

June 18, 2009

Mr. Preston D. Swafford  
Chief Nuclear Officer and  
Executive Vice President  
3R Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: TENNESSEE VALLEY AUTHORITY'S STATUS OF DECOMMISSIONING  
FUNDING ASSURANCE FOR BROWNS FERRY NUCLEAR PLANT, UNIT 3  
(TAC NO. ME0493)

Dear Mr. Swafford:

On March 31, 2009, the Nuclear Regulatory Commission (NRC) received Tennessee Valley Authority (TVA's, the licensee's) biennial decommissioning funding report (Agencywide Documents Access and Management System Accession No. ML090900463) for Browns Ferry Nuclear Plant, Unit 3.

Based on our internal review, the NRC staff believes there is a projected shortfall of decommissioning funding assurance for Browns Ferry Nuclear Plant, Unit 3 at the time permanent termination of operations is expected. Although a shortfall in decommissioning funding assurance does not affect safe operations, adequate decommissioning funding assurance is important to ensure a plant will eventually be decommissioned safely.

The NRC staff will conduct a telephone conference with TVA within ten working days of the date of this letter to discuss the staff's calculations and methodology. The intent of the call will be to establish a mutual understanding and framework such that you will be able to develop a plan to resolve any projected decommissioning funding assurance shortfall.

If TVA is determined to have a projected shortfall, it will need to submit a plan by a date to be established at the close of the telephone conference. The plan would describe how and when the licensee intends to make adjustments to its trust fund balances and/or schedule of future collections, or make other adjustments or changes with respect to financial assurance mechanisms, such that it will be on track to meet the minimum amount of financial assurance required by the NRC's regulations.

Paperwork Reduction Act Statement

This letter does not contain any new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing collection requirements under 10 CFR Part 50 were approved by the Office of Management and Budget, control number 3150-0011, which expires June 30, 2010.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, an information collection unless the requesting document displays a currently valid OMB control number.

Sincerely,

*/RA/*

Eva Brown, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket No.: 50-296

cc: Distribution via ListServ

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