

February 6, 2009

G. Paul Bollwerk, III, Chair
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Anthony J. Baratta
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. William W. Sager
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

In the Matter of
Tennessee Valley Authority
(Bellefonte Nuclear Station, Units 3 and 4)
Docket Nos. 52-014 and 52-015

Dear Administrative Judges:

Pursuant to the Licensing Board's Memorandum and Order dated October 14, 2008, the Staff is providing the Licensing Board and the parties an index identifying additions to the hearing file and mandatory disclosures in accordance with 10 C.F.R. § 2.336(d). The index contains the ADAMS accession number, date, and title of each item so as to make the item readily retrievable from the agency's website, www.nrc.gov, using the ADAMS "Find" function. Additionally, within a few days of this notification, the Staff will have created a separate folder in the agency's Electronic Hearing Docket ("EHD") associated with this proceeding, entitled "Bellefonte Hearing File." Also attached, as required by 10 C.F.R. § 2.336(c), is the Affidavit of Joseph Sebrosky.

In accordance with the Licensing Board's October 14, 2008, Memorandum and Order, relieving all parties from the obligation of producing privilege logs, as otherwise required by 10 C.F.R. §§ 2.336(a)(3) and 2.336(b)(5), the Staff herein produces a log containing all documents withheld as proprietary. As directed by the Licensing Board, the Staff shall preserve and maintain all privileged and/or otherwise protected documents during the pendency of this proceeding.

Respectfully submitted,

/signed (electronically) by/
Jody C. Martin
Counsel for the NRC Staff

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Privilege Log – Proprietary Information
Attachment 3: Affidavit of Joseph Sebrosky

Attachment 1

**Bellefonte COL Hearing File and Mandatory Disclosures
Hearing File Index
Update 4 – February 6, 2009**

	Accession Number	Document Date	Title\Description
4-1	ML083530210	12/31/2008	1/15/2009 -Notice of Meeting with AP1000 DCWG to Discuss Various Topics of Interest (TAC Q00118).
4-2	ML090060910	12/31/2008	01/15/2009 Revised Meeting Notice, Meeting With AP1000 Design-Centered Working Group.
4-3	ML090080182	01/02/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Foundation Interfaces.
4-4	ML090080183	01/02/2009	Bellefonte Combined License Application - Response to Request for Additional Information - AC Power Systems (Onsite).
4-5	ML090050232	01/05/2009	2009/01/05 BEL COL - FW: data for 12/9/08 phone call
4-6	ML090050234	01/05/2009	2009/01/05 BEL COL - FW: data for 12/16/08 phone call
4-7	ML090060002	01/05/2009	2009/01/05 BEL COL - RE: data for 1/09/08 phone call
4-8	ML090060259	01/06/2009	2009/01/06 BEL COL - FW: info: status of section 2.3
4-9	ML090060260	01/06/2009	2009/01/06 BEL COL - FW: action: request to review proposed email to TVA
4-10	ML090090080	01/06/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Basic Geologic and Seismic Information.
4-11	ML083470950	01/07/2009	Request for Additional Information re Environmental Review of the Combined License Application for Bellefonte Nuclear Plant, Units 3 & 4.
4-12	ML090070127	01/07/2009	2009/01/07 BEL COL - RAI Response
4-13	ML090070158	01/07/2009	2009/01/07 BEL COL - info: chapter pm responsibilities
4-14	ML090070508	01/07/2009	2009/01/07 BEL COL - FW: data for 1/09/08 phone call
4-15	ML090080657	01/08/2009	2009/01/08 BEL COL - Mtg Attendees - SRP 18, TSC HFE, NRC Call 1/8/2009
4-16	ML090080659	01/08/2009	2009/01/08 BEL COL - Conference Call Summary - January 8, 2009 - Bellefonte COLA - RAI# 1728 related to chapter 18

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4-17	ML090080761	01/08/2009	2009/01/08 Bellefonte RAI for SER - REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 143 RELATED TO SRP SECTION 18 FOR THE BELLEFONTE UNITS 3 AND 4 COMBINED LICENSE APPLICATION
4-18	ML090080792	01/08/2009	2009/01/08 BEL COL - REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 143 RELATED TO SRP SECTION 18 FOR THE BELLEFONTE UNITS 3 AND 4 COMBINED LICENSE APPLICATION
4-19	ML090340431	01/08/2009	2009/01/08 BEL COL - RE: NRC Conference Call, Ch. 19, PRA, External Hazard
4-20	ML090120158	01/09/2009	2009/01/09 BEL COL - FW: Initial Test Program - Drafts
4-21	ML090130097	01/09/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Regional Climatology.
4-22	ML090120381	01/12/2009	2009/01/12 BEL COL - FW: Archaeological Site information
4-23	ML090120572	01/12/2009	2009/01/12 BEL COL - Courtesy email copy of TVA's Response to FEMA RAIs
4-24	ML090120795	01/12/2009	2009/01/12 BEL COL - data for 1/13/08 phone call
4-25	ML090130051	01/12/2009	2009/01/12 BEL COL - BLN data for 1/13/08 phone call
4-26	ML090140354	01/12/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Atmospheric Dispersion Estimates for Routine Releases.
4-27	ML090150111	01/12/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Evacuation Time Estimate.
4-28	ML090130110	01/13/2009	2009/01/13 BEL COL - FW: Archaeological Site information
4-29	ML090130165	01/13/2009	2009/01/13 BEL COL - Courtesy email copy of TVA's Response tp RAI Letter 140
4-30	ML090130703	01/13/2009	2009/01/13 BEL COL - Courtesy email copy of TVA's Response to RAI Letter 69 Supplement 2
4-31	ML090150086	01/13/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Stability of Subsurface Materials and Foundations.
4-32	ML090140481	01/14/2009	2009/01/14 BEL COL - DRAFT - RAI 1783 - SRP section 13.3 - BELLEFONTE UNITS 3 AND 4 COMBINED LICENSE APPLICATION
4-33	ML090260727	01/15/2009	Bellefonte Combined License Application-Response to Request for Additional Information-Local Meteorology.

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4-34	ML090230241	01/16/2009	Bellefonte Combined License Application - Response to Request for Additional Information - Atmospheric Dispersion Estimates for Accident Releases.
4-35	ML090220177	01/20/2009	Bellefonte Combined License Application - Response to NRC Observations Conveyed During the Teleconference Conducted on December 3, 2008.
4-36	ML090220178	01/20/2009	Bellefonte Combined License Application - Response to Request for Additional Information re: Regional Climatology.
4-37	ML090210024	01/21/2009	2009/01/21 BEL COL - Telcon Summary - Telcon with TVA 11/10/2008
4-38	ML090290406	01/21/2009	Bellefonte, Units 3 and 4, Combined License Application - Required Updates of Safety Analysis and Departures Reports.
4-39	ML090290429	01/21/2009	Bellefonte Units 3 & 4 COLA (Generic DCD Departures Report), Rev. 1 - Packing Slip
4-40	ML090290430	01/21/2009	Bellefonte Units 3 & 4 COLA (Generic DCD Departures Report), Rev. 1 - Part 7, Departures and Exemptions Requests
4-41	ML090290432	01/21/2009	Bellefonte Units 3 & 4 COLA (Quality Assurance Program), Rev. 1 - Part 11, Nuclear Generation Development and Construction Quality Assurance Program Description
4-42	ML090290435	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte Evacuation Time Estimate Report Supplement 1
4-43	ML090290436	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Part 5, Emergency Plan Introduction - Explanatory notes regarding the Emergency Plan and Supplemental Information
4-44	ML090290437	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Emergency Plan
4-45	ML090290438	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 1 of 25, Sec 01.00-12.00
4-46	ML090290439	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 2 of 25, App A to G
4-47	ML090290440	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 3 of 25, App H-1 to H-2
4-48	ML090290441	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 4 of 25, App H-3
4-49	ML090290442	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 5 of 25, App H-4

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4-50	ML090290443	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 6 of 25, App H-5
4-51	ML090290444	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 7 of 25, App H-6
4-52	ML090290445	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 8 of 25, App H-7
4-53	ML090290446	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 9 of 25, App H-8
4-54	ML090290447	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 10 of 25, App H-9
4-55	ML090290448	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 11 of 25, App H-10
4-56	ML090290449	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 12 of 25, App H-11
4-57	ML090290450	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 13 of 25, App H-12
4-58	ML090290451	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 14 of 25, App H-13
4-59	ML090290453	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 15 of 25, App H-14
4-60	ML090290454	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 16 of 25, App H-15
4-61	ML090290455	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 17 of 25, App H-16
4-62	ML090290456	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 18 of 25, App H-17
4-63	ML090290457	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 19 of 25, App H-18
4-64	ML090290458	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 20 of 25, App H-19

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4-66	ML090290460	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 22 of 25, App H-21
4-67	ML090290461	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 23 of 25, App H-22
4-68	ML090290462	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 24 of 25, App H-23
4-69	ML090290464	01/21/2009	Bellefonte Units 3 & 4 COLA (Emergency Plan), Rev. 1 - Bellefonte, KLD, Development of Evacuation Time Estimates (ETE) Report, Part 25 of 25, App I to L
4-70	ML090290535	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - Bellefonte Nuclear Plant, Units 3&4, COL Application, Part 2, FSAR, List of Affected Pages
4-71	ML090290537	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - Part 2 Final Safety Analysis Report (FSAR) Master Table of Contents
4-72	ML090290538	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 01 Introduction and General Description of the Plant - Sections 01.00 - 01.10, Appendices 1A, 1B, 1AA
4-73	ML090290539	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 01 Figure 1.1-201
4-74	ML090290540	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 01 Figure 1.1-202
4-75	ML090290541	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 01 Figure 1.2-201
4-76	ML090290542	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 2 Appendix 2AA, Earthquake Catalog
4-77	ML090290543	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 2 Appendix 2BB, Geotechnical Boring Logs
4-78	ML090290544	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 2 Appendix 2CC, Test Pit Logs
4-79	ML090290545	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 02 Site Characteristics - Sections 02.00 - 02.05, Appendices 2AA - 2DD
4-80	ML090290546	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 02 Figure 2.DD-201
4-81	ML090290547	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 02 Figure 2.DD-202

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4-495	ML090290973	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 16 Technical Specifications - Sections 16.01 - 16.03
4-496	ML090290974	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 17 Quality Assurance - Sections 17.01 - 17.08
4-497	ML090290975	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 18 Human Factors Engineering - Sections 18.01 - 18.14
4-498	ML090290976	01/21/2009	Bellefonte Units 3 & 4 COLA (FSAR), Rev. 1 - FSAR Chapter 19 Probabilistic Risk Assessment - Sections 19.01 - 19.59, Appendices AA19A-AA19F
4-499	ML090290978	01/21/2009	Bellefonte Units 3 & 4 COLA (General Financials), Rev. 1 - Part 1, Administrative and Financial Information

	Accession Number	Document Date	Title\Description
4-500	ML090290980	01/21/2009	Bellefonte Units 3 & 4 COLA (ITAAC), Rev. 1 - Part 10 Proposed License Conditions Including ITAAC
4-501	ML090290982	01/21/2009	Bellefonte Units 3 & 4 COLA (LWA), Rev. 1 - Part 6 LWA Request, Cover Page
4-502	ML090290984	01/21/2009	Bellefonte Units 3 & 4 COLA (Security Plan), Rev. 1 - Part 8 Safeguards and Security, Cover Page
4-503	ML090290986	01/21/2009	Bellefonte Units 3 & 4 COLA (Tech Specs), Rev. 1 - Part 4 Technical Specifications for Bellefonte Units 3 & 4
4-504	ML090220406	01/22/2009	2009/01/22 BEL COL - Draft RAI 1934 Related SRP Section 8.3.1 for Bellefonte Units 3 and 4
4-505	ML090220425	01/22/2009	2009/01/22 BEL COL - Draft RAI 1918 Related SRP Section 9.2.1 for Bellefonte Units 3 and 4
4-506	ML090340433	01/23/2009	2009/01/23 BEL COL - FW: ML090210586--Presentation slides related external Hazards--Chapter 19 RAIs
4-507	ML090340434	01/23/2009	2009/01/23 BEL COL - FW: NRC Conference Call, Ch. 19, PRA, External Hazard

Attachment 2

**Bellefonte COL Hearing File and Mandatory Disclosures
Privilege Log -- Proprietary Information
Update 4 -- February 6, 2009**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain trade secrets, privileged or confidential commercial or financial information subject to withholding from public disclosure pursuant to 10 C.F.R. § 2.390. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents, designated "proprietary," and subject to protected status under Section 2.390.

	Accession Number	Author Name/ Affiliation:	Title/Description	Document Date	Document Type	Addressee / Addressee Affiliation	Comment	Pages
PP-4-01	ML090290988	Sterdis A L, NuStart Energy Development, LLC Tennessee Valley Authority	Bellefonte Units 3 & 4 COLA (Sensitive Material), Rev. 1 - Part 9.1, Administrative and Financial Information	01/21/2009	License- Application for Combined License (COLA)	NRC/Docume nt Control Desk NRC/NRO	Proprietary financial information regarding reasonable assurance to obtain construction funds.	7
PP-4-02	ML090290989	Sterdis A L, NuStart Energy Development, LLC Tennessee Valley Authority	Bellefonte Units 3 & 4 COLA (Sensitive Material), Rev. 1 - Part 9.2, FSAR	01/21/2009	License- Application for Combined License (COLA)	NRC/Docume nt Control Desk NRC/NRO	Sensitive information withheld as proprietary pursuant to 10 C.F.R. § 2.390(d).	27

PP-4-03	ML090290990	Sterdis A L, NuStart Energy Development, LLC Tennessee Valley Authority	Bellefonte Units 3 & 4 COLA (Sensitive Material), Rev. 1 - Part 9.3, ER	01/21/2009	License-Application for Combined License (COLA)	NRC/Document Control Desk NRC/NRO	Sensitive information withheld as proprietary pursuant to 10 C.F.R. § 2.390(d).	92
PP-4-04	ML090290991	Sterdis A L, NuStart Energy Development, LLC Tennessee Valley Authority	Bellefonte Units 3 & 4 COLA (Sensitive Material), Rev. 1 - Part 9 Index of Contents	01/21/2009	License-Application for Combined License (COLA)	NRC/Document Control Desk NRC/NRO	Sensitive information withheld as proprietary pursuant to 10 C.F.R. § 2.390(d).	6

February 6, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
TENNESSEE VALLY AUTHORITY)	Docket Nos. 52-014 and 52-015
)	
Bellefonte Nuclear Power Plant)	
(Units 3 and 4))	

AFFIDAVIT OF JOSEPH SEBROSKY CONCERNING
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(d)

I, Joseph Sebrosky, do hereby state as follows:

1. I am employed as a Senior Project Manager in the AP1000 Projects Branch 1 of the Division of New Reactor Licensing in the Nuclear Regulatory Commission's ("NRC") Office of New Reactors. I serve as project manager for the NRC's review of the Combined License Application submitted by the Tennessee Valley Authority, at issue in this proceeding.

2. In accordance with the Licensing Board's October 14, 2008 Memorandum and Order, I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. § 2.336(d) in the captioned proceeding have been disclosed and that the disclosures are accurate and complete as of January 23, 2009.

3. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

Executed in Accord with 10 CFR § 2.304(d)

Joseph Sebrosky
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Division of New Reactor Licensing
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Executed in Rockville, MD
this 6th day of February, 2009

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TENNESSEE VALLEY AUTHORITY) Docket Nos. 52-014 and 52-015
)
Bellefonte Nuclear Power Plant)
(Units 3 and 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of the NRC Staff letter dated February 6, 2009, providing notice of the availability of the fourth update to the hearing file and mandatory disclosures made pursuant to 10 C.F.R. § 2.336(d), with attachments, together with the affidavit of Joseph Sebrosky, have been served upon the following persons by Electronic Information Exchange and electronic mail this 6th day of February, 2009:

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