

September 1, 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
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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 Power Plant, Units 3 and 4)
Docket Nos. 52-014 and 52-015

Dear Administrative Judges:

In a Memorandum and Order of June 25, 2009, the Licensing Board ("Board") indicated that, by September 1, 2009, the NRC staff ("Staff") should provide the Board with a status report regarding its schedules and that, pending that report, the Staff should promptly inform the Board and parties of any significant new information affecting the schedule that had come to the Staff's attention, including whether the Staff had been able to finalize the schedule for any large portion of its review. Pursuant to that Order, in a letter of July 27, 2009, the Staff provided the Board and parties with new information regarding the Staff's schedule for completing the Draft Environmental Impact Statement ("DEIS"). The Staff attached a letter from Gregory P. Hatchett, Branch Chief, Environmental Projects Branch 1, Division of Site and Environmental Reviews, Office of New Reactors, to Ashok S. Bhatnagar, Senior Vice President, Nuclear Generation Development and Construction, Tennessee Valley Authority, "Change in Schedule of Bellefonte Nuclear Plant, Units 3 and 4 Combined License Application Draft Environmental Impact

Statement,” dated July 21, 2009. In the letter, Mr. Hatchett informed Mr. Bhatnagar that the Staff had determined that it would not issue the DEIS until after the Tennessee Valley Authority’s Board of Directors decided whether it intended to complete Bellefonte Nuclear Units 1 and 2, a decision currently scheduled for the first half of fiscal year 2011. As of the date of this letter, the Staff has not been provided any information from TVA that would result in a change to the information provided in the Staff’s July 27, 2009, letter.

As regards the Staff’s schedule for issuance of the Final Safety Evaluation Report, the Staff does not have a date for the issuance of that document at this time. However, in its Order of June 25, 2009, the Board noted with approval that the Staff had provided to the Board and parties a schedule outlining the Staff’s submission of the separate chapters of its Advanced SER with Open Items (“ASER/OI”) to the Advisory Committee on Reactor Safeguards (“ACRS”) one month in advance of the ACRS’s scheduled meetings to consider those chapters together with the corresponding chapters in the Staff’s SER on AP1000 Revision 17. The Staff is providing the following update to the schedule provided in its June 11, 2009, letter to the Board. As noted in the June 11, 2009, letter, while the Staff anticipates presenting the chapters according to the schedule outlined below, it is possible that some chapters may be moved from one ACRS meeting to another.

Judge Bollwerk
Judge Sager
Judge Barratta

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September 1, 2009

Preliminary Schedule for Bellefonte SER with Open Items Chapters¹

(Proposed ACRS AP1000 Subcommittee Meeting Dates and Open Items Chapters)

- October 6-7, 2009: Chapters 2, 3 (without 3.7 (Seismic Design), and 3.8 (Design of Category 1 Structures), 8, 13, and 18.
- November 19-20, 2009: Chapters 7, 9, and 15.
- February 2010: Chapter 6 and Sections 3.7 and 3.8.

Respectfully submitted,

/signed (electronically) by/
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Dated at Rockville, Maryland
this 1st day of September, 2009

¹ The subject of each chapter in the Staff's SER generally corresponds with the subject of each chapter in NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants."

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 NRC Staff letter dated September 1, 2009, have been served upon the following persons by Electronic Information Exchange this 1st day of September, 2009:

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