

December 23, 2011

Mr. Keith Holbrook
Manager – Support Services
Progress Energy Carolinas, Inc.
Harris Nuclear Plant
P.O. Box 165
New Hill, NC 27562

Dear Mr. Holbrook:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of October 13, 2011, requesting a fee waiver under Title 10 to the *Code of Federal Regulations* (10 CFR) Section 170.11 for Carolina Power & Light Company (CP&L) for inspection fees for the recently completed pilot Fire Protection Triennial Inspection at the Shearon Harris Nuclear Power Plant, Unit 1 (Harris or HNP). Your request meets the fee waiver criteria; therefore, I am granting your request, as explained below.

Your letter states HNP complied with the NRC recommendation that all licensees transition to NFPA Standard 805, "Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generating Plants, 2001 Edition" [NFPA 805] in accordance with 10 CFR 50.48(c). Adoption of NFPA 805 allows licensees to take advantage of risk insights whereby supporting the Agency's goals. The NRC acknowledges HNP's participation as the initial licensee to obtain approval for the transition to NFPA 805. The NRC noted during the inspection process at HNP, the inspection manual related to fire protection required a major revision to produce Inspection Procedure 71111.05XT, "Fire Protection - NFPA 805 (Triennial)." This procedure was used in the Fire Protection Triennial Inspection at Harris during the period of August 9 - September 23, 2011. The NRC acknowledges the Harris plant personnel were very cooperative and provided extra time and effort to assist in inspection activities concerning NFPA 805. As a result of HNP's transition, the Agency has gained substantial benefits in the development and implementation of inspection procedures for NFPA 805 program.

In accordance with 10 CFR 170.11, the NRC staff has concluded that HNP activities, in regards to the NFPA 805 program, meet the requirements of a performance assessment or evaluation for which the licensee volunteer's at the NRC's request and which is selected by the NRC. Hence, I am able to grant you a fee waiver under the provisions of 10 CFR 170.11(a)(12).

If you have any technical questions regarding this matter, please contact Ms. Brenda Mozafari at 301-415-2020. Please contact Ms. Arlette Howard, of my staff, at 301-415-1481, for any fee-related questions.

Sincerely,

/RA/

J. E. Dyer

Chief Financial Officer

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/RA/

J. E. Dyer
Chief Financial Officer

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