

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

William J. Froehlich, Chairman
Dr. Michael F. Kennedy
Dr. Randall J. Charbeneau

In the Matter of

PPL BELL BEND, LLC

(Bell Bend Nuclear Power Plant)

Docket No. 52-039-COL

ASLBP No. 09-890-10-COL-BD01

November 12, 2009

ORDER

(Transmitting E-Mail from Eric Epstein to Public Record)

Pursuant to 10 C.F.R. § 2.347(c), the Board sends the attached electronic-mail communication from Eric Epstein, petitioner, to Judge William J. Froehlich, dated November 11, 2009, to the Office of the Secretary to be placed in the public record of this proceeding.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
November 12, 2009

Attachment 1

From: Eric Epstein <lechambon@comcast.net>

Date: November 11, 2009 7:46:02 PM EST

To: Eric Email <lechambon@comcast.net>

Subject: PPL Nuclear Reactor Designs Concerns Raise Specter Of Nuclear Plant Delays

http://money.cnn.com/news/newsfeeds/articles/djf500/200911110905DOWJONESDJONLINE000473_FORTUNE5.htm

Reactor Designs Concerns Raise Specter Of Nuclear Plant Delays



November 11, 2009: 09:05 AM ET

NEW YORK-(Dow Jones)- Regulators' concerns about two new nuclear reactor designs could throw a wrench in energy companies' plans for a build-out of nuclear power plants in the U.S.

Regulators in France, the U.K. and Finland told French nuclear powerhouse Areva S.A. (CEI.FR) earlier this month to fix a flaw in the safety systems for its EPR reactor, which the company is also seeking to license in the U.S. And in October, the U.S. Nuclear Regulatory Commission rejected a modified version of the AP1000 reactor, designed by Toshiba Corp.'s (6502.TO) Westinghouse Electric Co., citing concerns about structural integrity.

Regulatory delays could force U.S. power companies like Scana Corp. (SCG) and PPL Corp. (PPL) to push back their timetables for building nuclear power plants using the new reactor technology, though both of these companies say their plans currently remain on track. More than a decade after the last commercial nuclear reactor was completed in the U.S., such delays could lead to the kinds of cost overruns that plagued developers in the first wave of U.S. nuclear power plant construction.

Four new nuclear power projects under review by the NRC would use the EPR reactor, while seven would use the AP1000. Neither reactor has been used before in a U.S. power plant, although a plant using the EPR is under construction in Finland.

As Westinghouse engineers work to address the NRC's concerns about the AP1000, "the potential is there to affect the overall schedules for the utilities that want to build the design," said Scott Burnell, an NRC spokesman. The NRC is continuing to review the application for the U.S. version of the EPR and is aware of the issues raised by European regulators, but the agency hasn't asked Areva to make any major revisions to its submission, Burnell said.

"It hasn't gotten to that point," he said. "The [NRC] staff is continuing to ask questions."

The new generation of nuclear reactors has been designed to have several advantages over earlier systems, with redundant safety systems, reduced waste and greater energy efficiency.

But as the reactor designs are reviewed by U.S. and European regulators, concerns have arisen. The NRC has asked Westinghouse to revise the design of the AP1000's shield building, which is the outermost structure of the reactor. Regulators said it was unclear whether the shield building, as designed, would be able to withstand earthquakes, tornados or other disasters.

Scana Corp., which plans to bring the first of two new units at its Virgil C. Summerplant in South Carolina into service in 2016, said it doesn't expect the construction schedule to change as a result of the NRC's findings. Westinghouse spokesman Vaughn Gilbert said the company also expects the first AP1000 to come into service in 2016.

"We don't anticipate any impacts to the schedule or the cost of the project," said Robert Yannity, a Scana spokesman.

U.K., French and Finnish regulators said that in Areva's EPR design, control systems used under normal conditions and control systems intended for emergencies were too closely linked. U.S. regulators may or may not raise similar concerns as they review Areva's application for the new reactor design, said Jarrett Adams, an Areva spokesman. In any case, only "minor adaptations" to the design appear to be needed, he said.

PPL Corp., hasn't altered its plan to use the EPR in its proposed Bell Bend plant in Pennsylvania, company spokesman Joe Scopelliti said.

But industry observers say that although the NRC has streamlined the application and design certification processes for new nuclear reactors, financial risks remain for power companies that intend to use the EPR or AP1000 designs.

"Anytime a regulator asks a question, there can be potential delays," said Aneesh Prabhu, an analyst with Standard & Poor's Rating Services in New York.

-By Christine Buurma, Dow Jones Newswires; 212-416-2143; christine.buurma@dowjones.com

(END) Dow Jones Newswires
11-11-09 0905ET

Copyright (c) 2009 Dow Jones & Company, Inc.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
PPL BELL BEND, LLC) Docket No. 52-039-COL
)
(Bell Bend Nuclear Power Plant))
)
(Combined License))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ORDER (TRANSMITTING E-MAIL FROM ERIC EPSTEIN TO PUBLIC RECORD) have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission.
Atomic Safety and Licensing Board Panel
Mail Stop T-3F23
Washington, DC 20555-0001

William J. Froehlich, Chair
Administrative Judge
E-mail: wjf1@nrc.gov

Michael F. Kennedy
Administrative Judge
E-mail: mfk2@nrc.gov

Randall J. Charbeneau
Administrative Judge
E-mail: Randall.Charbeneau@nrc.gov

Zachary Kahn, Law Clerk
E-mail: zxk1@nrc.gov

U.S. Nuclear Regulatory Commission
Office of Commission Appellate Adjudication
Mail Stop O-16C1
Washington, DC 20555-0001
E-mail: ocaamail@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop - O-15 D21
Washington, DC 20555-0001
Jessica Bielecki, Esq.
Sara Kirkwood, Esq.
Susan Vrahoretis, Esq.
Robert Weisman, Esq.
Marian Zabler, Esq.

E-mail:
jessica.bielecki@nrc.gov
sara.kirkwood@nrc.gov
susan.vrahoretis@nrc.gov
rmw@nrc.gov
mlz@nr.gov

OGC Mail Center : OGCMailCenter@nrc.gov

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Rulemakings & Adjudications Staff
Mail Stop O-16C1
Washington, DC 20555-0001
E-mail: hearingdocket@nrc.gov

Docket No. 52-039-COL
ORDER (TRANSMITTING E-MAIL FROM ERIC EPSTEIN TO PUBLIC RECORD)

Counsel for the Applicant
Winston & Strawn LLP
1700 K Street, N.W.
Washington, DC 20006-3817
Emily J. Duncan, Esq.
Rachel Miras-Wilson, Esq.
David Repka, Esq.
Tyson R. Smith, Esq.

E-mail:

ejduncan@winston.com

rwilson@winston.com

drepka@winston.com

trsmith@winston.com

Gene Stilp, Pro Se
275 Popular Street
Willkes-Barre, PA 18702
E-mail: genestilp@comcast.net

Eric Epstein, Pro Se
4100 Hillsdale Road
Harrisburg, PA 17112
E-mail: lechambon@comcast.net

Counsel for Union Electric Co.,
d/b/ as AmerenUE
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, DC 20037-1122
Robert B. Haemer, Esq.
Maria Webb
E-mail: robert.haemer@pillsburylaw.com
E-mail: maria.webb@pillsburylaw.com

Taxpayers and Ratepayers United (TRU)
275 Popular Street
Willkes-Barre, PA 18702
Gene Stilp
E-mail: genestilp@comcast.net

[Original signed by Christine M. Pierpoint]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 12th day of November 2009