



PO Box 1551
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Attachment 1 to this letter contains
~~SECURITY RELATED~~
~~INFORMATION WITHHOLD~~
~~UNDER 10 CFR 2.390.~~
Upon removal of Attachment 1
this letter is decontrolled.

10 CFR 73.5

Serial: RA-10-021
September 30, 2010

United States Nuclear Regulatory Commission
ATTENTION: Document Control Desk
Washington, DC 20555-0001

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
DOCKET NO. 50-261 / LICENSE NO. DPR-23

REQUEST FOR EXEMPTIONS FROM PHYSICAL SECURITY REQUIREMENTS

REFERENCES:

1. Progress Energy letter from R. J. Duncan II to the Nuclear Regulatory Commission Document Control Desk titled, *Request for Exemptions from Physical Security Requirements,* dated November 30, 2009
2. Nuclear Regulatory Commission letter from Tracy J. Orf to Eric McCartney titled, *H. B. Robinson Steam Electric Plant, Unit No. 2 – Exemption From the Requirements of 10 CFR Part 73, Section 73.55 (TAC No. ME2816),* dated March 3, 2010

Ladies and Gentlemen:

In accordance with the requirements of 10 CFR 73.5, Carolina Power & Light Company (CP&L), now doing business as Progress Energy Carolinas, Inc., requests the Nuclear Regulatory Commission (NRC) approve an exemption from a specific requirement of 10 CFR Part 73, "Physical Protection of Plants and Materials." The exemption requested would extend the compliance due date for H. B. Robinson Steam Electric Plant, Unit No. 2, for one measure required by the revised rule.

The NRC issued a Final Rule for revised security requirements in the Federal Register dated March 27, 2009. Pursuant to the Final Rule, the revised security requirements had to be implemented by March 31, 2010. CP&L achieved compliance with a vast majority of the revised rule by the March 31, 2010, compliance date. By letter dated November 30, 2009, CP&L requested exemptions for additional time to comply with two specific provisions of the revised rule. These exemptions were approved by the NRC in a letter dated March 3, 2010.

CP&L has determined that additional time, beyond that previously approved by the NRC, will be required to achieve compliance with one of the provisions that was addressed in the earlier exemption request. The additional time is needed due to the complexity of the design and construction of the projects which lead to unforeseen scope growth and a better understanding of the time necessary for transition to and testing of the new systems. Also, due to a March 28, 2010, fire in an electrical switchgear room, the spring refueling outage was extended beyond that originally anticipated when project schedules were first developed. Additional time, beyond that approved in Reference 2, is therefore requested to complete the necessary

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security modifications. Additional details regarding the specific provision of the rule for which exemption is requested, and the length of the exemption is provided in Attachment 1.

This letter contains the following attachments:

- Attachment 1: Exemption Request for the H. B. Robinson Steam Electric Plant, Unit No. 2 (Contains Security-Related Information – Withhold Under 10 CFR 2.390)
- Attachment 2: Redacted Version of Exemption Request for the H. B. Robinson Steam Electric Plant, Unit No. 2

As noted above, Attachment 1 contains security-related information associated with the physical protection of H. B. Robinson Steam Electric Plant, Unit No. 2, as described in 10 CFR 2.390(d)(1). Accordingly, CP&L requests that the information contained in Attachment 1 be withheld from public disclosure in accordance with the provisions of 10 CFR 2.390.

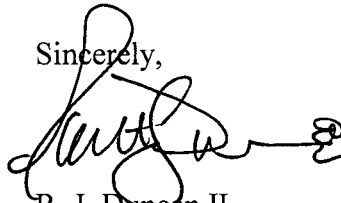
This letter contains no regulatory commitments.

CP&L requests approval of this exemption request by December 30, 2010, the compliance date previously approved in Reference 2.

If you should have any questions regarding this submittal, please contact Ed O'Neil, Director – Nuclear Protective Services, at (919) 546-2151.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 30, 2010.

Sincerely,



R. J. Dunean II
Vice President, Nuclear Operations
Progress Energy, Inc.

RJD/dbm

Attachments:

1. Exemption Request for the H. B. Robinson Steam Electric Plant, Unit No. 2 (Contains Security-Related Information – Withhold Under 10 CFR 2.390)
 2. Redacted Version of Exemption Request for the H. B. Robinson Steam Electric Plant, Unit No. 2
- c: J. Wiggins, USNRC Director – Nuclear Security and Incident Response
L. Reyes, USNRC Regional Administrator – Region II
USNRC Resident Inspector – HBRSEP, Unit No. 2
T. Orf, NRR Project Manager –HBRSEP, Unit No. 2

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