

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

November 27, 2009

MEMORANDUM AND ORDER
(Staff Review Schedule Status Update)

By letter dated November 20, 2009, the NRC staff has provided the Licensing Board and the other parties with an update regarding the schedule for the preparation and issuance of its safety and environmental review documents associated with this 10 C.F.R. Part 52 combined license (COL) proceeding by which applicant Tennessee Valley Authority (TVA) seeks authorization to construct and operate two new units at its existing Bellefonte Nuclear Power Plant (BNPP) site. According to the staff's letter, it currently anticipates that its draft environmental impact statement (DEIS) will not be issued before fall 2011. Additionally, the staff declares that its safety evaluation report (SER) with open items should be substantially complete by mid-December 2009. Still to be finished, however, will be one chapter (six) and portions of another (sections 3.7 and 3.8 of chapter three) that, according to the staff, are not be slated for completion until a schedule is developed for the SER for pending amendment 17 to the design certification document for the AP1000 design that is being utilized for the proposed

two new Bellefonte units. The staff thus anticipates that a completed safety review schedule for the two new units will not be available until spring 2010.

As was the case previously, any adjudicatory resolution of the two National Environmental Policy Act-related environmental contentions that have been admitted in this COL proceeding still appears unlikely for a considerable period of time. The Board nonetheless will continue to monitor the status of the staff's progress on an ongoing basis. To this end, the Board asks that on or before Monday, March 1, 2010, the staff provide the Board and the other parties with a update regarding the staff's schedule for its environmental and safety reviews associated with this proceeding.

Further, and as was the case previously, in the interim the staff should provide the Board and the parties with notice of any significant developments or changes relative to the staff's safety and environmental review schedules for this COL proceeding, including issuance of its DEIS or SER with open items.

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CERTIFICATE OF SERVICE

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

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Docket Nos. 52-014-COL and 52-015-COL
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[Original signed by Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 27th day of November 2009