

June 12, 1979

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CAROLINA POWER & LIGHT COMPANY)	Docket Nos. 50-400
)	50-401
(Shearon Harris Nuclear Power)	50-402
Plant, Units 1, 2, 3 and 4))	50-403

REVISIONS TO APPLICANT'S PROPOSED FINDINGS
OF FACT AND CONCLUSION OF LAW IN THE FORM
OF A SUPPLEMENTAL INITIAL DECISION
(CONSTRUCTION PERMITS)

On May 16, 1979, Carolina Power & Light Company's Board of Directors approved certain changes in the Company's management organization to be effective June 1, 1979. Applicant informed the Board of these changes by letter dated May 18, 1979. By Board Order dated May 25, 1979, Applicant was directed to submit an affidavit setting forth the changes in CP&L's management organization relevant to the testimony received on the subject during the evidentiary hearings and why the changes were made. Applicant was further directed to submit supplemental proposed findings of fact reflecting the changes in the evidentiary record.

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Applicant hereby submits revisions to Applicant's Proposed Findings of Fact and Conclusion of Law in the Form of a Supplemental Initial Decision (Construction Permits) dated April 17, 1979 ("Applicant's Proposed Findings"). These revisions are in the form of a revised Paragraph 14, a new Paragraph 14a (to follow Paragraph 14) and a revision to page v to Attachment A - Exhibits. These revisions reflect the relevant changes detailed in Applicant Exhibit PP, concurrently filed with the Board this date.

Paragraph 14 of Applicant's Proposed Findings is amended to read as follows:

14. Carolina Power & Light Company has divided its corporate organization into two main areas, administration and operations. Mr. J. A. Jones, Senior Executive Vice President and Chief Operating Officer for CP&L, testified as to the overall organizational structure of the Company and to the philosophy behind the present structure. Direct Testimony of J. A. Jones on Behalf of Applicant, following Tr. 3494 ("Jones Testimony") at 9-11, 26-29. Subsequent to the hearings, on May 16, 1979, the Company's Board of Directors approved certain changes in CP&L's management organization. These changes were explained in an affidavit of J. A. Jones submitted by Applicant in accordance with a Board Order dated May 25, 1979. Applicant Exhibit PP. As a result of the new management alignment, reporting directly

to Mr. Jones are the Executive Vice President, E. E. Utley (responsible for the Power Supply and Customer Services Groups) and the Senior Vice President -- Engineering & Construction Group, M. A. McDuffie. Reporting to Mr. Utley are two Senior Vice Presidents (D. V. Menscer, Power Supply Group; and W. J. Ridout, Customer & Operating Services Group) and a Vice President (J. M. Davis, Fuel & Materials Management Group). Applicant Exhibit PP at 2, Fig. B. Mr. Utley described the Power Supply Group and its organization and functions, particularly with respect to management of the Company's nuclear program. Utley-Banks Testimony at 5-8. Mr. Harold R. Banks, CP&L's Manager - Nuclear Generation, described the organizational structure of CP&L's two operating nuclear power plants, H. B. Robinson Plant ("Robinson Plant" or "Robinson") and Brunswick Steam Electric Plant ("Brunswick Plant" or "Brunswick"). Utley-Banks Testimony at 11-15. Mr. McDuffie described the major functions and the basic organization of the Engineering & Construction Group as it relates to the nuclear program, and in particular to construction of the Harris Plant. Direct Testimony of M. A. McDuffie on Behalf of Applicant, following Tr. 3505 ("McDuffie Testimony") at 3-8. Messrs. Jones, Utley, McDuffie and Banks, testifying as a panel, provided an opportunity for the Board and the parties to question Applicant's senior management directly concerning its control

of nuclear plant operations and construction activities. Lines of communication and delegation of responsibility appear to be adequate and consistent with the safe and effective management of a large nuclear program.

Paragraph 14a is added to Applicant's Proposed Findings to follow Paragraph 14 as follows:

14a. One of the organizational changes approved by CP&L's Board of Directors on May 16, 1979, was the creation of a new Nuclear Safety and Research Department. Effective September 1, 1979, this new department will be headed by Dr. Thomas S. Elleman, who presently is Chairman of the Department of Nuclear Engineering at North Carolina State University and who has an outstanding background in nuclear engineering, having served as a consultant to many Federal and state organizations. Dr. Elleman has been named a Vice President of CP&L and will be responsible for the functions of Corporate Health Physics and Corporate Nuclear Safety and Quality Assurance, in addition to research functions within the Company. Dr. Elleman will report directly to Mr. Jones. However, the director of Corporate Health Physics and the manager of Corporate Nuclear Safety and Quality Assurance Audit will continue to have direct access to Mr. Jones as in the past. The creation of this new Department of Nuclear Safety and Research reflects positively on the strong commitment of CP&L senior management to assure the highest degree of safety in all nuclear operations. Applicant Exhibit PP at 3, 4.

Page v of Attachment A to Applicant's Proposed Findings is amended by adding Applicant Exhibit PP to the listing as follows:

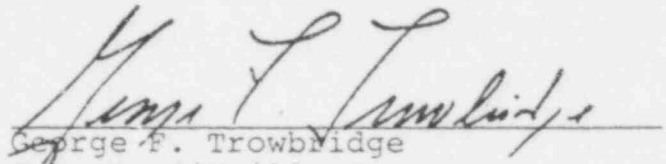
Applicant Exhibit PP

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Affidavit of J. A. Jones,
dated June 7, 1979,
pursuant to Board Order
dated May 25, 1979.

Respectfully submitted,

SHAW, PITTMAN, POTTS & TROWBRIDGE



George F. Trowbridge
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Counsel for Applicant

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Dated: June 12, 1979

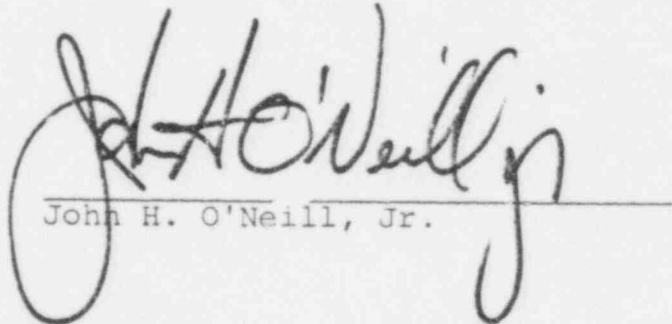
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Before the Atomic Safety and Licensing Board

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CAROLINA POWER AND LIGHT)	Docket Nos. 50-400
COMPANY)	401
)	402
(Shearon Harris Nuclear)	403
Plant, Units 1, 2, 3 & 4))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing
"Revisions to Applicant's Proposed Findings of Fact and
Conclusion of Law in the Form of a Supplemental Initial
Decision (Construction Permits)" and "Affidavit of J. A. Jones"
have been served upon each of the persons listed on the
attached service list by mail, postage prepaid, this 12th day
of June, 1979.



John H. O'Neill, Jr.

June 12, 1979

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING APPEAL BOARD

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