

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**ATOMIC SAFETY AND LICENSING BOARD PANEL**

**BEFORE THE LICENSING BOARD**

In the Matter of	)	
Tennessee Valley Authority	)	Docket Nos. 52-014, 52-015
Bellefonte Nuclear Power Plant	)	ASLBP No. 08-864-02-COL-BD01
Units 3 and 4	)	June 26, 2008

**SUPPLEMENT TO PETITION OF JUNE 6, 2008  
PROVIDING ALPHANUMERIC DESIGNATION OF CONTENTIONS**

In response to the Atomic Safety and Licensing Board Panel’s Memorandum and Order of June 18<sup>th</sup>, (“Initial Prehearing Order”) the Blue Ridge Environmental Defense League, its chapter Bellefonte Efficiency and Sustainability Team and the Southern Alliance for Clean Energy (“Joint Petitioners”) hereby submit supplemental information designating our already-submitted contentions into groups prescribed by the ASLBP.

With all due respect, this supplement is provided under duress as the undersigned underwent a medical procedure yesterday which is causing considerable pain and discomfort at this time. The Initial Prehearing Order had required us to submit this supplement on or before June 25<sup>th</sup>. A motion filed by the Joint Petitioners requesting additional time to comply resulted in but a one day extension. We have complied but it is difficult to understand the NRC’s adherence to an arbitrary timetable in this case when the Bellefonte reactors’ design is far from finalized. In addition to the procedural

deficiencies detailed in Joint Petitioners' Supplemental Motion of April 2, 2008,<sup>1</sup> the basis for the COL—the Design Control Document for the newly designed AP1000 reactors—has important, unresolved issues regarding fire protection<sup>2</sup> and the emergency cooling system<sup>3</sup>. Also, according to the NRC's Application Review Schedule, the Safety Evaluation Report for AP1000 revision 16 will not be complete before 2010. Rulemaking will add another year. At a meeting of stakeholders convened by the Office of New Reactors to solicit their views on the subject of license reviews, several roundtable members warned against pushing the schedule at the expense of public participation. Greenpeace's Jim Riccio said, "Please don't try to increase your efficiency on the backs of well-meaning public participants."<sup>4</sup> I respectfully request that this advice be applied to all the Commission's interactions with the public.

Further, the NRC's lack of preparedness has created problems for *pro se* intervenors. During the submission process of our June 6<sup>th</sup> Petition to Intervention via the Electronic Information Exchange, technical problems with the NRC's electronic docketing system required us to devote a considerable number of hours over a period of a week to transmit the required documents. The NRC's Office of Rulemakings And Adjudications was most helpful in assisting us and we are grateful to the staff. However, this particular technical problem was detailed six months ago by Jon Block of the Union of Concerned Scientists. "We need rapid access to information in ADAMS, increased

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<sup>1</sup> Supplemental Motion to Suspend Hearing Notice or, in the Alternative, Request for an Extension of Time to Submit Hearing Request and Contentions and Request for Expedited Consideration, April 2, 2008.

<sup>2</sup> Joint Petitioners' proposed CONTENTION ONE at 13

<sup>3</sup> January 18, 2008, letter to Westinghouse docketing the AP1000 revision 16

<sup>4</sup> James Riccio, Greenpeace, *Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process*, draft Transcript at 43

file size receptivity beyond a 10 megabyte size so that people can send referenced comments and not have them choked out by the system.”<sup>5</sup> (emphasis added) The EIE was unable to handle our transmission of 45 optically scanned declarations of standing at 300 dpi (as required by the NRC), causing system failure until Blue Ridge Environmental Defense League staff broke the document into 7 MB packets. In short, the NRC was not prepared for our filing on June 6, 2008, causing frustration and inconvenience for all concerned.

#### RENUMBERED CONTENTIONS

Joint Petitioners have assigned each of our nineteen proposed contentions into groups reflecting numbered parts of the COLA submitted by TVA. The “Contention NUMERAL” corresponds with our petition; petition page numbers are included at the right.

MISC–A Contention ONE: \_\_\_\_\_ page 11

Whether Bellefonte Will Improve the General Welfare, Increase the Standard of Living, or Strengthen Free Competition in Private Enterprise

FSAR–A: Hardware failures: page 12

TS–A Human Factors: page 14

A/FI–A Threats to NRC Independent Review: page 15

MISC–A1 Procedural Shell Games: page 16

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<sup>5</sup> Jon Block, Union of Concerned Scientists, *Comments/Suggestions from December 6, 2007 Meeting on Enhancing the Efficiency and Effectiveness of the NRC Environmental Review Process*, Transcript at 19

MISC–B Contention TWO: page 19

The NRC Fails to Execute Constitutional Due Process and Equal Protection (FSAR, NEPA)

FSAR–B Contention THREE: page 22

Plant Site Geology is not Suitable for Nuclear Reactors, Geologic Issues Are Not Adequately Addressed

MISC–C Contention FOUR: Page 29

Failure to Address Impact of Terrorist Attacks (FSAR, NEPA, EP)

MISC–D Contention FIVE: page 31

The assumption and assertion that uranium fuel is a reliable source of energy is not supported in the combined operating license application submitted by TVA (the applicant) to the U.S. Nuclear Regulatory Commission (NEPA, TS)

MISC–E Contention SIX: page 34

Whether Bellefonte Will Adequately Limit Atmospheric Emissions of Radionuclides (NEPA, FSAR)

NEPA–A Contention SEVEN: page 37

Excessive Water Use Contrary to TVA’s Purpose

NEPA–B Contention EIGHT: page 39

Impacts on Aquatic Resources Including Fish, Benthic Invertebrates, and General Aquatic Community Structure of the Project Area, Guntersville Reservoir, and the Tennessee River Basin.

<u>NEPA–C Contention NINE:</u>	<u>page 45</u>
Alternatives to the Proposed Action Lacking	
<u>NEPA–D Contention TEN:</u>	<u>page 47</u>
TVA's Power and Energy Requirements Forecast Fails to Evaluate Alternatives	
<u>NEPA–E Contention ELEVEN:</u>	<u>page 49</u>
TVA'S COLA Power Demand Forecast Fails to Justify Need for New Reactors	
<u>NEPA–F Contention TWELVE:</u>	<u>page 63</u>
NRC Failed to Justify Need for New Units	
<u>MISC–F Contention THIRTEEN:</u>	<u>page 65</u>
So-Called Low Level Radioactive Waste, (NEPA, FSAR)	
<u>NEPA–L Contention FOURTEEN:</u>	<u>page 69</u>
Waste Confidence—High Level Nuclear Waste from Irradiated Fuel	
<u>FSAR–C Contention FIFTEEN:</u>	<u>page 79</u>
A. Global Warming Impacts Are Omitted from TVA License Application: Severe Weather Impacts Resulting from Global Warming	
<u>NEPA–M Contention FIFTEEN:</u>	<u>page 81</u>
B. Global Warming Impacts Are Omitted from TVA License Application: TVA failed to analyze the carbon footprint of the construction and operation of Bellefonte 3 and 4 in its environment report.	
<u>NEPA–N Contention SIXTEEN:</u>	<u>page 84</u>
Environmental Report's Inadequate Cost Estimates and Cost Comparisons	

NEPA-O Contention SEVENTEEN: \_\_\_\_\_ page 92

Inadequacy of Environmental Report's Analysis of Human Health Impacts of Irradiated  
Fuel Disposal

NEPA-P Contention EIGHTEEN: \_\_\_\_\_ page 95

Inadequacy of Environmental Report's Reliance on Table S-3 Regarding Radioactive  
Effluents From the Uranium Fuel Cycle

NEPA-Q Contention NINETEEN: \_\_\_\_\_ PAGE 103

Environmental Report's Improper Characterization of Health Effects from the Uranium  
Fuel Cycle as Small and Failure to Adequately Compare Them to Health Effects of  
Alternative Energy Sources

Respectfully submitted,

A handwritten signature in black ink that reads "Louis A. Zeller". The signature is written in a cursive style and is followed by a horizontal line.

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June 26, 2008

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the June 26, 2008 SUPPLEMENT TO PETITION OF JUNE 6, 2008 PROVIDING ALPHANUMERIC DESIGNATION OF CONTENTIONS were served this day on the following persons via Electronic Information Exchange.

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June 26, 2008