

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman
Dr. Anthony J. Baratta
Dr. William W. Sager

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Bellefonte Nuclear Power Plant Units 3 and 4)

Docket Nos. 52-014-COL and 52-015-COL

ASLBP No. 08-864-02-COL-BD01

June 25, 2009

MEMORANDUM AND ORDER
(Staff Review Schedule Status Updates)

In response to the Licensing Board's June 4, 2009 memorandum and order, by letter dated June 11, 2009, the NRC staff advised the Board that the staff's preliminary schedule for issuing its safety evaluation report (SER) with open items for Bellefonte Units 3 and 4 is based on supporting the Advisory Committee on Reactor Safeguards (ACRS) AP1000 subcommittee meetings that have been arranged through the end of the year. The staff also indicated it intends to provide the chapter of the SER with open items one month prior to the ACRS AP1000 subcommittee meeting to allow time for the ACRS members to review the SER with open items before the meeting. In addition, the staff provided the Board with a schedule that outlined the proposed ACRS AP1000 subcommittee meeting dates and the associated SER with open items chapters, the first of which is scheduled for July 23-24, 2009, and is to encompass chapters 1, 4-5, 10-12, 14, 16-17, and 19.

The Board appreciates this clarifying information regarding the staff's SER schedule and would note that, in accordance with its previous directives in this proceeding, see Licensing

Board Memorandum and Order (Prehearing Conference and Status of General Schedule) (Nov. 10, 2008) at 3-4 (unpublished), any new or amended contentions that Joint Intervenors¹ may wish to submit relative to the revised SER chapters as they are provided to the ACRS AP1000 subcommittee would need to be filed within thirty days of the time those SER chapters are made publicly available.

With regard to the other aspects of the staff's review schedule, since it seems apparent from the staff's May 28, 2009 letter to the Board that a complete schedule for issuance of the draft environmental impact statement and the advanced SER for this proceeding will not be available until the first calendar quarter of 2010, the Board will continue to defer issuing its 10 C.F.R. § 2.332(a) general schedule for this proceeding pending the receipt of such a complete staff review schedule.

Finally, so that the Board might be kept apprised of any changes to the staff's schedule for issuance of its environmental and safety review documents, the staff should provide the Board with a status report regarding its schedule on or before Tuesday, September 1, 2009. Moreover, as the staff indicated it would do in its May 28 letter, if in the interim any significant new information affecting the schedule comes to the staff's attention, including if the staff is able

¹ Joint Intervenors include the Blue Ridge Environmental Defense League and the Southern Alliance for Clean Energy.

to finalize the schedule for any large portion of its review, the staff should inform the Board and parties promptly.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD²

/RA/

G. Paul Bollwerk, III
CHAIRMAN

Rockville, Maryland

June 25, 2009

² Copies of this memorandum and order were sent this date by the agency's E-Filing system to the counsel/representatives for (1) applicant Tennessee Valley Authority; (2) Joint Intervenors; and (3) the staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing MEMORANDUM AND ORDER (STAFF REVIEW SCHEDULE STATUS UPDATES) have been served upon the following persons by the Electronic Information Exchange.

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[Original signed by Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 25th day of June 2009