolina Power & Light Company shall submit for NRC review and receive approval of a steam generator tube rupture analysis, including the assumed operator actions, which demonstrates that the consequences if the design basis steam generator tube rupture event for the Shearon Harris Nuclear Power Plant are less than the acceptance criteria specified in the Standard Review Plan, NUREG-0800, at '15.6.3 Subparts II(1) and (2) for calculated doses from radiological releases. In preparing their analysis Carolina Power & Light Company will not assume that operators will complete corrective actions within the first thirty minutes after a steam generator tube rupture.

Amendment No. 131

¹The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report and/or its supplements wherein the license condition is discussed.

CONTAINMENT SYSTEMS

3/4.6.4 COMBUSTIBLE GAS CONTROL

HYDROGEN MONITORS

LIMITING CONDITION FOR OPERATION

3.6.4.1 Deleted.

CONTAINMENT SYSTEMS

3/4.6.4 COMBUSTIBLE GAS CONTROL

HYDROGEN MONITORS

LIMITING CONDITION FOR OPERATION

3.6.4.1 Deleted.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 131 TO

RENEWED FACILITY OPERATING LICENSE NO. NPF-63

CAROLINA POWER & LIGHT COMPANY

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

DOCKET NO. 50-400

1.0 INTRODUCTION

By application dated February 26, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090720584), Carolina Power and Light Company, now doing business as Progress Energy Carolinas, Inc. (PEC), submitted a proposed amendment for the Shearon Harris Nuclear Power Plant, Unit 1 (HNP). The proposed amendment would delete the Technical Specifications (TS) requirements related to hydrogen recombiners and hydrogen monitors.

The proposed TS changes support implementation of the revisions to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.44, "Standards for Combustible Gas Control System in Light-Water-Cooled Power Reactors," which became effective on October 16, 2003. The amended standards eliminate the requirements for hydrogen recombiners and relax the requirements for hydrogen and oxygen monitoring. In letters dated December 17, 2002, and May 12, 2003, the Nuclear Energy Institute (NEI) Technical Specification Task Force (TSTF) proposed, on behalf of the industry, to remove requirements for hydrogen recombiners and hydrogen and oxygen monitors from the standard technical specifications (STS) in order to incorporate the amended standards.

These changes were incorporated into Revision 1 of the U.S. Nuclear Regulatory Commission (NRC, the Commission)-approved TSTF Standard Technical Specification Change Traveler TSTF-447, "Elimination of Hydrogen Recombiners and Change to Hydrogen and Oxygen Monitors." The availability of this TS improvement was announced in the *Federal Register* on September 25, 2003 (68 FR 55416). Licensees of nuclear power reactors to which TSTF-447 applies were informed that they could request amendments conforming to the model safety evaluation (SE), and, in such requests, should confirm the applicability of the model SE to their reactors and provide the requested plant-specific verifications and commitments.

2.0 REGULATORY EVALUATION

Regulatory Issue Summary 2000-06, "Consolidated Line Item Improvement Process (CLIP) for Adopting Standard Technical Specification Changes for Power Reactors," was issued on March 20, 2000. The CLIP is intended to improve the efficiency of NRC licensing processes.

This is accomplished by processing proposed changes to the STS in a manner that supports subsequent license amendment applications. The CLIP includes an opportunity for the public to comment on proposed changes to the STS following preliminary assessment by the NRC staff and a finding that the change will likely be offered for adoption by licensees. The NRC staff evaluates any comments received for a proposed change to the STS and either reconsiders the change or proceeds with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to the TS are responsible for reviewing the NRC staff's evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability is processed and noticed in accordance with applicable rules and NRC procedures.

The Commission's regulatory requirements related to the content of the TSs are set forth in 10 CFR 50.36. This regulation requires that the TSs include items in five specific categories. These categories include (1) safety limits, limiting safety system settings and limiting control settings, (2) limiting conditions for operation (LCO), (3) surveillance requirements, (4) design features, and (5) administrative controls. However, the regulation does not specify the particular TSs to be included in a plant's operating license.

Additionally, 10 CFR 50.36(c)(2)(ii) sets forth four criteria to be used in determining whether an LCO is required to be included in the TS. These criteria are as follows:

1. Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.
2. A process variable, design feature, or operating restriction that is an initial condition of a design-basis accident or transient analysis that assumes either the failure of or presents a challenge to the integrity of a fission product barrier.
3. A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.
4. A structure, system or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

Existing LCOs and related surveillances included as TS requirements that satisfy any of the criteria stated above must be retained in the TSs. Those TS requirements which do not satisfy these criteria may be relocated to other licensee-controlled documents.

As part of the rulemaking that revised 10 CFR 50.44, the Commission retained requirements for ensuring a mixed atmosphere, inerting Mark I and II containments, and providing hydrogen control systems capable of accommodating the amount of hydrogen generated from a metal-water reaction involving 75 percent of the fuel cladding surrounding the active fuel region in Mark III and ice condenser containments. The Commission eliminated the design-basis loss-of-coolant accident (LOCA) hydrogen release from 10 CFR 50.44 and consolidated the requirements for hydrogen and oxygen monitoring, while also relaxing safety classifications and

licensee commitments to certain design and qualification criteria. The Commission also relocated without change the hydrogen control requirements in 10 CFR 50.34(f) to 10 CFR 50.44 and the high point vent requirements from 10 CFR 50.44 to 10 CFR 50.46a.

3.0 TECHNICAL EVALUATION

The ways in which the requirements and recommendations for combustible gas control were incorporated into the licensing bases of commercial nuclear power plants varied as a function of when plants were licensed. Plants that were operating at the time of the Three Mile Island (TMI), Unit 2 accident are likely to have been the subject of confirmatory orders that imposed the combustible gas control functions described in NUREG-0737, "Clarification of TMI Action Plan Requirements," as obligations. The issuance of plant specific amendments to adopt the changes described in TSTF-447, which would remove hydrogen recombiner and hydrogen and oxygen monitoring controls from the TSs, supersede the combustible gas control requirements imposed by the post-TMI confirmatory orders.

3.1 Hydrogen Recombiners

The revised 10 CFR 50.44 no longer defines a design-basis LOCA hydrogen release, and eliminates requirements for hydrogen control systems to mitigate such a release. Installation of hydrogen recombiners and/or the vent and purge systems required by 10 CFR 50.44(b)(3) was intended to address the limited quantity and rate of hydrogen generation that was postulated from a design-basis LOCA. The Commission has determined that this hydrogen release is not risk-significant because the design-basis LOCA hydrogen release does not contribute to the conditional probability of a large release up to approximately 24 hours after the onset of core damage. In addition, these systems were ineffective at mitigating hydrogen releases from risk-significant beyond design-basis accidents. Therefore, the Commission eliminated the hydrogen release associated with a design-basis LOCA from 10 CFR 50.44 and the associated requirements that necessitated the need for the hydrogen recombiners and the backup hydrogen vent and purge systems. As a result, the NRC staff finds that requirements related to hydrogen recombiners no longer meet any of the four criteria in 10 CFR 50.36(c)(2)(ii) for retention in the TSs and may be relocated to other licensee-controlled documents for all plants.

Hydrogen recombiners are no longer required by 10 CFR 50.44 and no longer meet the criteria in 10 CFR 50.36(c)(2)(ii). Therefore, removal of the hydrogen recombiner requirements from the HNP TSs and placement in the licensee-controlled Final Safety Analysis Report (FSAR) for HNP is an acceptable change.

3.2 Hydrogen Monitoring Equipment

Section 50.44(b)(1), the STS, and the HNP TSs currently contain requirements for monitoring hydrogen. Licensees have also made commitments to design and qualification criteria for hydrogen monitors in Item II.F.1, Attachment 6, of NUREG-0737 and Regulatory Guide (RG) 1.97, "Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant and Environs Conditions During and Following an Accident." The hydrogen monitors are required to assess the degree of core damage during a beyond design-basis accident and confirm that random or deliberate ignition has taken place. If an explosive mixture that could threaten containment integrity exists during a beyond design-basis accident, then other severe accident

management strategies, such as purging and/or venting, would need to be considered. The hydrogen monitors are needed to implement these severe accident management strategies.

With the elimination of the design-basis LOCA hydrogen release, hydrogen monitors are no longer required to mitigate design-basis accidents and, therefore, the hydrogen monitors do not meet the definition of a safety-related component as defined in 10 CFR 50.2. RG 1.97 recommends classifying the hydrogen monitors as Category 1. RG 1.97 Category 1 is intended for key variables that most directly indicate the accomplishment of a safety function for design-basis accident events and, therefore, are items usually addressed within the TSs.

As part of the rulemaking to revise 10 CFR 50.44, the Commission found that the hydrogen monitors no longer meet the definition of Category 1 in RG 1.97. The Commission concluded that Category 3, as defined in RG 1.97, is an appropriate categorization for the hydrogen monitors because the monitors are required to diagnose the course of beyond design-basis accidents. Hydrogen monitoring is not the primary means of indicating a significant abnormal degradation of the reactor coolant pressure boundary. Section 4 of Attachment 2 to SECY-00-0198, "Status Report on Study of Risk-Informed Changes to the Technical Requirements of 10 CFR Part 50 (Option 3) and Recommendations on Risk-Informed Changes to 10 CFR 50.44 (Combustible Gas Control)," determined that the hydrogen monitors were not risk-significant. Therefore, the NRC staff finds that hydrogen monitoring equipment requirements no longer meet any of the four criteria in 10 CFR 50.36(c)(2)(ii) for retention in the TSs and, therefore, may be relocated to other licensee-controlled documents.

The elimination of Post-Accident Sampling System requirements from some plant-specific TS (and associated CLIP notices) indicated that during the early phases of an accident, safety-grade hydrogen monitors provide an adequate capability for monitoring containment hydrogen concentration. The NRC staff has subsequently concluded that RG 1.97 Category 3 hydrogen monitors also provide adequate capability for monitoring containment hydrogen concentration during the early phases of an accident. However, because the monitors are required to diagnose the course of beyond design-basis accidents, each licensee should verify that it has, and make a regulatory commitment to maintain, a hydrogen monitoring system capable of diagnosing beyond design-basis accidents.

The licensee has verified that a hydrogen monitoring system capable of diagnosing beyond design-basis accidents is installed at HNP and is making a regulatory commitment to maintain that capability. The requirements for the hydrogen monitors will be included in the FSAR within 90 days of issuance of the license amendment. Therefore, removal of the hydrogen monitoring equipment from the HNP TSs and placement in the HNP FSAR is an acceptable change.

The deletion of the requirements for the hydrogen recombiner and hydrogen monitors resulted in deletion of TS Bases content for hydrogen recombiners and monitors. The NRC staff has confirmed that the related changes are appropriate and do not affect the technical requirements.

4.0 VERIFICATION AND COMMITMENTS

As requested by the NRC staff in the notice of availability for this TS improvement, the licensee has addressed the following plant-specific verifications and commitments:

1. Each licensee should verify that it has, and make a regulatory commitment to maintain, a hydrogen monitoring system capable of diagnosing beyond design-basis accidents.

The licensee has verified that it has a hydrogen monitoring system capable of diagnosing beyond design-basis accidents. The licensee has committed to maintain the hydrogen monitors using requirements captured within its FSAR. The licensee will implement this commitment within 90 days as part of implementation of the amendment.

2. For plant designs with an inerted containment, each licensee should verify that it has, and make a regulatory commitment to maintain, an oxygen monitoring system capable of verifying the status of the inert containment.

Verification and commitment to the above requirement is not applicable to HNP. HNP does not have an inerted containment.

The NRC staff finds that reasonable controls for implementation and subsequent evaluation of proposed changes pertaining to the above regulatory commitments are provided by the licensee's administrative processes, including its commitment management program. Should the licensee choose to incorporate a regulatory commitment into the emergency plan, final safety analysis report, or other document with established regulatory controls, the associated regulations would define the appropriate change-control and reporting requirements.

The NRC staff has determined that the commitments do not warrant the creation of regulatory requirements which would require prior NRC approval for subsequent changes. The NRC staff has agreed that NEI 99-04, Revision 0, "Guidelines for Managing NRC Commitment Changes," provides reasonable guidance for the control of regulatory commitments made to the NRC (see Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000). The commitments should be controlled in accordance with the industry guidance or comparable criteria employed by the licensee. The NRC staff may choose to verify the implementation and maintenance of these commitments in a future inspection or audit.

5.0 FINAL NO SIGNIFICANT HAZARDS CONSIDERATION

In its application, the licensee addressed the no significant hazards consideration (NSHC) criteria in 10 CFR 50.92, "Issuance of amendment," and provided the following NSHC for the proposed amendment:

Criterion 1 – The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The revised 10 CFR 50.44 no longer defines a design-basis loss-of-coolant accident (LOCA) hydrogen release, and eliminates requirements for hydrogen control systems to mitigate such a release. The installation of hydrogen recombiners and/or vent and purge systems required by 10 CFR 50.44(b)(3) was intended to address the limited quantity and rate of hydrogen generation that was postulated from a design-basis LOCA. The Commission has found that this hydrogen release is not risk-significant because the

design-basis LOCA hydrogen release does not contribute to the conditional probability of a large release up to approximately 24 hours after the onset of core damage. In addition, these systems were ineffective at mitigating hydrogen releases from risk-significant accident sequences that could threaten containment integrity.

With the elimination of the design-basis LOCA hydrogen release, hydrogen monitors are no longer required to mitigate design-basis accidents and, therefore, the hydrogen monitors do not meet the definition of a safety-related component as defined in 10 CFR 50.2. RG [Regulatory Guide] 1.97 Category 1 is intended for key variables that most directly indicate the accomplishment of a safety function for design-basis accident events. The hydrogen monitors no longer meet the definition of Category 1 in RG 1.97. As part of the rulemaking to revise 10 CFR 50.44 the Commission found that Category 3, as defined in RG 1.97, is an appropriate categorization for the hydrogen monitors because the monitors are required to diagnose the course of beyond design-basis accidents.

The regulatory requirements for the hydrogen monitors can be relaxed without degrading the plant emergency response. The emergency response, in this sense, refers to the methodologies used in ascertaining the condition of the reactor core, mitigating the consequences of an accident, assessing and projecting offsite releases of radioactivity, and establishing protective action recommendations to be communicated to offsite authorities. Classification of the hydrogen monitors as Category 3 and removal of the hydrogen monitors from the TS will not prevent an accident management strategy through the use of the SAMGs [severe accident management guidelines], the emergency plan (EP), the emergency operating procedures (EOP), and site survey monitoring that support modification of emergency plan protective action recommendations (PARs).

Therefore, the elimination of the hydrogen recombiners and relaxation of the hydrogen monitor requirements, including removal of these requirements from the TS, does not involve a significant increase in the probability or consequences of an accident previously evaluated.

Criterion 2 – The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident from Any Previously Evaluated

The elimination of the hydrogen recombiner requirements and relaxation of the hydrogen monitor requirements, including removal of these requirements from the TS, will not result in any failure mode not previously analyzed. The hydrogen recombiner and hydrogen monitor equipment was intended to mitigate a design-basis hydrogen release. The hydrogen recombiner and hydrogen monitor equipment are not considered accident precursors, nor does their existence or elimination have any adverse impact on the pre-accident state of the reactor core or post accident confinement of radionuclides within the containment building.

Therefore, this change does not create the possibility of a new or different kind of accident from any previously evaluated.

Criterion 3 – The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The elimination of the hydrogen recombiner requirements and relaxation of the hydrogen monitor requirements, including removal of these requirements from the TS, in light of existing plant equipment, instrumentation, procedures, and programs that provide effective mitigation of and recovery from reactor accidents, results in a neutral impact to the margin of safety.

The installation of hydrogen recombiners and/or vent and purge systems required by 10 CFR 50.44(b)(3) was intended to address the limited quantity and rate of hydrogen generation that was postulated from a design-basis LOCA. The Commission has found that this hydrogen release is not risk-significant because the design-basis LOCA hydrogen release does not contribute to the conditional probability of a large release up to approximately 24 hours after the onset of core damage.

Category 3 hydrogen monitors are adequate to provide rapid assessment of current reactor core conditions and the direction of degradation while effectively responding to the event in order to mitigate the consequences of the accident. The intent of the requirements established as a result of the TMI [Three Mile Island], Unit 2 accident, can be adequately met without reliance on safety-related hydrogen monitors.

Therefore, this change does not involve a significant reduction in the margin of safety. Removal of hydrogen monitoring from the TS will not result in a significant reduction in their functionality, reliability, and availability.

The licensee concluded in its application that the proposed amendment does not involve a NSHC. The NRC staff has reviewed the proposed changes to the TSs in the amendment and the NSHC given in the letter. Based on its review, the NRC staff agrees with the licensee and concludes that the NSHC given above is its final determination of NSHC for the amendment.

6.0 STATE CONSULTATION

In accordance with the Commission's regulations, the State of North Carolina official was notified of the proposed issuance of the amendment. The State official had no comments.

7.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has made a final finding that the amendment involves no significant hazards consideration, in Section 5.0, "Final No Significant Hazards Consideration," of this safety evaluation. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact

statement or environmental assessment need be prepared in connection with the issuance of the amendment.

8.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Matt Hamm

Date: July 2, 2009

July 2, 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 - ISSUANCE OF AMENDMENT REGARDING ADOPTION OF TECHNICAL SPECIFICATIONS TASKFORCE (TSTF) STANDARD TECHNICAL SPECIFICATION CHANGE TRAVELER TSTF-447, "ELIMINATION OF HYDROGEN RECOMBINERS AND CHANGE TO HYDROGEN AND OXYGEN MONITORS" (TAC NO. ME0728)

Dear Mr. Burton:

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A copy of the related safety evaluation is also enclosed. The Notice of Issuance will be included in the Commission's regular biweekly *Federal Register* notice.

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

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2. Safety Evaluation

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NRR-058

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* by memo