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July 8, 1986

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE COMMISSION

'86 JUL -8 P12:06

In the Matter of )

CAROLINA POWER & LIGHT COMPANY )  
and NORTH CAROLINA EASTERN )  
MUNICIPAL POWER AGENCY )

(Shearon Harris Nuclear Power )  
Plant) )

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket No. 50-400 OL

SUPPLEMENT TO  
APPLICANTS' RESPONSE TO CCNC AND EDDLEMAN  
REQUEST TO CONTINUE STAY INDEFINITELY

On June 24, 1986, Carolina Power & Light Company and North Carolina Eastern Municipal Power Agency filed with the Commission "Applicants' Response to CCNC and Eddleman Request to Continue Stay Indefinitely." Pages 12 to 15 of Applicants' Response take issue with the intervenors' characterization of a resolution (Attachment A to Applicants' Response) adopted by the Chatham County Board of Commissioners on May 27, 1986. Intervenors had stated that the county "withdrew from the Emergency Response Plan."<sup>1/</sup> Applicants pointed out that the county had not finally approved the plan, but there was no indication the county had withdrawn from the plan, that it will no longer participate in planning, or that it would not respond in the event of a

<sup>1/</sup> Comments on Immediate Effectiveness Review of Final Licensing Board Decision, June 9, 1986, at 7.

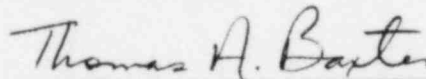
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radiological emergency at the Shearon Harris Nuclear Power Plant. This supplement addresses new information on this point, not available when Applicants' Response was filed.

On July 7, 1986, the Chatham County Board of Commissioners unanimously adopted "A Resolution Concerning the Shearon Harris Nuclear Power Plant." The resolution states, in part, that "Chatham County endorses the emergency plan jointly developed with Wake, Lee and Harnett Counties and the State of North Carolina," and "Chatham County agrees to carry out the responsibilities identified in the plan both during training exercises and in the event of an actual emergency." This resolution eliminates any doubt about the County's participation in off-site emergency preparedness for the Harris plant.

Attached hereto are copies of the resolution and letters of July 7, 1986, from Chairman Thompson of the Chatham County Board of Commissioners to Chairman Zech and Governor Martin.

Respectfully submitted,



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(919) 836-8161

Counsel for Applicants

Dated: July 8, 1986

July 8, 1986

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of	)	
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MUNICIPAL POWER AGENCY	)	
	)	
(Shearon Harris Nuclear Power	)	
Plant)	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "Supplement to Applicants' Response to CCNC and Eddleman Request to Continue Stay Indefinitely" were served this 8th day of July, 1986, by hand delivery to the parties identified with one asterisk, and by deposit in the U.S. mail, first class, postage prepaid, to the other parties on the attached Service List.

Thomas A. Baxter  
Thomas A. Baxter, P.C.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )

CAROLINA POWER & LIGHT COMPANY )  
and NORTH CAROLINA EASTERN )  
MUNICIPAL POWER AGENCY )

(Shearon Harris Nuclear Power )  
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Docket No. 50-400 OL

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# COUNTY OF CHATHAM

## COMMISSIONERS

EARL D. THOMPSON, Chairman  
HENRY DUNLAP, JR.  
GUS MURCHISON, JR.  
C. W. LUTTERLOH  
CARL THOMPSON



P. O. BOX 87

PITTSBORO, N. C. 27312

ORGANIZED 1770

707 SQUARE MILES

MARVIN K. HOFFMAN  
County Administrator

ROBERT L. GUNN  
County Attorney

July 7, 1986

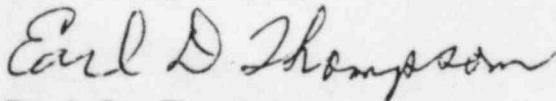
Mr. Lando W. Zech, Jr.  
Chairman  
Nuclear Regulatory Commission  
1717 H Street NW  
Washington, D.C. 20555

Dear Mr. Chairman:

The Chatham County Board of Commissioners considered the matter of the Emergency Plan in Support of the Shearon Harris Nuclear Power Plant operated by Carolina Power and Light Company at its July 7, 1986 regular meeting. The Board unanimously adopted a resolution, a copy of which is attached, indicating that Chatham County agrees to carry out its operational roles as outlined in the Plan. County agencies and departments will participate in exercises of the plan and will render support in the event of an emergency at the Harris facility.

A copy of this letter is being forwarded to Governor James G. Martin and to the Federal Emergency Management Agency.

Sincerely yours,



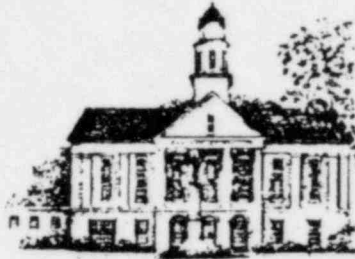
Earl D. Thompson  
Chairman



# COUNTY OF CHATHAM

## COMMISSIONERS

EARL D. THOMPSON, Chairman  
HENRY DUNLAP, JR.  
GUS MURCHISON, JR.  
C. W. LUTTERLOH  
CARL THOMPSON



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MARVIN K. HOFFMAN  
County Administrator

ROBERT L. GUNN  
County Attorney

July 7, 1986

The Honorable James G. Martin  
Governor of North Carolina  
Raleigh, N.C. 27611

Dear Governor Martin:

On July 7, 1986 at a regular meeting of the Chatham County Board of Commissioners, the Commissioners unanimously adopted the enclosed resolution concerning the Shearon Harris Nuclear Power Plant owned by Carolina Power and Light Company and the Eastern North Carolina Power Agency.

In the past six weeks, the Board has carefully reviewed the Emergency Plan in Support of the Shearon Harris Nuclear Power Plant and by this resolution agrees to carry out its planning and operational roles as outlined in the plan. A copy of our formal letter to the Nuclear Regulatory Commission is enclosed.

Sincerely yours,

A handwritten signature in cursive script that reads "Earl D. Thompson".

Earl D. Thompson  
Chairman

A RESOLUTION CONCERNING THE  
SHEARON HARRIS NUCLEAR POWER PLANT

WHEREAS, on May 27, 1986, the Board of Commissioners rescinded its prior approval of the Shearon Harris Emergency Plan, said action being taken in response to a great deal of public concern which was expressed to the Commissioners over Memorial Day Weekend during which the Commissioners were repeatedly asked by the Coalition for Alternatives to Shearon Harris (CASH) and by other citizens for the Commissioners to examine the Emergency Plan because of numerous alleged defects. In our meeting, and in numerous personal visits, many citizens requested a delay so that the Commissioners could take time to examine the plan; and

WHEREAS many persons who oppose nuclear energy have come to the Board of Commissioners asking it to be a court of last resort and somehow initiate a complete review of the nation's energy policy as well as all of the economic and construction details of the Harris Plant which was started fifteen years ago, but after hearing the concerns and carefully studying the issue, we find that legally the Commissioners have no authority to conduct this review, and that questions of this type must be settled by the appropriate federal and state agencies, or in the Courts; and

WHEREAS, THE Board of Commissioners was asked to give the public both within and in the surrounding counties time to consider the plan, and now, after six weeks of this debate, no other county has found the jointly developed Emergency Plan to be unacceptable; and



WHEREAS, nothing in the past six weeks has happened to stop the imminent fueling of the Harris Plant, authorization for which comes from the federal government and does not require an approved emergency plan to be in place, and no action of Chatham County Commissioners can stop the fueling, and the Commissioners have, therefore concluded that it is time to insure that the emergency planning for residents of Chatham County is done by local, rather than State or federal officials; and

WHEREAS, over the past six weeks the Commissioners have studied the plan, and consulted with state and local emergency personnel and the public at large; and

WHEREAS, N. C. G. S. Section 166A-7 provides that, "The governing body of each county is responsible for emergency management, ... within the geographical limits of such county." and in order to effectively perform its mandated duties, each county must have an effective emergency management plan; and

WHEREAS, after hearing from the public over the past six weeks the board is convinced that the majority of the public supports the County strengthening its ability to respond to all emergencies, whether that emergency be from a nuclear plant, from a hazardous materials spill or a weather-related emergency. Listening to the public for the last six weeks has shown that some of our residents felt that the original plan was adequate, some felt that more public education was needed, others wanted the evacuation planning area enlarged, and still others stated that they did not want any plan at all. Our responsibility is, however, to

act in the interest of the public as a whole; and

WHEREAS, the Commissioners have determined that certain steps must be taken at this time in order to carry out their mandated responsibilities;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY AS FOLLOWS:

Section 1. Because of public concern about the adequacy of a ten mile planning area, Chatham County, with State assistance, will develop an all hazards emergency plan for Chatham County which will deal with the possibility that other areas of the County may need to be evacuated. This plan will far exceed any federal or state requirement.

Section 2. Improvements will be made to the County communications systems in order to insure that additional personnel in the County Government, including Commissioners, school authorities, department heads, additional personnel from the Social Services and the Health Departments, and others who may need to be alerted can be instantly contacted should any emergency arise.

Section 3. Additional training will be provided for each person involved in the emergency response plan in order to minimize confusion about each persons emergency duties under the Plan. This training shall henceforth be an on-going activity.

Section 4. The County Director of Emergency Preparedness shall see that clearly written standard operating procedures

are given to each emergency worker as to his or her duties in an emergency.

Section 5. Chatham County personnel will fully participate in a Shearon Harris exercise now scheduled for later this summer. This exercise will be carefully evaluated in order to further refine the County's needs in the area of emergency preparedness. In order to assure a continuing high level of preparedness for emergencies, a county policy is hereby established that a major disaster exercise will be conducted each year within Chatham County. This annual exercise will involve those personnel and agencies which would be expected to respond in an emergency.

Section 6. A Disaster Preparedness Advisory Committee is hereby created which will function to advise the Commissioners on emergency management planning matters. The membership of this committee is as follows:

Section 7. The plan for emergency evacuation of approximately two thousand residents of the emergency planning zone around the plant within a maximum four hour time frame is feasible.

Section 8. Chatham County will resume participation in the Shearon Harris planning in order to insure that the County's interests are protected by Chatham County officials.


Section 9. Chatham County endorses the emergency plan jointly developed with Wake, Lee, and Harnett Counties and the State of North Carolina.

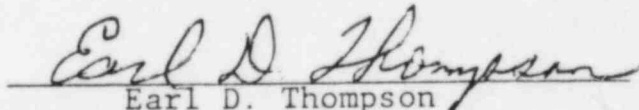
Section 10. Chatham County agrees to carry out the responsibilities identified in the plan both during training exercises and in the event of an actual emergency.

Section 11. The medical staff at Chatham Hospital is being asked to identify its needs for specialized equipment and/or training to deal with radiation emergencies. Agreement has been reached with Carolina Power and Light <sup>COMPANY</sup> to pay all reasonable costs in this regard.  
^

Section 12. This Resolution is effective upon its adoption.

This 7 day of July 1986.

  
Hazel P. Boone  
Clerk of the Board

  
Earl D. Thompson  
Chairman