

September 14, 2006

Mr. Karl W. Singer  
Chief Nuclear Officer and  
Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: BELLEFONTE NUCLEAR PLANT, UNITS 1 AND 2 - WITHDRAWAL OF  
CONSTRUCTION PERMIT NOS. CPPR-122 FOR UNIT 1 AND CPPR-123 FOR  
UNIT 2 (TAC NOS. MD1185 and MD1186)

Dear Mr. Singer:

This is in response to your letter of April 6, 2006, as supplemented by letter dated June 29, 2006, requesting termination of Construction Permit Nos. CPPR-122 and CPPR-123, issued to the Tennessee Valley Authority (TVA) on December 12, 1974. Construction Permit Nos. CPPR-122 and CPPR-123 authorized construction of the Bellefonte Nuclear Plant, Units 1 and 2. As requested in your letter of April 6, 2006, your application to withdraw Construction Permit Nos. CPPR-122 and CPPR-123 is hereby granted. Accordingly, the staff considers Construction Permit Nos. CPPR-122 and CPPR-123 to be terminated.

The staff has reviewed the Unit 1 and 2 Site Stabilization Plan, included in your letter of April 6, 2006, as supplemented by letter dated June 29, 2006, and concludes that TVA has maintained the site in an environmentally stable condition that is not capable of being operated as a utilization facility. Therefore, the staff finds the Site Stabilization Plan acceptable.

The staff's safety evaluation is enclosed.

Sincerely,

*/RA/*

Catherine Haney, Director  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-438 and 50-439

Enclosure: Safety Evaluation

cc w/encl: See next page

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Mr. Karl W. Singer  
Tennessee Valley Authority

**BELLEFONTE NUCLEAR PLANT**

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

WITHDRAWAL OF CONSTRUCTION PERMIT NOS. CPPR-122 AND CPPR-123

TENNESSEE VALLEY AUTHORITY

BELLEFONTE NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NO. 50-438 AND 50-439

1.0 INTRODUCTION

This safety evaluation supports withdrawal of Construction Permit Nos. CPPR-122 and CPPR-123, which authorized construction of the Bellefonte Nuclear Plant (BLN), Units 1 and 2, located in Jackson County, Alabama. The Construction Permits, which are held by the Tennessee Valley Authority (TVA, permittee), were issued on December 12, 1974.

In accordance with the guidance of Generic Letter (GL) 87-15, "Policy Statement on Deferred Plants," TVA's letter of December 12, 2005, informed the staff of its intention to permanently terminate construction activities associated with BLN, Units 1 and 2. In addition, TVA's letter dated December 15, 2005, included the following information: as of October 1, 2005, TVA ceased equipment lay-up activities and associated inspections as allowed by the Nuclear Quality Assurance Plan; there has been no special nuclear material located at the site since 1992; TVA has removed safeguards information from the site; and TVA will maintain compliance with all appropriate federal, state, and local regulations.

2.0 EVALUATION

The BLN facility is located about 6 miles east-northeast of Scottsboro, Alabama, on the west shore of the Guntersville Reservoir at Tennessee River Mile 392, in Jackson County, Alabama. TVA plans to maintain such major components as the intake and discharge facilities, cooling towers, wastewater system, and transmission switch yards. Structures not identified as necessary will be sold, taken apart, and removed from the site, abandoned in place, or demolished.

In accordance with 10 CFR 51.41, "Requirement to submit environmental information," and GL 87-15, TVA's letter of April 6, 2006, as supplemented by letter dated June 29, 2006, submitted the Site Stabilization Plan for BLN, Units 1 and 2, to redress portions of the BLN site affected by construction activities.

The staff has reviewed the Site Stabilization Plan for BLN, Units 1 and 2, and concludes that the actions therein are appropriate and acceptable. BLN, Units 1 and 2, cannot be used as utilization facilities. In addition, all nuclear fuel and nuclear sources were removed from the

site. The BLN site is in an environmentally stable condition that poses no significant hazard to persons on site, and BLN, Units 1 and 2, cannot be operated in their present condition.

For further details regarding the proposed action, see the permittee's letter dated April 6, 2006, and TVA's Final Environmental Assessment dated January 30, 2006, which is publicly available at the permittee's website, <http://www.tva.gov/environment/reports/bellefonte2/index.htm>.

### 3.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 50.21, 50.32, and 50.35, the NRC staff has prepared an Environmental Assessment and Finding of No Significant Impact, which was published in the *Federal Register* on August 29, 2006 (71 FR 50948). Accordingly, based on the environmental assessment, the Commission has determined that terminating the construction permits will have no significant effect on the quality of the human environment.

### 4.0 CONCLUSION

On the basis of the foregoing considerations, the staff concludes that CPPR-122 and CPPR-123 can be terminated without undue risk to the health and safety of the public or workers, and without any significant impact on the public or the environment.

Principal Contributor: S. Crane, NRR

Date: September 14, 2006