



April 15, 2010

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*Subject:* Third Supplemental Mandatory Disclosures Pursuant to 10 C.F.R. § 2.336

Dear Counsel:

Pursuant to 10 C.F.R. § 2.336 and the Agreement of the Parties Regarding Mandatory Discovery Disclosures that was sent to the Atomic Safety and Licensing Board on December 1, 2009, Southern Alliance for Clean Energy (“SACE”) hereby makes the following third supplement to its initial disclosures of January 15, 2010. These disclosures are based on information that is currently known to SACE, and will be updated as additional information becomes available, according to the schedule set forth in our Agreement.

**I. Witnesses**

SACE has no new information to add regarding its witnesses.

**II. Documents**

In accordance with 10 C.F.R. § 2.336(a)(2), documents, data compilations, and tangible things (e.g., books, publications, and treatises) in the possession, custody, or control of SACE that are relevant to SACE’s two admitted contentions are identified in Attachment 1.



Pursuant to our Agreement, however, Attachment 1 does not list documents already served on the parties to this proceeding, relevant news clippings, and drafts of documents. Attachment 1 also excludes documents for which SACE claims privileged status, for which we have agreed not to prepare a privilege log.

Please note that the production of documents to date should not be construed as a waiver of any privilege for documents that may be discovered or generated in the future.

Please identify any documents for which you request copies. In accordance with our Agreement, we will endeavor to produce scanned copies in pdf format; or if that is not possible, we will provide you with hard copies.

Finally, attached please find my declaration regarding the completeness of SACE's document production. My declaration covers all document production to date.

Please call me if you have any questions about these disclosures.

Sincerely,

*(Electronically signed by)*

Diane Curran

Encl.: As stated

**ATTACHMENT 1: Watts Bar Unit 2 Operating License Proceeding  
Southern Alliance for Clean Energy's Third Supplement to Initial Disclosure Log -- Page 1**

NO.	DATE	LOCATION*	CATEGORY	CREATOR	SUBJECT/DESCRIPTION	CONT. #
1	Undated	HCSE	Notes	Unknown	Outfall info from TN0026450	7
2	Undated	HCSE	Report	TVA	TN0020168 Enclosures 1 thru 4 for WBN Plant SCCW System	7
3	Undated	HCSE	Regulations	EPA	EPA regulation re cooling water intake structures	7
4	Undated	HCSE	Map	Unknown	Location of fish and benthic macroinvertebrate sampling near Watts Bar	7
5	11/09/72	HCSE	EIS	TVA	Final EIS for Watts Bar, Pt. 1	7
6	11/09/72	HCSE	EIS	TVA	Final EIS for Watts Bar, Pt. 2	7
7	11/09/72	HCSE	EIS	TVA	Final EIS for Watts Bar	7
8	1975	HCSE	Article	Pflieger, W.L.	The fishes of Missouri	7
9	05/01/77	HCSE	Guidance	EPA	EPA Draft Guidance for Section 316(b)	7
10	12/29/78	HCSE	EIS	NRC	Final EIS for Watts Bar	7
11	1982	HCSE	Article	Bain, M.B., et. al	Habitat suitability index models: coastal stocks of striped bass	7
12	1982	HCSE	Article	Stuber, R.J., et. al	Habitat suitability index models: Largemouth bass	7
13	1983	HCSE	Article	Fay, C.W., et. al	Species profiles: Life histories and environmental requirements of coastal fishes and invertebrates (Mid-Atlantic) – striped bass	7
14	1988	HCSE	Article	Starnes, L.B., et. al	The mussels (Mollusca: Bivalvia: Unionidae) of Tennessee	7
15	02/26/91	HCSE	Agreement	TVA	Interagency Agreement	1
16	03/01/91	HCSE	Report	TVA	TN0020168 Mussel Bed Die-Off	7
17	1993	HCSE	Article	Etnier, D.A., et. al	The Fishes of Tennessee	7
18	1994	HCSE	Article	Rohde, F.C., et. al	Freshwater fishes of the Carolinas, Virginia, Maryland and Delaware	7
19	08/05/94	HCSE	EIS	TVA	RAI Response re Final EIS for Watts Bar	7
20	11/01/94	HCSE	EIS	NRC	Supp 1 to Draft EIS for Watts Bar	7
21	1995	HCSE	Article	Angermeir, P.L.	Ecological attributes of extinction-prone species: Loss of freshwater fishes of Virginia	7
22	04/01/95	HCSE	EIS	NRC	Final EIS for Watts Bar	7

\*Harmon Curran Spielberg & Eisenberg, L.L.P. (HSCE) is located at 1726 M St. NW, Suite 600, Washington, DC 20036

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23	04/01/95	HCSE	EIS	NRC	Supp 1 to Final EIS for Watts Bar, Pt. 1	7
24	04/01/95	HCSE	EIS	NRC	Supp 1 to Final EIS for Watts Bar, Pt. 2	7
25	12/01/95	HCSE	Report	TVA	Effects of Thermal Effluent From Sequoyah Nuclear Plant on Fish Populations in Chickamauga	7
26	04/01/96	HCSE	Report	TVA	Monthly Operating Report to NRC, April 1996	7
27	06/17/96	HCSE	Report	TVA	Monthly Operating Report to NRC, May 1996	7
28	1997	HCSE	Article	Vaughan, C.	Regional patterns of mussel species distributions in North American rivers	7
29	1998	HCSE	Article	Master, L.L., et. al	Rivers of life: Critical watersheds for protecting freshwater biodiversity	7
30	1998	HCSE	Article	Parmalee, P.W., et. al	The freshwater mussels of Tennessee	7
31	02/03/98	HCSE	Report	TVA	TN0020168 Outfall 113 Mix Zone	7
32	06/01/98	HCSE	Report	TVA	Aquatic Environmental Conditions in the Vicinity of Watts Bar Nuclear Plant During Two Years of Operation, 1996-1997	7
33	06/18/98	HCSE	Memorandum	S. Wang	TN0020168 Cormix 3 Runs	7
34	06/19/98	HCSE	Letter	TVA	TN0020168 SCCW Revised DEA	7
35	07/24/98	HCSE	Agenda	TDEC	TN0021068 Interagency Meeting 1998	7
36	07/29/98	HCSE	Report	TDEC	TN0020168 Cormix Validation Study	7
37	07/30/98	HCSE	Report	TVA	TN0020168 Instream Temp Monitoring	7
38	08/01/98	HCSE	EA	NRC	NRC EA for Watts Bar SCCW Project	7
39	08/04/98	HCSE	Memorandum	TDEC	TN0020168 Revised Antideg Review of TN River	7
40	08/06/98	HCSE	Report	TDEC	TN0020168 Conditional Site Approval Rationale	7
41	08/20/98	HCSE	Letter	TDEC	TN0020168 Conditional Site Approval for SCCW	7
42	08/20/98	HCSE	Letter	TDEC	TN0020168 Response to Site Approval Request from TVA	7
43	08/27/98	HCSE	Memorandum	TDEC	TN0020168 Habitat Along TN River R.M. 529	7
44	10/28/98	HCSE	Sampling Analysis	TVA	TN0020168 Addendum to 1998 Application for NPDES permit renewal	7
45	04/12/99	HCSE	Report	TVA	TN0020168 SCCW Project 98-1092 Hydrostatic Test Water	7
46	04/15/99	HCSE	RAI Response	TDEC	TN0020168 Response to SCCW Mussel Habitat	7

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47	04/15/99	HCSE	Table	Unknown	TN0020168 SCCW Revised Sketch Descriptions	7
48	05/17/99	HCSE	Memorandum	TDEC	TN0020168 Draft Permit 1999 Review	7
49	10/01/99	HCSE	ESRP	NRC	NUREG-1555, ESRP for Nuclear Power Plants	7
50	2000	HCSE	Article	Hampson, P.S., et. al	Water Quality in the Upper Tennessee River Basin, Tennessee, North Carolina, Virginia, and Georgia 1994-98	7
51	01/18/00	HCSE	Report	TVA	TN0020168 SCCW Mussel Habitat Enhancement	7
52	02/24/00	HCSE	Letter	TDEC	TN0020168 Mussel Habitat Expansion Proposal Extension	7
53	04/14/00	HCSE	RAI Response	TVA	TN0020168 Response to Mussel Habitat Enhancement Proposal	7
54	01/01/01	HCSE	Report	TVA	SCCW Fish Monitoring at Watts Bar	7
55	09/18/01	HCSE	Report	TVA	TN0020168 Hydrothermal Data for Outfall 113	7
56	03/08/02	HCSE	Report	TVA	TN0020168 Mussel Habitat	7
57	12/18/02	HCSE	Rule	EPA	Phase I regulations re cooling water intake structures	7
58	03/31/03	HCSE	Notes	TDEC	TN0020168 Tritium in Onsite Monitoring Wells	7
59	05/20/03	HCSE	Diagram	TVA	TN0020168 Enhancement to Flow Diagrams	7
60	04/07/04	HCSE	Request	TVA	Request to NRC for increased raw water temperature	7
61	05/01/04	HCSE	EIS	TVA	ROD re Reservoir Operations Study	7
62	06/04/04	HCSE	Presentation	TVA	TN0020168 Hydrothermal Compliance Slides	7
63	07/09/04	HCSE	Rule	EPA	Phase II regulations re cooling water intake structures	7
64	09/02/04	HCSE	Report	TVA	TN0020168 Thermal Compliance Proposal	7
65	09/21/04	HCSE	Report	TVA	TN0020168 Proposed Mods to Water Temps at Outfall 113	7
66	11/05/04	HCSE	Permit	TDEC	NPDES Permit for Watts Bar	1, 7
67	2005	HCSE	Article	Marcy, B.C., et. al	Fishes of the Middle Savannah River Basin	7
68	02/26/05	HCSE	Report	TVA	TN0020168 SCCW Fish Monitoring Program Studies	7
69	03/22/05	HCSE	Letter	TVA	WBN Unit 1 - Tritium Production Program - Unit 1 Cycle 6 Operating Experience	7
70	11/18/05	HCSE	Report	TVA	TN0020168 Compliance Survey Outfall 113 Winter 2005	7
71	2006	HCSE	Article	Simon, T.P., et. al	Reproductive biology and early life history of fishes in the Ohio River drainage	7
72	05/08/06	HCSE	Request	TVA	Request to NRC for revision of ultimate heat sink temperature	7
73	02/06/07	HCSE	Report	TVA	TN0020168 Compliance Survey Outfall 113 Summer and	7

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					Winter 2006	
74	03/01/07	HCSE	Notes	TVA	TN0020168 Blowdown Notes	7
75	12/20/07	HCSE	Report	TVA	Impingement Monitoring at Watts Bar 2005-07	7
76	02/15/08	HCSE	EIS	TVA	Final Supp EIS for Watts Bar 2	7
77	06/01/08	HCSE	Regulations	TDEC	Tennessee Water Quality Criteria	1, 7
78	06/22/08	HCSE	Report	TVA	TN0020168 Compliance Survey Outfall 113 Summer 2007	7
79	06/22/08	HCSE	Report	TVA	TN0020168 Compliance Survey Outfall 113 Winter 2007	7
80	07/02/08	HCSE	RAI Response	TVA	RAI Response re Final Supp EIS for Watts Bar 2	7
81	01/01/09	HCSE	Notice	TDEC	Proposed changes to TN water quality criteria	1, 7
82	04/01/09	HCSE	Permit	TVA	Application for Watts Bar NPDES permit	1, 7
83	06/12/09	HCSE	Email	E. Vigliuici (TVA)	Watts Bar Hearing Notice	1, 7
84	06/15/09	HCSE	Email	D. Curran (HCSE)	Watts Bar 2 Hearing Notice	1, 7
85	06/30/09	HCSE	Letter	EPA	Letter to TDEC re NPDES permit application and thermal variance	1, 7
86	08/31/09	HCSE	Permit	TDEC	Draft NPDES Permit for Watts Bar	1, 7
87	09/01/09	HCSE	Report	TVA	Watts Bar RFAI Analysis 1993-2008	7
88	09/08/09	HCSE	Email	R. Jacobs (HCSE)	Request for Application	1, 7
89	09/08/09	HCSE	Email	R. Jacobs (HCSE)	Request for Application	1, 7
90	09/08/09	HCSE	Email	R. Jacobs (HCSE)	Request for Application	1, 7
91	09/17/09	HCSE	Email	M. Fraser (HCSE)	Watts Bar 316(b) Monitoring Program Submittal	7
92	09/17/09	HCSE	Email	S. Fathi (TDEC)	Watts Bar 316(b) Monitoring Program Submittal	7
93	09/17/09	HCSE	Email	S. Fathi (TDEC)	Watts Bar 316(b) Monitoring Program Submittal	7

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94	09/18/09	HCSE	Email	S. Fathi (TDEC)	Watts Bar	7
95	09/22/09	HCSE	Email	S. Fathi (TDEC)	TVA-Watts Bar	7
96	09/24/09	HCSE	Email	S. Fathi (TDEC)	Clarification	7
97	09/24/09	HCSE	Email	S. Fathi (TDEC)	Advance copy of Watts Bar Comment letter	7
98	10/01/09	HCSE	Report	GAO	Report on benefits of improving federal water use data	7
99	01/01/09	HCSE	Email	B. Paddock (S. Club)	Schedule for informal meeting and public hearing on Watt Bar Nuclear Plant draft NPDES	
100	10/02/09	HCSE	Email	V. Janjic (TDEC)	Schedule for informal meeting and public hearing on WattBarNuclear plant draft NPDES	1, 7
101	10/06/09	HCSE	Email	V. Janjic (TDEC)	Schedule for informal meeting and public hearing on WattBarNuclear plant draft NPDES	1, 7
102	10/29/09	HCSE	Email	B. Paddock (S. Club)	TVA reports on Watts Bar & tritium	7
103	10/29/09	HCSE	Email	B. Paddock (S. Club)	Watts Bar draft NPDES – thermal	7
104	10/29/09	HCSE	Email	B. Paddock (S. Club)	Watts Bar draft NPDES	7
105	10/30/09	HCSE	Email	B. Paddock (S. Club)	Watts Bar file review	7
106	11/30/09	HCSE	RAI	NRC	RAI re Watts Bar 2 SAMA analysis report	7
107	12/03/09	HCSE	RAI	NRC	RAI re Environmental Review	7
108	12/07/09	HCSE	Email	B. Paddock (S. Club)	Watts Bar NPDES Public Hearing	1, 7
109	12/07/09	HCSE	Email	B. Paddock (S. Club)	Watts Bar NPDES Comment Deadline	1, 7
110	12/07/09	HCSE	Email	V. Janjic (TDEC)	Watts Bar NPDES Comment Deadline	1,7

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111	12/17/09	HCSE	Email	V. Janjic (TDEC)	Watts Bar NPDES public hearing	7
112	12/21/09	HCSE	Comments	A. Harris (WTP)	Comments on NPDES permit renewal for Watts Bar Unit 1	1, 7
113	12/22/09	HCSE	Email	B.Paddock (S. Club)	WB2 RAI Environmental Rev.	1,7
114	12/23/09	HCSE	RAI Response	TVA	RAI Response re Environmental Review	7
115	01/04/10	HCSE	Curriculum Vitae	S. Young (expert)	C.V. of Shawn P. Young, Ph.D.	1, 7
116	01/04/10	HCSE	Email	V. Janjic (TDEC)	Watts Bar NPDES	1,7
117	01/11/10	HCSE	Comments	SACE, et. al	Comments regarding draft NPDES permit for Watts Bar Unit 1	1, 7
118	01/11/10	HCSE	Email	V. Janjic (TDEC)	Comments on Draft NPDES Permit	7
119	01/11/10	HCSE	Email	A. Harris (WTP)	Amendment to comments submitted on 12/21-09	1,7
120	01/12/10	HCSE	Email	D. Curran	Comments on Draft NPDES Permit	1,7
121	04/02/10	HCSE	Letter	William Adriance	Letter to Dara F. Gray (Entergy Nuclear Operations, Inc.) re: Notice of Denial of CWA § 401 Water Quality Certificate	7

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**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of	)	
	)	
Tennessee Valley Authority	)	Docket No. 50-391
	)	
(Watts Bar Unit 2)	)	
	)	

**CERTIFICATION OF COUNSEL CONCERNING  
MANDATORY DISCLOSURE REQUIREMENTS OF 10 C.F.R. § 2.336(a)**

Under penalty of perjury, I, Diane Curran, declare as follows:

I am counsel to Southern Alliance for Clean Energy (“SACE”) in this proceeding. I am responsible for assembling and producing discovery documents in SACE’s possession, as required by 10 C.F.R. § 2.336(a). Pursuant to 10 C.F.R. § 2.336(c), I certify that all relevant documents required by 10 C.F.R. § 2.336(a) have been disclosed, and that the disclosures are accurate and complete as of this date.

(Electronically signed by) \_\_\_\_\_  
Diane Curran

April 15, 2010

