



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

October 8, 2010

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

In the Matter of _____)
Tennessee Valley Authority)

TVA VOLUNTARY RESPONSE TO RIS 2010-01

Reference: 1) NRC Regulatory Issue Summary 2010-01, Process for Scheduling
Acceptance Reviews of New Reactor Licensing Applications for
Determining Budget Needs for Fiscal Year 2012.

The purpose of this letter is to provide the TVA voluntary response to the NRC RIS
2010-01 (Referenced NRC RIS). TVA is providing this information solely to assist the
NRC in its planning and scheduling efforts.

TVA's voluntary response to this RIS is given in Enclosure 1. Enclosure 1 includes TVA
proprietary information and should be withheld from public disclosure in accordance
with 10 CFR 2.390(a)(4). This response includes both proprietary and public versions
of Enclosure 1. Enclosure 2 is the accompanying TVA affidavit supporting the
proprietary nature of the information in the response. The affidavit sets forth the basis
on which the information may be withheld from public disclosure by the Commission,
and addresses with specificity the considerations listed in 10 CFR 2.390(b)(4) of the
Commission's regulations. TVA hereby requests that the enclosed proprietary
information be withheld from public disclosure in accordance with the aforementioned
regulation.

If you have any questions, please contact Gordon Arent at 1101 Market Street, LP5A,
Chattanooga, Tennessee 37402-2801, by telephone at (423)751-2233, or via email at
garent@tva.gov.

Sincerely,

Jack A. Bailey
Vice President, Nuclear Generation Development
Nuclear Generation Development and Construction

Enclosures

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NRR

U.S. Nuclear Regulatory Commission

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cc: See Page 2

cc (w/o Enclosures):

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cc (Enclosures):

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A. S. Bhatnagar, LP 6A-C

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S. A. Vance, WT 6A-K
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J. Rinckel, FirstEnergy
B. Masse, Oglethorpe Power
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Enclosure
TVA Voluntary Response to NRC Regulatory Issue Summary 2010-01

On February 3, 2010, NRC issued NRC Regulatory Issue Summary (RIS) 2010-01, "Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications and Process for Determining Budget Needs for Fiscal Year 2012." The NRC stated that the intent of the RIS was to provide the NRC with information to assist in determining fiscal year (FY) 2012 (October 1, 2011, to September 30, 2012) resource and budget needs with respect to future construction-related activities and other anticipated 10 CFR Part 52 licensing actions. The following TVA response addresses anticipated licensing actions for a Small Modular Reactor (SMR) that will likely impact NRC resource and budget needs.

Small Modular Reactor Activities

TVA plans to develop and submit Key Licensing Assumptions and a detailed Regulatory Framework for one or more SMR modules. TVA will develop a detailed regulatory framework that will address the regulatory requirements applicable to licensing an SMR. [REDACTED]

TVA
Business
Proprietary

While the intent of the RIS is associated with anticipated 10 CFR Part 52 licensing actions, TVA is evaluating performing the SMR activities using the 10 CFR Part 50 licensing process. The timeframes specified above remain unchanged. TVA will notify NRC of any changes to the above descriptions.

TVA considers the above information to be Business Proprietary, as supported by the attached affidavit. TVA is providing this information solely to assist the NRC in its planning efforts.

Enclosure 2
October 8, 2010
Page 1

Enclosure 2
TVA Affidavit

In the Matter of)
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Tennessee Valley Authority)
Voluntary Response)
RIS 2010-01)
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)

AFFIDAVIT

STATE OF TENNESSEE)
)
COUNTY OF HAMILTON)

1. My name is Jack A. Bailey. I am Vice President, Nuclear Generation Construction and Development for the Tennessee Valley Authority (TVA), and, as such, I am authorized to execute this affidavit.

2. I am familiar with the criteria applied by TVA to determine whether certain TVA information is proprietary. I am familiar with the policies established by TVA to ensure the proper application of these criteria.

3. I am familiar with the TVA information contained in TVA's voluntary response to "Regulatory Issue Summary 2010-01, Process for Scheduling Acceptance Reviews of New Reactor Licensing Applications for Determining Budget Needs for Fiscal Year 2012," dated February 3, 2010. Bracketed (redacted) information contained in the third paragraph of this response has been classified by TVA as proprietary in accordance with the policies established by TVA for the control and protection of proprietary and confidential information.

4. This response contains information of a proprietary and confidential nature and is of the type customarily held in confidence by TVA and not made available to the public. Based on my experience, I am aware that other companies regard information of the kind contained in this response as proprietary and confidential.

5. TVA has made the information in this response available to the U.S. Nuclear Regulatory Commission in confidence with the request that the bracketed (redacted) information contained in this response be withheld from public disclosure. The request for withholding of proprietary information is made in accordance with 10 CFR 2.390. The information for

which withholding from disclosure is requested qualifies under 10 CFR 2.390(a)(4), "Trade secrets and commercial or financial information."

6. In accordance with the criteria established in 10 CFR 3.90(b)(4), TVA hereby asserts the following bases for classifying the bracketed (redacted) information in this response as proprietary:

- (a) The information in this response has been held in confidence by TVA;
- (b) The information in this response is of the type normally held in confidence by TVA because it reveals preliminary planning information regarding the timing of construction or development of new generation sources, and a decision to pursue these new generation sources has not been authorized or approved by the TVA Board of Directors;
- (c) TVA is transmitting this information voluntarily to the NRC and in confidence;
- (d) The information in this response is not available in any public source; and,
- (e) If revealed, the information in the response could substantially harm the competitive position of TVA by revealing planning information that is preliminary in nature and could harm TVA's efforts to subsequently procure competitive goods and services.

7. In accordance with TVA's policies governing the protection and control of information, proprietary information contained in this response has been made available, on a limited basis, to others outside of TVA only as required and under suitable agreements providing for nondisclosure and limited use of the information.

8. The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Jack A. Bailey

Jack A. Bailey
Vice President, Nuclear Generation Development
Nuclear Generation Development and Construction
Tennessee Valley Authority
423-751-3922

Sworn to and subscribed before me

this 8 th day of October 2010.

Tabitha Billingsley

Notary Public

My commission expires: August 25, 2012

