



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

September 18, 2009

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

**SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3 – REVISED  
SCHEDULE FOR EXTENDED POWER UPRATE AMENDMENT REQUEST  
REVIEW (TAC NOS. MD5262, MD5263, AND MD5264) (TS-431)**

Dear Mr. Swafford:

This letter is to inform you of the decision of the U.S. Nuclear Regulatory Commission (NRC) to delay the review of the Browns Ferry Nuclear Plant (BFN) Unit 1 and Units 2 and 3 applications extended power uprate requests dated June 28 and June 24, 2009, respectively. As you are aware, in a Staff Requirements Memorandum dated January 8, 2009, the Commission directed the Office of Nuclear Reactor Regulation (NRR) staff to continue to work towards resolving concerns regarding the application of containment accident pressure (CAP) credit by the Advisory Committee on Reactor Safeguards (ACRS).

On March 18, 2009, the ACRS issued a letter to NRC staff providing recommendations to facilitate resolution of their CAP concerns. The NRC staff responded to the ACRS on June 4, 2009. As a part of that response, NRC staff indicated that we may consider a delay in issuance of licensing actions that use CAP while resolving the CAP issues.

On July 16, 2009, your staff chose to answer the recommendations made to the NRC staff for the BFN units. During the August 11, 2009, public meeting various options were discussed to support completion of the technical review. The NRR staff has reviewed all the proposed options and the ACRS' recommendations. As was discussed with your staff on September 11, 2009, the NRC has determined that additional time is warranted to develop additional regulatory guidance to ensure the technical adequacy of the BFN extended power uprate (EPU) submittals. The development of this guidance is essential to provide the technical and regulatory consistency as well as the schedule certainty needed to complete this review.

Therefore, the NRC staff will be focused on closing out the other outstanding technical issues associated with the steam dryers and fire protection for the applications. Once appropriate guidance has been completed, the NRR staff will coordinate with your staff the remaining information needed to support completion of the EPU reviews. As indicated during the conference call, it is expected that the guidance will be available in the spring of 2010.

P. Swafford

- 2 -

Should you have any additional questions, please feel free to contact the Browns Ferry Project Manager, Ms. Eva Brown at (301) 415-2315.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Leeds". The signature is fluid and cursive, with the first name "Eric" and last name "Leeds" clearly distinguishable.

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

Docket No. 50-259, 50-260, and 50-296

cc: Distribution via Listserv

P. Swafford

- 2 -

Should you have any additional questions, please feel free to contact the Browns Ferry Project Manager, Ms. Eva Brown at (301) 415-2315.

Sincerely,

**/RA/**

Eric J. Leeds, Director  
Office of Nuclear Reactor Regulation

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