

SAFEGUARDS INFORMATION

November 19, 2009

Mr. Chris Burton
Vice President
Carolina Power & Light Company
5413 Shearon Harris Road
New Hill, NC 27562

SUBJECT: SHEARON HARRIS NUCLEAR POWER PLANT- NRC SECURITY
INSPECTION REPORT 05000400/2009201

Dear Mr. Burton:

On April 3, 2009, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at the Shearon Harris Nuclear Power Plant. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed inspection report documents the inspection results, which were discussed on November 19, 2009, with you and other members of your staff.

The inspection examined activities conducted under your license as they relate to security and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, three findings, which are of very low security significance (i.e., Green as determined by the Physical Protection Significance Determination Process (PPDSP) were identified. One finding has an associated cross-cutting area in Problem Identification and Resolution, within the area of Corrective Action Program under P1.c, "Evaluates Problems" because your staff failed to conduct an adequate review of the extent of condition affecting systems effectiveness to ensure regulatory compliance was met. Each of the three deficiencies were identified by the NRC. The deficiencies were promptly corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the inspectors left the site.

However, because of the very low security significance and because they were entered into your corrective action program, the NRC is treating these violations as non-cited violations consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest these non-cited violations, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator Region I; Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and the Resident Inspector at the Shearon Harris Nuclear Power Plant.

In accordance with Title 10 of the Code of Federal Regulations (10 CFR) Section 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System

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

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(PARS) component of NRC's Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Reading Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information – Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

/RA/

Michael P. Shannon, Chief, Acting
Security Performance Evaluation Branch
Division of Security Operations
Office of Nuclear Security and Incident Response

Docket No.: 50-400
License No.: NPF-63

Enclosure: NRC Inspection Report No. 05000400/2009201(SGI)
w/ Attachment: Supplemental Information

cc w/Encl:

R. J. Duncan, II
Vice President
Nuclear Operations
Carolina Power & Light Company
P.O. Box 165, Mail Zone 1
New Hill, NC 27562-0165

John C. Warner
Manager
Support Services
Progress Energy Carolinas, Inc.
Shearon Harris Nuclear Power Plant
P.O. Box 165, Mail Zone 1
New Hill, NC 27562-0165

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Distribution w/encl:

D. Brady, STSB
M. Ernstes, R-II/DRS/PSB2
J. Austin, SRI Shearon Harris
J. Curry, DDSO/DSO

Distribution w/o encl:

M Vaaler - NRR
C. Adkison, PMDA

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OFFICE	TL:DSO/NSIR	BC:RII	SRI:Harris	BC:DSO/NSIR
NAME	J. Willis	M.Ernstes via e-mail	J. Austin, via phone	M. Shannon, Acting
DATE	11/16/2009	11/18/2009	11/18/2009	11/19/2009

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