



Carolina Power & Light Company  
PO Box 165  
New Hill NC 27562

James Scarola  
Vice President  
Harris Nuclear Plant

DEC - 7 1999

SERIAL: HNP-99-144  
10 CFR 50.12

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

**SHEARON HARRIS NUCLEAR POWER PLANT  
DOCKET NO. 50-400/LICENSE NO. NPF-63  
EXEMPTION REQUEST - RESCHEDULING OF EMERGENCY PREPAREDNESS  
EXERCISE**


Dear Sir or Madam:

Carolina Power & Light Company (CP&L) had previously scheduled a full participation emergency preparedness biennial exercise for the Harris Nuclear Plant (HNP) to be conducted September 21, 1999 to meet the requirements of 10 CFR 50, Appendix E, IV, F.2.b. and c. The purpose of this letter is to request a one time exemption that would allow the exercise to be conducted on January 11, 2000, without the participation of the State of North Carolina and local government response agencies. The State of North Carolina and the affected local government agencies will conduct the offsite portion of the requirement on June 27, 2000.

Reason for the Exemption Request

CP&L requests this exemption for the following reasons:

- The anticipated significant impact hurricane Floyd and the subsequent area flooding would have on the emergency response agencies of the State of North Carolina and local governments resulted in their decision not to participate in the exercise as originally scheduled on September 21, 1999, therefore the exercise was temporarily postponed.
- In discussions with your staff and with staff from the Federal Emergency Management Agency (FEMA) on September 14, 1999, they indicated concurrence with the rescheduling of the exercise due to the preparations and response to hurricane Floyd.
- The last full participation emergency preparedness biennial exercise for the HNP was conducted October 7, 1997. Since the requested action would result in exceeding the requirements of 10 CFR 50, Appendix E, IV.F.2.b and c to conduct a full participation exercise of both the onsite and offsite emergency plans every two years, an exemption from the requirements is requested.

  
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- Additionally, due to be demonstrated during the biennial exercise is a semi-annual Health Physics Drill. The requested rescheduling of the exercise to January 11, 2000, would result in exceeding the Emergency Plan requirement to conduct a Health Physics Drill semi-annually. Therefore, HNP requests NRC approval of a one time exemption from this requirement.

Basis for this Exemption Request

10 CFR 50.12 authorizes the Commission to grant exemptions from requirements of the regulations when special circumstances are present. Section (a) (2) (v) of 10 CFR 50.12 states "special circumstances are present whenever... The exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation." 10 CFR 50, Appendix E, IV.F.2.b and c require that all licensees conduct full participation emergency plan exercises of onsite and offsite emergency plans every two years. The requested exemption provides only temporary relief from these requirements. CP&L has made good faith efforts to comply with the regulation and was prepared to conduct the exercise as originally scheduled on September 21, 1999. Granting of this exemption will not reduce the effectiveness of the existing emergency plans for the HNP.

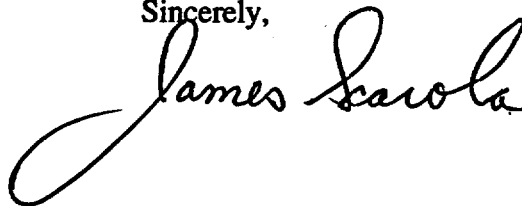
Supplemental Information

This exemption request has been discussed with the North Carolina Emergency Management Agency and the affected local government agencies and they have raised no objections to this request.

Should this request be granted, state and local governments will require relief from the requirements of 44 CFR 350.9 (c) (1) and (3) from FEMA. CP&L will notify each affected governmental agency should the exemption be granted.

Questions regarding this matter may be referred to Mr. S. M. McCain at (919) 362-2646.

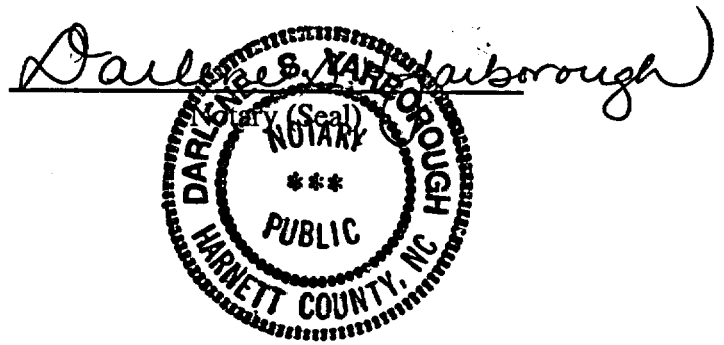
Sincerely,



MGW

James Scarola, having been first duly sworn, did depose and say that the information contained herein is true and correct to the best of his information, knowledge and belief; and the sources of his information are employees, contractors, and agents of Carolina Power & Light Company.

My commission expires: 2-6-2000



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**c: Mr. J. B. Brady, NRC Senior Resident Inspector, HNP  
Mr. H. O. Christensen, Chief, Operator Licensing and Human Performance Branch, RII  
Mr. Rich Laufer, NRR Project Manager, HNP  
Mr. L. A. Reyes, NRC Regional Administrator, Region II**