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 FACIL: 50-400 Shearon Harris Nuclear Power Plant, Unit 1, Carolina 05000400
 AUTH. NAME AUTHOR AFFILIATION
 PASTRANA, S. Affiliation Not Assigned
 RECIP. NAME RECIPIENT AFFILIATION
 DENTON, H. Office of Nuclear Reactor Regulation, Director (post 851125)

SUBJECT: Opposes util exemption from requirement of full participation emergency plan test within 1 yr prior to OL issuance.

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NOTES: Application for permit renewal filed. 05000400

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REGISTRATION NBR 05010087 DOC. DATE: 05/05/10 NOTARIAL NO
 FACILITY: 400 Sherrin Harris Nuclear Power Plant, Unit 1, Carolina
 AUTHOR AFFILIATION
 PATRIAN, G. Affiliation Not Assigned
 RECIPIENT AFFILIATION
 RECIPIENT NAME
 OFFICE of Nuclear Reactor Regulation, Director (post 051125)

SUBJECT: Oppose until exemption from requirement of full participation emergency plan test within 1 yr prior to ELI resumed.

DISTRIBUTION CODE: YESD COPIES RECEIVED: LTR 1 ENCL 1 TYPE: 1
 TITLE: Request for NRR Action (e.g. 506 Petitions) & Related Correspondence

NOTES: Application for permit renewal filed. 0500400

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EXTERNAL: NRC PDR	05	NSIC	05

Mr. Harold Denton
Director, Office of Nuclear
Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(301) 492-7000

Subject: Shearon Harris nuclear plant,
Carolina Power & Light,
Emergency Plan

Dear Mr. Denton,

Carolina Power & Light Company has not conducted a full participation test of the present emergency plan for the Shearon Harris nuclear plant as required by federal regulation, 10 CFR Part 50.

This is most significant since Chatham County, by formal action of the Board of Commissioners, has withdrawn from the emergency plan. Thus, no plan which could actually be implemented if the plant were to operate has been tested.

In addition, citizens and officials in other counties are considering withdrawing from the present emergency plan. Clearly, any such action would further complicate this matter.

At least until such time as state and local governmental participation in an emergency plan for Shearon Harris is fully resolved, no exemption(s) from the requirement of a full participation test within one year prior to the granting of any full power license should be considered or approved.

Sincerely,

Landra Prostrano
213.5 McCawley St.
Chapel Hill, N.C. 27514

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H PDR

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