



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET, SW, SUITE 23T85  
ATLANTA, GEORGIA 30303-8931

September 1, 2009

Mr. Preston D. Swafford  
Chief Nuclear Officer and Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN – BROWNS  
FERRY NUCLEAR STATION UNITS 1, 2 AND 3**

Dear Mr. Swafford:

On August 12, 2009, the NRC staff completed its performance review of the Browns Ferry Nuclear Station Units 1, 2 and 3 for the first half of the calendar year 2009 assessment cycle. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results over the previous twelve months. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and the enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only – Security Related Information" will include the Security cornerstone performance review and resultant inspection plan.

Plant performance for the most recent quarter, at Browns Ferry Units 1, 2 and 3, was within the Licensee Response Column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, we plan to conduct reactor oversight process (ROP) baseline inspections at your facility. We also plan on conducting several non-ROP inspections, which involve: emergency response organization drill/exercise performance indicator program review (Temporary Instruction (TI) 2515/175); implementation of the Industry Ground Water Protection Voluntary Initiative (TI 2515/173); operator licensing examinations; extended power uprate activities; and the Independent Spent Fuel Storage Installation.

In the 2007 Annual Assessment Letter, dated March 3, 2008, a substantive cross-cutting issue (SCCI) was identified in the area of Problem Identification and Resolution (PI&R) with a cross-cutting theme in the aspect of appropriate and timely corrective action (P.1(d)). This letter established the criteria for clearing the substantive cross-cutting issue as the following: during 2008, no greater-than-green findings or a small number of findings associated with (P.1(d)), and evidence of improvements as described in the licensee's Turn Around Plan and Problem Evaluation Report (PER)136489.

The biennial Problem Identification and Resolution (PI&R) inspection, conducted in October 2008, was unable to determine the effectiveness of the implementation of corrective actions to address the SCCI. In the 2008 Annual Assessment Letter, we informed you that the SCCI would remain open. In that annual assessment letter we also noted that in June 2009, your staff

planned to conduct an independent self-assessment of the Corrective Action Program, including the aspect of appropriate and timely corrective actions. We informed you that the NRC planned to conduct an additional Problem Identification and Resolution (PI&R) inspection in 2009, to review the results of your self-assessment and evaluate the effectiveness of your long-term corrective actions. Thus, the criteria for clearing the SCCI was revised in the 2008 Annual Assessment Letter to specify that corrective actions in this affected area show evidence of effectiveness during this assessment period; as demonstrated by no new greater-than-green findings with the same cross-cutting aspect, a small number of new Green findings that are examples of the same common theme, and an acceptable self-assessment of your Corrective Action Program.

In July 2009, the NRC completed an additional biennial PI&R team inspection, which specifically reviewed the results and proposed actions of your June 2009 CAP self-assessment. The PI&R inspection determined that your corrective actions to address the SCCI were effectively implemented with only a few self-identified exceptions.

Based on no increase or sustained level of findings in the area of the SCCI aspect since the SCCI was declared, and the continued, general overall effectiveness of the SCCI corrective actions, the NRC mid-cycle assessment concluded that all criteria for clearing the SCCI were met. As a result, the Browns Ferry SCCI associated with the aspect of appropriate and timely corrective actions in the PI&R cross-cutting area, is considered closed.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through December 31, 2010. The inspection plan is provided to minimize the resource impact on your staff and to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the end-of-cycle review meeting.

As you may know, the NRC is currently evaluating the scope and frequency of all the baseline inspection procedures. If the results of the evaluation, or any other circumstances, cause us to change the inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at 404-562-4662 with any questions you may have regarding this letter or the inspection plan.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA by Jonathan Bartley for/

Eugene F. Guthrie, Chief  
Reactor Projects Branch 6  
Division of Reactor Projects

Docket Nos.: 50-259, 50-260, 50-296, 72-052  
License Nos.: DPR-33, DPR-52, DPR-68

Enclosure: (See page 3)

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Eugene F. Guthrie, Chief  
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X PUBLICLY AVAILABLE     NON-PUBLICLY AVAILABLE     SENSITIVE    X NON-SENSITIVE  
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NAME	PHiggins	EGuthrie				
DATE	8/24/09	9/1/2009				
E-MAIL COPY?	YES    NO	YES    NO				

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Enclosure: Browns Ferry Inspection/Activity Plan

cc w/encl:

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Letter to Preston D. Swafford from Eugene F. Guthrie, dated September 1, 2009

SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN – BROWNS  
FERRY NUCLEAR STATION, UNITS 1, 2 AND 3

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