



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931**

May 22, 2003

SAFEGUARDS INFORMATION

Carolina Power & Light Company
ATTN: Mr. James Scarola
Vice President - Harris Plant
Shearon Harris Nuclear Power Plant
P. O. Box 165, Mail Code: Zone 1
New Hill, NC 27562-0165

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**SUBJECT: HARRIS NUCLEAR PLANT - NRC SAFEGUARDS INSPECTION
REPORT 50-400/03-06**

Dear Mr. Scarola:

On April 10, 2003, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at your Harris Nuclear Plant. The enclosed inspection report documents the inspection findings, which were discussed on April 10, 2003, with you and other members of your staff.

The inspection examined activities conducted under your license as they relate to safety and compliance with an Order issued on February 25, 2002, which required your site to implement specific measures related to security of your facility. The inspection used Temporary Instruction 2515/148, "Inspection of Nuclear Reactor Safeguards Interim Compensatory Measures," to verify implementation of the Order as clarified in your responses dated March 18, 2002 and September 6, 2002. The inspection also reviewed other selected areas of the security program including performance indicators and behavioral observation/access authorization. Within these areas, the inspection consisted of selected examination of procedures and records, observation of activities, and interviews with personnel.

Based on the results of this inspection, the report documents an inspector-identified finding not related to the Interim Compensatory Measures, of very low safety significance (Green) which was determined to involve a violation of NRC requirements. However, because of the very low safety significance and because it has been entered into a corrective action process, the NRC is treating this finding as a non-cited violation (NCV) in accordance with Section VI.A of the NRC's Enforcement Policy. If you contest the NCV, you should provide a response within 30 days of the date of this inspection report, with a basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington, DC 20555-0001; with

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copies to the Regional Administrator, Region II; the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Harris Facility.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, without the enclosed Safeguards Information, will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Should you have any questions concerning this letter, please contact us.

Sincerely,

/RA/

Anne T. Boland, Chief
Plant Support Branch
Division of Reactor Safety

Docket No. 50-400
License Nos. NPF-63

Enclosure: NRC Inspection Report
50-400/03-06

cc w/encl: See Page 3

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cc w/Safeguards Information:

James W. Holt, Manager
Performance Evaluation and
Regulatory Affairs CPB 9
Carolina Power & Light Company
P. O. Box 1551
Raleigh, NC 27602-1551

cc w/o Safeguards Information:

Robert J. Duncan II
Director of Site Operations
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant
P. O. Box 165 MC: Zone 1
New Hill, NC 27562-0165

Benjamin C. Waldrep
Plant General Manager--Harris Plant
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant
P. O. Box 165
New Hill, NC 27562-0165

Terry C. Morton, Manager
Support Services
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant
P. O. Box 165, Mail Zone 1
New Hill, NC 27562-0165

John R. Caves, Supervisor
Licensing/Regulatory Programs
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant
P. O. Box 165, Mail Zone 1
New Hill, NC 27562-0165

(continued on page 4)

(cc w/o Safeguards Information - continued)

Steven R. Carr
Associate General Counsel - Legal Department
Progress Energy Service Company, LLC
P. O. Box 1551
Raleigh, NC 27602-1551

John H. O'Neill, Jr.
Shaw, Pittman, Potts & Trowbridge
2300 N. Street, NW
Washington, DC 20037-1128

Beverly Hall, Acting Director
Division of Radiation Protection
N. C. Department of Environmental
Commerce & Natural Resources
3825 Barrett Drive
Raleigh, NC 27609-7721

Peggy Force
Assistant Attorney General
State of North Carolina
P. O. Box 629
Raleigh, NC 27602

Public Service Commission
State of South Carolina
P. O. Box 11649
Columbia, SC 29211

Chairman of the North Carolina
Utilities Commission
P. O. Box 29510
Raleigh, NC 27626-0510

Robert P. Gruber, Executive Director
Public Staff NCUC
4326 Mail Service Center
Raleigh, NC 27699-4326

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Herb Council, Chair
Board of County Commissioners
of Wake County
3309 Marblehead Lane
Raleigh, NC 27612

Tommy Emerson, Chair
Board of County Commissioners
of Chatham County
186 Emerson Road
Siler City, NC 27344

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Distribution w/o Safeguards Information:

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 C. Patel, NRR
 C. Evans (Part 72 Only)
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U.S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket No.: 50-400

License No.: NPF-63

Report No.: 50-400/03-06

Licensee: Carolina Power and Light Company

Facility: Harris Nuclear Plant

Location: New Hill, NC

Dates: March 3-7 and April 7-10, 2003

Inspectors: Donald B. Forbes, Senior Physical Security Inspector
Jerry D. Ennis, Physical Security Inspector
Larry S. Mellen, Senior Emergency Preparedness Inspector
James A. Canady, Acting Senior Resident Inspector

Approved By: Anne T. Boland, Chief
Plant Support Branch
Division of Reactor Safety

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SUMMARY OF FINDINGS

IR 05000400/2003-006: Carolina Power and Light Company; 3/3-7/2003 and 4/7-10/2003; Harris Nuclear Plant, Unit 1; Temporary Instruction (TI) 2515/148, Verification of Compliance with Interim Compensatory Measures Order and Access Authorization/Behavioral Observation.

The report covered an announced inspection by two regional physical security inspectors, an emergency preparedness inspector, and a resident inspector. One Green non-cited violation (NCV) was identified. The significance of most findings is indicated by their color (Green, White, Yellow, Red) using Inspection Manual Chapter 0609, "Significance Determination Process" (SDP). Findings for which the SDP does not apply may be Green or assigned a Severity level after NRC management review. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 3, dated July 2000.

A. Inspector-Identified and Self-Revealing Finding

Cornerstone: Physical Security

Green. Failure to remove a worker, whose fitness may have been questionable, from activities within the scope of 10 CFR Part 26.

An inspector identified non-cited violation of 10 CFR 26.27(4)(b)(1) was identified. The finding is greater than minor, because if left uncorrected, the issue could have become a more significant safety concern in that the trustworthiness and reliability of employees is an critical attribute of the Physical Protection Cornerstone objective. It was determined to be of very low safety significance because it involved a failure to meet regulatory requirements involving the access control/behavioral observation program; however, there was no malevolent action and there have not been greater than two similar findings in the previous four quarters. (Section VII.B)

B. Licensee-Identified Violations

None

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