

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
TENNESSEE VALLEY AUTHORITY
Docket Nos. 50-438-CP, 50-439-CP

ASLBP No. 10-896-01-CP-BD01

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.105, 2.300, 2.313, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

Tennessee Valley Authority
(Bellefonte Nuclear Plant, Units 1 and 2)

This proceeding concerns a Petition to Intervene submitted by the Blue Ridge Environment Defense League, its chapter Bellefonte Efficiency and Sustainability Team, and the Southern Alliance for Clean Energy in response to a Federal Register Notice published on March 13, 2009 (74 Fed. Reg. 10,969) stating that any person adversely affected by the Commission's determination to reinstate the construction permits for Bellefonte Nuclear Plant, Units 1 and 2, to be located in Jackson County, Alabama, may request a hearing. The scope of the hearing request "is limited to whether good cause exists for the reinstatement of the [construction permits]" (ibid.; see also In the Matter of Tennessee Valley Authority (Bellefonte Nuclear Plant, Units 1 and 2), CLI-10-06, 71 NRC __ (slip op. at 6-7, 19 (Jan. 7, 2010)).

The Board is comprised of the following administrative judges:

G. Paul Bollwerk, III, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. Anthony J. Baratta
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dr. William W. Sager
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-filing rule, which the NRC promulgated in August 2007 (72 Fed. Reg. 49,139).

/RA/

E. Roy Hawkens
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this 15th day of January 2010.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
TENNESSEE VALLEY AUTHORITY)	Docket Nos. 50-438-CP
)	and 50-439 CP
(Bellefonte Nuclear Power Plant -)	
Units 1 and 2))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD have been served upon the following persons by the Electronic Information Exchange (EIE) with additional service by email on persons marked with*.

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Docket Nos. 50-438 and 50-439-CP
ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

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[Original signed By Nancy Greathead]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 15th day of January 2010.