

**R. R. Sgarro**  
Manager, Nuclear Regulatory Affairs

**PPL Bell Bend, LLC**  
38 Bomboy Lane, Suite 2  
Berwick, PA 18603  
Tel. 570.802.8102 FAX 570.802.8119  
rrsgarro@pplweb.com



February 27, 2009

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

ATTN: Michael R. Johnson, Director  
Office of New Reactors

**BELL BEND NUCLEAR POWER PLANT  
SUBMITTAL OF BELL BEND COLA,  
REVISION 1  
BNP-2009-035      Docket No. 52-039**

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- References:
- 1) BNP-2008-002, T. L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Application for Combined License for the Bell Bend Nuclear Power Plant", dated October 10, 2008
  - 2) BNP-2008-005, T. L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Supplemental Information for the Bell Bend Nuclear Power Plant", dated November 18, 2008
  - 3) BNP-2008-006, T. L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Supplemental Information for the Bell Bend COLA-FSAR Section 2.5", dated November 24, 2008
  - 4) BNP-2008-007, T. L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Supplemental Information for the Bell Bend COLA-Part 5: Emergency Plan", dated December 1, 2008
  - 5) BNP-2008-009, T. L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Supplemental Information for the Bell Bend COLA-Part 5: Emergency Plan", dated December 8, 2008
  - 6) BNP-2009-001, T.L. Harpster (PPL Bell Bend, LLC) to U.S. Nuclear Regulatory Commission, "Supplemental Information for the Bell Bend COLA-FSAR Section 2.5.2", dated February 12, 2009
  - 7) Letter, M. A. Canova (USNRC) to T. L. Harpster (PPL Bell Bend, LLC), "Combined License Application Acceptance Review for Bell Bend Nuclear Power Plant", dated December 19, 2008

In Reference 1, PPL Bell Bend, LLC (PPL) submitted to the U.S. Nuclear Regulatory Commission (NRC) a Combined License Application (COLA) for the Bell Bend Nuclear Power Plant (BBNPP). This application was for an AREVA NP U.S. Evolutionary Power Reactor (U.S. EPR) to be located in Luzerne County, Pennsylvania. In References 2 through 6, PPL provided COLA supplemental information to the NRC and to the Federal Emergency Management Agency (FEMA) for various sections of the BBNPP COLA.

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In Reference 7, the NRC documented completion of their acceptance review and determined that the COLA was acceptable for docketing. In Reference 7, the NRC also recommended that the COLA be amended to provide standard generic language and site-specific bracket ({} alignment throughout the U.S. EPR design center COLAs. In order to implement this recommendation, it was necessary to create and approve COLA revision control documents for all the COLAs for the U.S. EPR design center. The main purpose of this BBNPP COLA revision is to implement those revision control change documents for generic text and site-specific bracket alignment. This COLA alignment process was presented to the NRC staff on January 16, 2009 at the U.S. EPR Design Center Working Group meeting held in Rockville, Maryland.

In addition to the changes necessary to provide standardized text outside the brackets, this BBNPP COLA revision also incorporates additional changes to the initial submittal. These changes include incorporation of the supplemental information previously submitted to the NRC in Reference 2 through Reference 6. Enclosure 1 provides a summary of the changes made in this COLA revision which are indicated by revision bars in the margin of any affected pages.

This COLA revision contains no Restricted Data or other defense information requiring separation in accordance with 10 CFR 50.33(j). Part 9 of this application contains certain financial and security-related information that PPL Bell Bend, LLC is requesting the NRC to withhold from public disclosure in accordance with the requirements of 10 CFR 2.390. An appropriate affidavit is included with this letter supporting proprietary treatment of PPL Bell Bend, LLC financial information pursuant to 10 CFR 2.390(b).

A set of revised application documents is provided in electronic file format on the two enclosed disks (Enclosures 2 and 3). Enclosure 2 contains a publicly available version of the COLA revision with the information requested to be withheld from public disclosure redacted; Enclosure 3 contains the COLA revision with the information requested to be withheld from public disclosure included in Part 9.

Appropriate pre-submission checks have been successfully performed on the files for both disks to ensure compliance with the guidelines provided on the NRC website and they have been found acceptable for electronic submittal. Each disk includes a "packing slip" describing its contents, pursuant to NRC instructions for electronic filing.

This submittal contains PDF files, one or more of which contains hyperlinks to other files or to the Internet. These hyperlinks are either inoperable or are not essential to the use of the filing. Any material referenced by hyperlinks to the Internet that was essential for use of this filing has been submitted as part of the filing. Any material referenced by a hyperlink to another PDF that was essential for the use of this filing has either been included by reference or submitted as part of this filing.

If you have any questions or need additional information, please contact the undersigned at 570.802.8102. Counsel for the project is Mr. David A. Repka, Esq., Winston & Strawn LLP, 1700 K Street, NW, Washington, DC 20006-3817; (202) 282-5726.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 27, 2009.

Respectfully,

A handwritten signature in black ink, appearing to read "Rocco R. Sgarro". The signature is written in a cursive style with a large, prominent initial "R".

Rocco R. Sgarro

- Enclosure 1: Summary of BBNPP COLA Revision 1 Changes
- Enclosure 2: Bell Bend Nuclear Power Plant COLA Revision 1 DVD (Public Version)
- Enclosure 3: Bell Bend Nuclear Power Plant COLA Revision 1 DVD (Non-Public Version)
- Enclosure 4: Affidavit

cc: (w/ Enclosures)

Mr. Samuel J. Collins  
Regional Administrator  
U.S. Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

Mr. Michael Canova  
Project Manager  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Ms. Stacey Imboden  
Project Manager  
U.S. Nuclear Regulatory Commission  
11555 Rockville Pike  
Rockville, MD 20852

Enclosure 1

Summary of BBNPP COLA Revision 1 Changes

### Summary of BBNPP COLA Revision 1 Changes

The format of the BBNPP COLA has been modified to match the template used in the U.S. EPR design center. This change makes the page headers and footers consistent.

Part 1, General Information: This COLA Part is completely site-specific and brackets ({} ) are no longer used.

Part 2, FSAR: Generic text (i.e. text outside brackets) is now consistent with the approved COLA revision control document. The text inside the brackets remains site-specific. Additional changes include:

- Incorporating previously submitted supplemental information for FSAR 2.5.1, 2.5.2 and 2.5.3 (Reference 3 and Reference 6)
- Updating hurricane and tropical storm data in Sections 2.3.1, 2.7.1, and 3.5.1
- Updating meteorological information in Section 2.3.3
- Making editorial corrections (various)

Part 3, Environmental Report: This COLA Part is completely site-specific and brackets are no longer used. Additional changes include:

- Updating cited references and Figure 2.2-1 in Section 2.2
- Incorporating previously submitted supplemental hydrology information in Section 2.3 (Reference 2)
- Updating text, cited references and tables in Section 2.4.1
- Updating weather-related events, text and cited references in Section 2.7.3
- Updating applicant, owner and operator name, text and references in Section 2.8
- Adding text regarding effluents in Section 3.6
- Adding text and information in Section 3.7
- Revising acreage numbers for site grading and vegetation removal in Section 4.2
- Adding Table 3.8-1 and updating Table 3.8-2 for radioactive wastes and transport mode
- Modifying average plume heights, lengths and impacts in Section 5.1
- Adding text for noise surveys in Section 5.3.3.1
- Updating text and tables in Section 5.4
- Modifying cited references, updating Table 5.8-2 to reflect licensed life and adding notes to Table 5.8-3 in Section 5.8.2
- Modifying text concerning Lackawanna County in Section 5.8.3
- Updating meteorological information in Section 6.4
- Updating Monitoring Programs in Section 6.7
- Updating cited references and text in Chapter 9

### Summary of BBNPP COLA Revision 1 Changes

- Changing disturbed acreage from 364 acres to 365 acres in Section 10.1
- Clarifying disturbed acreage in Section 10.3
- Modifying average plume height and lengths in Section 10.5
- Making editorial corrections (various)

#### Part 4, Technical Specifications:

All four U.S. EPR COL applicants have changed to incorporate the U.S. EPR Generic Technical Specifications by reference. Part 4 has been modified to provide information required by the U.S. EPR Generic Technical Specifications as reviewer notes. This Part contains both generic and site-specific information. The site-specific information is enclosed in brackets.

To implement this change, identified technical specification departures were removed from COLA Part 2, FSAR Chapter 1 and COLA Part 7, Departures and Exemption Requests. A proposed license condition has been added to COLA Part 10, ITAAC, to submit a license amendment following completion of a plant-specific setpoint study after selection of the plant-specific instrumentation.

#### Part 5, Emergency Plan:

Generic text (i.e. text outside brackets) is now consistent with the approved COLA revision control document. The text inside the brackets remains site-specific. Additional changes include:

- Revising language concerning the 44CFR350 certifications in Pennsylvania
- Updating of the Evacuation Time Estimate to Revision 2
- Changing "State" to "Commonwealth" where indicated
- Incorporating previously submitted information requested by the Federal Emergency Management Agency (Reference 4 and Reference 5)

#### Part 6, LWA:

Although not used in the BBNPP COLA, this COLA Part was made site-specific.

#### Part 7, Departures and Exemption Requests:

This COLA Part is completely site-specific and brackets are no longer used.

Summary of BBNPP COLA Revision 1 Changes

- Part 8, Security Plan: No changes.
- Part 9, Proprietary and SUNSI: This COLA Part is completely site-specific and brackets are no longer used.
- Part 10, ITAAC: Generic text (i.e. text outside brackets) is now consistent with the approved COLA revision control document. The text inside the brackets remains site-specific.
- Part 11, Supporting Documents: Part 11I, Cultural Resources, has been updated to incorporate the previously submitted Supplemental Cultural Resources Phase 1b Report.

Enclosure 2

Bell Bend Nuclear Power Plant COLA Revision 1 DVD (Public Version)

Enclosure 3

Bell Bend Nuclear Power Plant COLA Revision 1 DVD (Non-Public Version)

Enclosure 4

Affidavit

**AFFIDAVIT OF ROCCO R. SGARRO**

COMMONWEALTH OF PENNSYLVANIA )

) ss

COUNTY OF COLUMBIA )

I, Rocco R. Sgarro, Manager, Nuclear Regulatory Affairs, PPL Bell Bend, LLC, do hereby affirm and state:

- 1) I am authorized to execute this affidavit on behalf of PPL Bell Bend, LLC. I am further authorized to review information submitted to the Nuclear Regulatory Commission (NRC) and apply for the withholding of information from disclosure. I am making this affidavit in conformance with the provisions of the NRC's regulations at 10 CFR 2.390 and in support of PPL Bell Bend, LLC's request for proprietary treatment of certain financial information.
- 2) I have knowledge of the criteria used by PPL Bell Bend, LLC in designating information as sensitive, proprietary, or confidential.
- 3) Pursuant to the provision of paragraph (a)(4) of 10 CFR 2.390, the following is furnished for consideration by the NRC in determining whether the information sought to be withheld from public disclosure should be withheld.
  - a. The information sought to be withheld from public disclosure is owned by PPL Bell Bend, LLC, its affiliates or third parties to whom PPL Bell Bend has an obligation to maintain its confidentiality and has been held in confidence by PPL Bell Bend, LLC.
  - b. The information sought to be protected is not available to the public to the best of my knowledge and belief.
  - c. The information is of the type that would customarily be held in confidence by PPL Bell Bend, LLC. The information that PPL Bell Bend, LLC is requesting to be withheld from public disclosure is PPL Bell Bend, LLC's cost projections for construction, fuel supply, and operating costs for the Bell Bend Nuclear Power Plant. PPL Bell Bend, LLC limits access to these cost projections to those with a "need to know" subject to maintaining confidentiality. Public disclosure of these cost projections is likely to harm PPL Bell Bend, LLC because it would allow other contractors, vendors, and competitors to understand PPL Bell Bend, LLC's competitive expectations and position prior to securing necessary contracts and services at competitive prices.
  - d. The proprietary information sought to be withheld from public disclosure is identified in Part 9 of the COL application revision and is marked as proprietary as it appears in the application.
  - e. The information is transmitted to the NRC in confidence and under the provisions of 10 CFR 2.390; it is to be received in confidence by the NRC.

Rocco R. Sgarro, being duly sworn, states that he is Manager, Nuclear Regulatory Affairs, PPL Bell Bend, LLC, that he is authorized on the part of said Company to sign and file with the U. S. Nuclear Regulatory Commission this revision to the combined license application for the Bell Bend Nuclear Power Plant, and that all the matter and facts set forth herein are true and correct to the best of his knowledge.

*Rocco R Sgarro*

Rocco R. Sgarro  
Manager, Nuclear Regulatory Affairs  
PPL Bell Bend, LLC

Subscribed and sworn to before me, a Notary Public, in and for the county and Commonwealth above named, this 27<sup>th</sup> day of February, 2009.

*Sally Kay Smith*

Notary Public in and for Commonwealth of Pennsylvania

My Commission Expires August 30 2010

