



Tennessee Valley Authority, 1101 Market Street, LP 5A, Chattanooga, Tennessee 37402-2801

March 17, 2009

10 CFR 52.79

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

In the Matter of )  
Tennessee Valley Authority )

Docket No. 52-014 and 52-015

**BELLEFONTE COMBINED LICENSE APPLICATION – RESPONSE TO REQUEST FOR  
ADDITIONAL INFORMATION – FUTURE CONTRACTS**

Reference: Letter from Joseph Sebrosky (NRC) to Andrea L. Sterdis (TVA), Request for  
Additional Information Letter No. 148 Related to SRP Section 01.04 for the  
Bellefonte Units 3 and 4 Combined License Application, dated February  
27, 2008

This letter provides the Tennessee Valley Authority's (TVA) response to the Nuclear Regulatory  
Commission's (NRC) request for additional information (RAI) items included in the reference  
letter.

A response to the NRC request in the subject letter is addressed in the enclosure which also  
identifies any associated changes that will be made in a future revision of the BLN application.

If you should have any questions, please contact Tom Spink at 1101 Market Street, LP5A,  
Chattanooga, Tennessee 37402-2801, by telephone at (423) 751-7062, or via email at  
tespink@tva.gov.

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

Executed on this 17<sup>th</sup> day of March, 2009.

Andrea L. Sterdis  
Manager, New Nuclear Licensing and Industry Affairs  
Nuclear Generation Development & Construction

Enclosure

cc: See Page 2

DOBS  
NRD

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cc: (w/ Enclosures)

J. P. Berger, EDF  
J. M. Sebrosky, NRC/HQ  
E. Cummins, Westinghouse  
S. P. Frantz, Morgan Lewis  
M. W. Gettler, FP&L  
R. Grumbir, NuStart  
P. S. Hastings, NuStart  
P. Hinnenkamp, Entergy  
M. C. Kray, NuStart  
D. Lindgren, Westinghouse  
G. D. Miller, PG&N  
M. C. Nolan, Duke Energy  
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K. N. Slays, NuStart  
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B. C. Anderson, NRC/HQ  
M. M. Comar, NRC/HQ  
B. Hughes/NRC/HQ  
R. G. Joshi, NRC/HQ  
R. H. Kitchen, PGN  
M. C. Kray, NuStart  
A. M. Monroe, SCE&G  
C. R. Pierce, SNC  
R. Reister, DOE/PM  
L. Reyes, NRC/RII  
T. Simms, NRC/HQ

Enclosure  
TVA letter dated March 17, 2009  
RAI Responses

Responses to NRC Request for Additional Information letter No. 148 dated February 27, 2009  
(3 pages, including this list)

Subject: Future contracts in the Final Safety Analysis Report

<u>RAI Number</u>	<u>Date of TVA Response</u>
01-13	This letter – see following pages

<u>Associated Additional Attachments / Enclosures</u>	<u>Pages Included</u>
None	

Enclosure  
TVA letter dated March 17, 2009  
RAI Responses

**NRC Letter Dated: February 27, 2008**

**NRC Review of Final Safety Analysis Report**

**NRC RAI NUMBER: 01-13**

TVA should revise the commitment in the application related to the nuclear steam system supply (NSSS) vendor, architect engineer and constructor.

In Part 2 of the application FSAR section 1.4 and in Part 10 of the application, TVA proposes a license condition related to the NSSS vendor, architect-engineer, and constructor of Bellefonte Units 3 and 4.

In FSAR section 1.4 TVA states the following:

"Not all participants have been identified at this time. In particular, TVA has not yet contracted with the AP1000 provider, architect-engineer, or constructor. To address the identification of additional participants, a Combined License Condition is presented in a separate document submitted as part of this COL application."

In Part 10 of the application TVA proposes the following license condition to address the issue:

"Prior to commencement of construction, the licensee shall submit a license amendment request that 1) identifies the NSSS vendor, architect-engineer, and constructor; 2) describes their technical qualifications; and 3) describes the division of responsibility among them."

The staff is currently in the process of developing guidance on what post COL commitments rise to the level of license conditions and which commitments can remain in the FSAR and be addressed and evaluated using the 10 CFR 50.59 process. Although the staff's development of guidance in this area is not complete, the staff has determined that a license condition requiring an amendment to the COL that identifies the NSSS vendor, architect-engineer, and constructor is not needed. The staff believes that an FSAR commitment to provide this information when it is available is sufficient. In section 1.4 of the application, TVA provides justification for why it believes it is qualified to hold a 10 CFR Part 52 license. As part of the staff's determination as to whether TVA is qualified to hold a 10 CFR Part 52 license, it will determine if TVA is qualified to choose and manage oversight of the NSSS, architect-engineer and constructor of Bellefonte units 3 and 4. Therefore, a license condition requiring an amendment is not needed for this post COL activity.

Based on the above TVA should remove the proposed license condition from Part 10 of its application and either provide the information regarding the NSSS vendor, architect-engineer, and constructor, in the FSAR or provide a commitment in the FSAR to include this information at a later date.

**BLN RAI ID: 3192**

**BLN RESPONSE:**

Based on the above request, the proposed license condition is removed from Part 10 of the application and a commitment is provided in the FSAR to include this information at a later date.

This response is PLANT-SPECIFIC.

Enclosure  
TVA letter dated March 17, 2009  
RAI Responses

**ASSOCIATED BLN COL APPLICATION REVISIONS:**

1. COLA Part 2, FSAR Chapter 1, Subsection 1.4.1 (BLN SUP 1.4-2) will be revised from:

Not all participants have been identified at this time. In particular, TVA has not yet contracted with the AP1000 provider, architect-engineer, or constructor. To address the identification of additional participants, a Combined License Condition is presented in a separate document submitted as part of this COL application.

To read:

Not all participants have been identified at this time. In particular, the AP1000 NSSS provider, architect-engineer, and constructor have not yet contracted. This section of the FSAR will be revised to include information identifying the NSSS provider, the architect-engineer, and the constructor following the establishment of contracts for these purposes. This information will include descriptions of the technical qualifications of the NSSS provider, the architect-engineer, and the constructor, and address the division of responsibility among them and the operator.

2. COLA Part 10, License Conditions, item 7, will be revised from:

**7. VENDOR AE CONSTRUCTOR QUALIFICATIONS:**

COLA FSAR Subsection 1.4.1 indicates that the applicant has not yet identified some of the major participants in the construction of the power plant. Thus, the technical qualifications of the NSSS vendor, architect-engineer, and constructor, and the division of responsibility among them could not be reviewed.

**PROPOSED LICENSE CONDITION:**

Prior to commencement of construction, the licensee shall submit a license amendment request that 1) identifies the NSSS vendor, architect-engineer, and constructor; 2) describes their technical qualifications; and 3) describes the division of responsibility among them.

To read:

7. Not used

**ASSOCIATED ATTACHMENTS/ENCLOSURES:**

None