August 31, 2009

Mr. Albert Barginere
Progress Energy
TPP 15
100 East Davie Street
Raleigh, NC 27601

SUBJECT: TRANSMITTAL OF DEPARTMENT OF HOMELAND SECURITY CONSULTATION REPORT

Dear Mr. Barginere:

Under the U. S. Nuclear Regulatory Commission (NRC) - Department of Homeland Security (DHS) Memorandum of Understanding (MOU), executed on February 20, 2007, states that, in writing, DHS is to provide the NRC comments concerning the potential vulnerabilities of the location of a proposed facility to terrorist attack. The MOU implements Section 657, "Department of Homeland Security" of the Energy Policy Act of 2005 (PL-109-58).

On April 17, 2008, the NRC accepted the Progress Energy Shearon Harris combined license (COL) application for Units 2 and 3 for docketing. A DHS visit to the Progress Energy Shearon Harris site was performed the week of June 16, 2008. On September 8, 2008, DHS completed its review and provided the new reactor Consultation Report for the Progress Energy Shearon Harris site to the NRC.

The Safeguards Information (SGI) portion of the new reactor Consultation Report is enclosed as Enclosure 1. The consultation report is provided as "for information only." Progress Energy is not required to respond to this correspondence. Further, Enclosure 1 does not include Appendix A, Homeland Infrastructure Threat and Risk Analysis Center Threat Assessment Annex In Support of New Reactor Consultation.

Enclosure contains Safeguards Information. Upon removal from the Enclosure, this letter is decontrolled.

Portions of the enclosed document are designated as SGI and the staff has determined that Progress Energy has a valid “need-to-know” for this information in association with their COL application submitted on February 19, 2008. The applicant, Progress Energy, shall handle the SGI enclosure in accordance with the requirements of 10 CFR 73.21, “Requirements for the Protection of Safeguards Information.”

If you have any questions or comments concerning this matter, you may contact me at 301-415-5787 or Rocky.Foster@nrc.gov.

Sincerely,

/RA/

Rocky D. Foster, Project Manager
ESBWR/ABWR Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Enclosure:
As stated

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Sincerely,

/RA/

Rocky D. Foster, Project Manager
ESBWR/ABWR Projects Branch 2
Division of New Reactor Licensing
Office of New Reactors

Enclosure:
As stated

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