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 FACIL: 50-400 Shearon Harris Nuclear Power Plant, Unit 1, Carolina 05000400  
 AUTH. NAME AUTHOR AFFILIATION  
 DEAN, J. W. North Carolina, State of  
 RECIP. NAME RECIPIENT AFFILIATION  
 DENTON, H. R., Office of Nuclear Reactor Regulation, Director (post 851125)

SUBJECT: Supports util request for schedular exemption from requirements of App E, Section IV. F. 1. of 10CFR50 re full participation exercise of emergency plan conducted within 1 yr of full power license.

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NOTES: Application for permit renewal filed. 05000400

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## North Carolina Department of Crime Control and Public Safety

James G. Martin, Governor

Joseph W. Dean, Secretary

September 29, 1986

Mr. Harold R. Denton, Director  
Office of Nuclear Reactor Regulation  
United States Nuclear Regulatory Commission  
Washington, D. C.

Dear Mr. Denton:

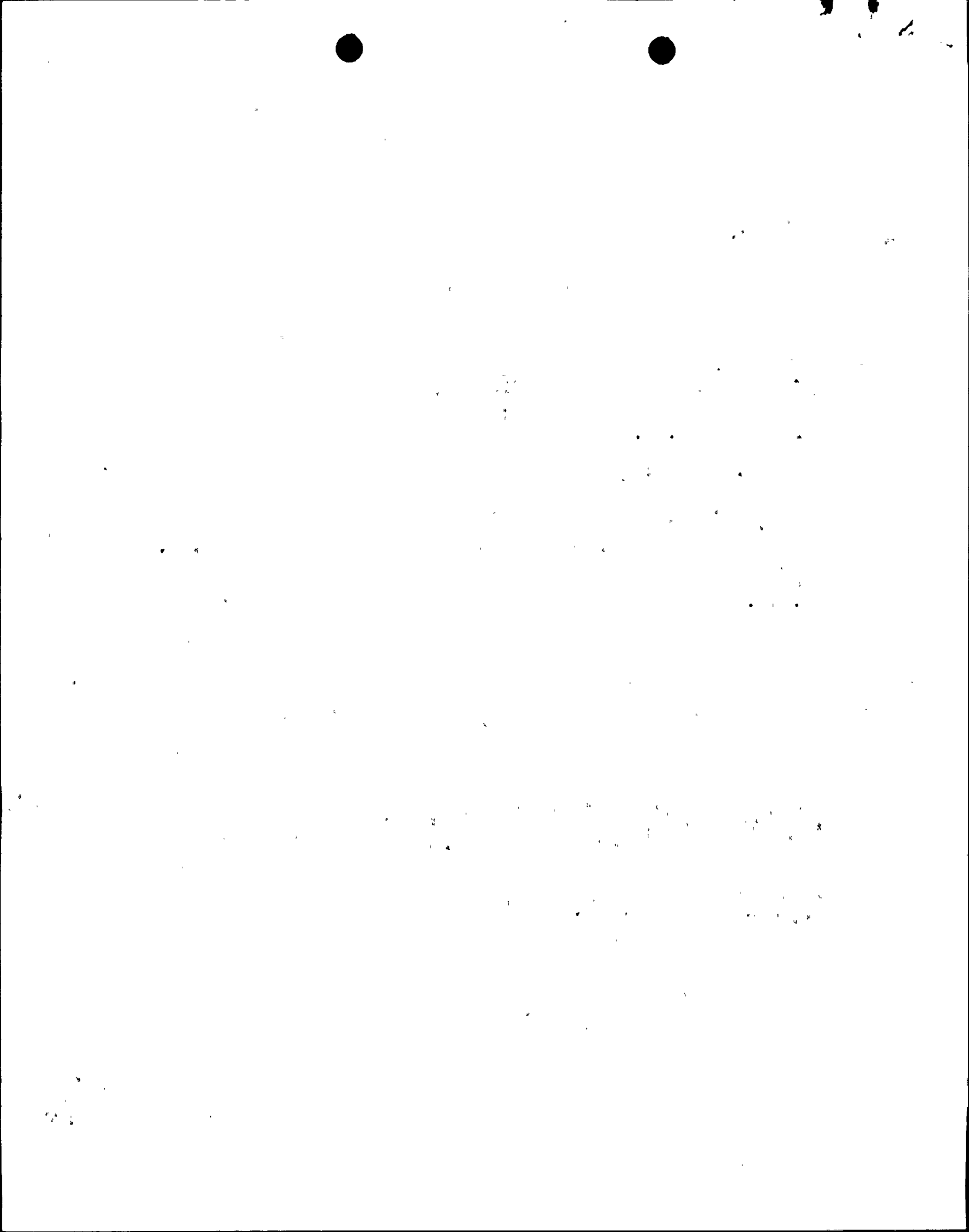
On March 4, 1986, Carolina Power & Light Company (CP&L) requested a license to operate the Shearon Harris Nuclear Power Plant. CP&L further requested that the U. S. Nuclear Regulatory Commission grant a schedular exemption from the requirements in 10 CFR Part 50, Appendix E, S IV.F.1. This regulation would require that a full-participation exercise of the Harris emergency plan "be conducted within 1 year before the issuance of the first operating license for full power and prior to operation above 5% of rated power."

The North Carolina Department of Crime Control and Public Safety supports CP&L's request for a schedular exemption. The Department's Division of Emergency Management (DEM) is the State agency with primary responsibility for the development and implementation of emergency plans in support of fixed nuclear facilities. The Division was involved in the initial decision to request an exemption and has planned its exercise schedule accordingly.

The Division of Emergency Management has worked closely with CP&L, the NRC, the Federal Emergency Management Agency, and the four affected counties to develop a comprehensive emergency plan for the Harris Plant. The Division has conducted numerous emergency planning exercises for nuclear power plants since 1980 and has responded to many major non-nuclear emergencies (some of which have involved large-scale evacuations) in our

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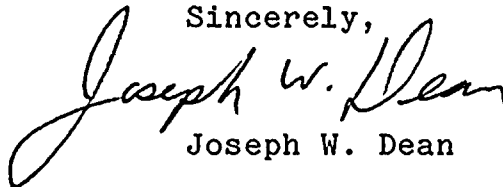
Mr. Harold R. Denton  
September 29, 1986  
Page 2

State. In May 1985, the Division of Emergency Management and the other organizations involved conducted a very successful exercise of the Harris Plant emergency plan. Both the FEMA evaluation and the Division's own internal review confirmed an overall state of readiness for offsite planning and response. Since then, the Division has provided additional training and other assistance to local emergency workers in order to maintain that state of readiness. A partial exercise with local participation is scheduled for October 28, 1986, and a full participation exercise of scheduled for February 1987. The Department of Crime Control and Public Safety, which represents the Governor in this matter, is confident that the level of emergency preparedness has been maintained and, indeed, enhanced since the May 1985 exercise.

In view of these considerations, the Department of Crime Control and Public Safety does not believe that yet another full-participation exercise prior to operation of the Harris Plant is necessary in light of the previous exercise, the one scheduled for October of this year, and the full exercise scheduled for February, 1987. This Department will cooperate fully with any action you think best.

With very best wishes, I am

Sincerely,

A handwritten signature in cursive script that reads "Joseph W. Dean". The signature is written in dark ink and is positioned above the typed name.

Joseph W. Dean

JWD:ch

