

OFFICIAL USE ONLY - 10 CFR 2.790(d)
August 3, 2005

Mr. Chris Burton
Progress Energy
P.O. Box 1551
411 Fayetteville Street Mall
Raleigh, NC 27602

SUBJECT: APPROVAL OF RAIL ROUTE TO TRANSPORT SPENT NUCLEAR FUEL
FROM HARTSVILLE, SC, TO NEW HILL, NC (NRC ROUTE NO. 135)

Dear Mr. Burton:

On behalf of the U. S. Nuclear Regulatory Commission (NRC), I am responding to your submittal of February 1, 2005, which requested the NRC approve a rail route for transporting spent nuclear fuel (SNF) from the H. B. Robinson Steam Electric Plant, Hartsville, South Carolina, to the Shearon Harris Nuclear Power Plant, New Hill, North Carolina (NRC Route No. 135).

The NRC has reviewed Progress Energy's submittal and concluded that the information satisfies the requirements of 10 CFR 73.37. Specific details of Route No. 135 are enclosed [Enclosure 1]. Specific details of Route No. 135 are also enclosed [Enclosure 2]. Enclosure 2 will not be released to the public. Approval of Route No. 135 will expire five years from the date of this letter.

The NRC issued Additional Security Measures (ASMs) for the transportation of SNF on October 3, 2002, for NRC licensees who ship greater than 100 grams of SNF. Licensees are required to comply with the requirements of 10 CFR 73.37 and these CMs when shipping SNF. Licensees are also required to comply with U.S. Departments of Transportation and Homeland Security regulations on the shipment of hazardous materials.

In addition, the NRC also issued Regulatory Issue Summary (RIS) 2002-12I, Rev. 1, on October 3, 2002, "Transportation of Spent Nuclear Fuel Greater than 100 Grams - NRC Threat Advisory and Protective Measures System." The RIS advised licensees shipping SNF to consider various recommendations to be taken in conjunction with changes to the national or transportation-sector threat levels.

When separated from Enclosure 2 this document is DECONTROLLED
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C. Burton

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If you are requested by State officials to deviate from a portion of the approved route (due to rail construction activities or other exigent conditions), please provide details of the deviation to Mrs. Kelly Riner of my staff as soon as possible. If you have questions on this route approval or require additional information please contact Mrs. Riner at (301) 415-6623 or via e-mail at PKR@nrc.gov.

Sincerely,

/RA/

Vonna L. Ordaz, Project Director
Nuclear Security Policy Project Directorate
Division of Nuclear Security
Office of Nuclear Security and Incident Response

Docket No. 50-261

Enclosures:

1. Route No. 135 - Rail Transportation Route
2. Route No. 135 - Spent Nuclear Fuel Rail Route

C. Burton

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w/enclosures 1 and 2:

DOCKET Case File 50-261 OSmith, R-II

w/o Enclosure 2

RidsOgc DNS r/f RidsNsirDNS NJensen, OGC
EPoteat, OCIO

ADAMS Package Accession # ML052070395

ADAMS Document Accession # ML052070402

Enclosure 2 is OUO and is not entered into ADAMS

OFC	MTWS/DNS	MTWS/DNS	SC:MTWS/DNS	PD:NSPPD/DNS
NAME	KRiner:jph*	PBrochman	MLayton	VOrdaz
DATE	7/ 26/05	7/26/05	7/28/05	8/03/05

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