

October 4, 2010

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

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

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

In the Matter of
TENNESSEE VALLEY AUTHORITY
(Bellefonte Nuclear Power Plant, Units 3 and 4)
Docket Nos. 52-014 and 52-015

Dear Administrative Judges:

In order to keep the Atomic Safety and Licensing Board (Board) apprised of significant activities affecting the Bellefonte combined license review schedule, the NRC staff (Staff) is attaching a recent letter from the Tennessee Valley Authority (TVA). In this letter, TVA states that if the TVA Board of Directors decides to complete Unit 1 prior to proposed Units 3 and 4, a "significant revision" to the Unit 3 and 4 combined license application (COLA) would be required. Attachment 1 at 1. This revision is anticipated to take approximately two years to complete. *Id.* TVA also states that if Unit 1 completion is pursued, it will notify the NRC of the expected COLA revision date "no later than 90 days ahead of the submittal." *Id.* Consequently, TVA requests that the Staff defer a large portion of its COLA review. *Id.* Given TVA's proposed time frame,

Judge Bollwerk
Judge Sager
Judge Barratta

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the Staff does not expect to formulate a review schedule until it receives TVA's 90-day notification of its anticipated revised COLA.

As in the past, the Staff will update the Board and the other parties if any significant new information becomes available.

Respectfully submitted,

/Signed (electronically) by/

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See attached certificate of service

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
TENNESSEE VALLEY AUTHORITY) Docket Nos. 52-014 and 52-015
)
Bellefonte Nuclear Power Plant)
(Units 3 and 4))

CERTIFICATE OF SERVICE

I hereby certify that copies of NRC Staff letter dated October 4, 2010, have been served upon the following persons by Electronic Information Exchange this 20th day of September, 2010:

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Attachment 1



Tennessee Valley Authority, 1101 Market Street, LP 5A, Chattanooga, Tennessee 37402-2801

September 29, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

In the Matter of _____)
Tennessee Valley Authority)

Docket No. 52-014 and 52-015

TENNESSEE VALLEY AUTHORITY (TVA) – BELLEFONTE UNITS 3 AND 4 COMBINED LICENSE APPLICATION (COLA) REVIEW

- Reference: 1) Letter from David B. Matthews (NRC) to Ashok S. Bhatnagar (TVA), Application for Combined License for Bellefonte Units 3 and 4, dated January 18, 2008
- 2) Letter from Daniel Pratt (TVA) to Document Control Desk (NRC), Bellefonte Nuclear plant (BLN) Project - TVA Board of Directors' Decision Funding the Next Project Phase During Fiscal Year 2011, dated August 30, 2010

On January 18, 2008, the NRC accepted TVA's COLA for Bellefonte Units 3 and 4 (Reference 1). On August 30, 2010, TVA informed the NRC of the TVA Board of Directors decision to provide funding for continued engineering, design, and regulatory-basis development, as well as the procurement of long-lead components such as steam generators, for Bellefonte Unit 1 in order to preserve the completion option for this unit on a timely basis (Reference 2). A recently completed Final Supplemental Environmental Impact Statement confirmed that completion of the partially constructed Bellefonte Unit 1 is the preferred alternative for near-term additional generating capacity at this site. It is expected that the TVA Board will be asked to consider final approval of Unit 1 following completion of TVA's new Integrated Resource Plan, which is scheduled to be completed in spring 2011. Should the TVA Board decide to complete Unit 1, this decision will impact the schedule for review of the COLA since significant revisions to the Units 3 and 4 COLA will be required. Additional site studies, investigations and engineering required to support the COLA revision are anticipated to take approximately two years to complete. If Unit 1 completion is pursued, TVA will notify the NRC of the expected COLA revision date no later than 90 days ahead of the submittal.

Based on these developments, with the exception of the hydrology flood related review that is site-specific and not affected by the BLN Unit 1 decision, TVA requests that the NRC defer its Units 3 and 4 COLA review efforts as detailed in the enclosure to this letter. In addition, TVA respectfully requests that NRC provide a plan and schedule for completing the hydrology review. TVA proposes to work closely with the staff in

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assessing each of the remaining open items in order for the deferral of the COLA review to be accomplished in a timely and orderly manner that preserves the work accomplished to date.

If you should have any questions, please contact Tom Spink at 1101 Market Street, LP5A, Chattanooga, Tennessee 37402-2801, by telephone at (423) 751-7062, or via email at tespink@tva.gov.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 29th day of SEPT., 2010.



Gordon Arent
General Manager, New Generation Licensing
Nuclear Generation Development & Construction

Enclosure
cc: See Page 3

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Enclosure

GENERAL

TVA will submit a "Me Too" letter adopting the standard content submitted on the Vogtle docket. TVA will also submit an annual update in December 2010 to incorporate changes, both standard and site specific, submitted since the October 31, 2009. Subsequent annual updates will continue to be submitted as required by 10 CFR 50.71 (e)(3)(iii) and 10 CFR Part 52.

TVA requests that review activities be deferred related to the Exclusion Area Boundary (EAB) atmospheric dispersion departure BLN DEP 2.3-1, and the containment leak rate technical specification and AP1000 DCD Tier 1 EAB atmospheric dispersion site parameter Exemption Requests.

Chapter 1

TVA requests the staff update the eRAI Report status for items identified as "Responded".

Chapter 2

Sections 2.1, 2.2, 2.3 and 2.5

TVA requests that the NRC update the review and update the status for items where Open Item responses have been submitted.

Section 2.4

TVA requests that the NRC review the "Probable Maximum Flood" (January 15, 2010 - ML100200617) and "Seismic Dam Failure" (May 25, 2010 - ML100620826) submittals. TVA requests the staff update the eRAI Report status for non-flood related items identified as "Responded".

Chapters 3 through 19

TVA requests the staff update the eRAI Report status for items identified as "Responded" and for items where Open Item responses have been submitted.