

September 6, 1983

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'83 SEP 12 P1:08

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

In the Matter of)	
)	Docket Nos. 50-400 OL
CAROLINA POWER & LIGHT COMPANY)	50-401 OL
and NC EASTERN MUNICIPAL)	
POWER AGENCY)	
)	
(Shearon Harris, Units 1 & 2))	

CONTENTIONS ARISING FROM REVIEW
OF APPLICANTS' SECURITY PLAN

Following the guidelines of the Board's "Protective Order Governing Access to Security Plan Information," August 3, 1983, and in accordance with the Diablo Canyon decision, Counsel and expert witnesses for Intervenors, Wells Eddleman, Conservation Council of North Carolina, and Kudzu Alliance (Intervenors) reviewed "protected information" relating to the Applicants' Security Plan and related information. A t r Affidavits of Non-Disclosure were signed by Counsel, John Runkle, and Experts, John R. Maples and

WHEN SEPARATED FROM ENCLOSURES,
HANDLE THIS DOCUMENT AS DECONTROLLED.

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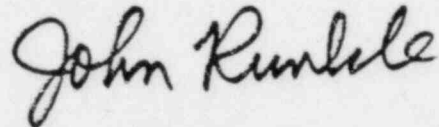
Earl Roy Bleacher, the Applicants permitted access to their Security Plan. The review of the Plan began on August 8 at the CP&L offices and continued until August 23. At this point, our review of the Plan is complete, and we will not call on any of the other experts which have been qualified in the Board's Protective Order. Review included a security-oriented tour of the Shearon Harris site lead by Applicants' security experts.

In accordance with discussion on August 2 during a conference call with the Board and all parties, the Applicants did not "sanitize" the Plan and readily made their security experts available to Intervenor Counsel and Experts. It was agreed that the internal operating procedures which support the Plan would not be discoverable by Intervenors although applicants may use certain parts of these procedures to respond to interrogatories and the like if the need would arise further in the proceedings.

Attachment I includes a brief discussion of the Applicants' Security Plan and contentions which have arisen in our review of the Plan. Attachment I contains material that is classified as "SAFEGUARDS INFORMATION" and is clearly marked as such. Attachment I should be protected under 10 CFR 73.21. In cooperation with Applicants, we are limiting the number of copies of Attachment I which are being sent out. The limited service list clearly delineates who has received Attachment I. It is requested that other persons request a ruling by the Board in order to receive this information.

Intervenor Counsel will make every effort to expedite this matter; however, it should be noted that as all security-related information is located at the Applicants Raleigh office, it is somewhat of a hardship for Intervenor Counsel to schedule time to go there. We feel that any scheduling problem which arises can be worked out with Applicants although slight extensions may need to be granted. Again, Applicants have been particularly accommodating so far in this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "John Runkle".

John Runkle, J.D.

Counsel for Intervenors (Security Plan)

Dated this 6th Day
of September, 1983

JR:nbs*

Attachment - Refer to Service List

CERTIFICATE OF SERVICE

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I hereby certify that copies of this filing were served in accordance to the Board's Protective Order to the following Modified Service (List of Security Contentions) on this 6th day of September, 1983, by deposit in the United States mail, first class postage prepaid, or by hand-delivery, to the following:

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Atomic Safety and Licensing Board
US Nuclear Regulatory Commission
Washington, D.C. 20555

Glenn O. Bright
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US Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. James H. Carpenter
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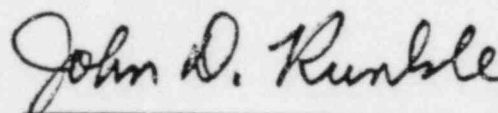
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*Including Attachment I containing SAFEGUARDS INFORMATION.