



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

January 13, 2011

10 CFR 2.109

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

In the Matter)
Tennessee Valley Authority)

Docket No. 50-438

TENNESSEE VALLEY AUTHORITY (TVA) - BELLEFONTE NUCLEAR PLANT (BLN) UNIT 1 (CPPR-122) – ACKNOWLEDGEMENT OF NRC LETTER REGARDING REQUEST FOR EXTENSION OF CONSTRUCTION PERMIT CPPR-122

- References:
1. Letter from NRC to TVA, "Bellefonte Nuclear Plant, Unit 1 – Request Extension to Construction Permit (TAC No. ME4914)," dated December 20, 2010 [ML103010033].
 2. Letter from TVA to NRC, "Bellefonte Nuclear Plant (BLN) Unit 1 – Request for Extension of Construction Permit CPPR-122," dated October 8, 2010 [ML102870233].

The purpose of this letter is to acknowledge the receipt of the Nuclear Regulatory Commission's letter (Reference 1) regarding the Staff review of TVA's request for extension of the latest completion date under Bellefonte Unit 1 Construction Permit CPPR-122 (Reference 2).

From the information contained in Reference 1, TVA understands that NRC Staff will review the request pursuant to 10 CFR §50.55(b) and determine whether TVA has provided good cause to extend the completion date for a reasonable period of time and complete an associated environmental assessment as required under 10 CFR §51.22. Further, Reference 1 indicated that the Staff is commencing a limited review with available resources and does not intend to complete the review before TVA's Integrated Resource Planning process is completed, which is currently scheduled for spring of 2011.

Currently, the latest completion date under Construction Permit CPPR-122 is October 1, 2011. The extension request in Reference 2 was timely as required by 10 CFR §2.109, "Effect of Timely Renewal Application." Title 10 CFR §2.109(a) provides that, "... if at least 30 days before the expiration of an existing license authorizing any activity of a continuing nature, the licensee

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files an application for a renewal or for a new license for the activity so authorized, the existing license will not be deemed to have expired until the application has been finally determined."

NRC Generic Letter 87-15, "Commission Policy Statement on Deferred Plants," Section III.A.2, "Extension of Construction Permit," further states the licensee must ensure that its construction permit does not expire and refers to 10 CFR §2.109 as referenced above, reiterating that, "if a request for renewal of a license is made 30 days before the expiration date, the license will not be deemed to have expired until the application has been finally processed."

Should NRC's review of the extension request of CPPR-122 extend beyond the current latest completion date, it is TVA's understanding that the existing construction permit would not be deemed to have expired until its request has been finally determined.

No regulatory commitments are identified in this letter. TVA will keep the NRC Staff informed of its ongoing activities related to the Bellefonte project and would appreciate the NRC Staff's feedback if TVA's understanding regarding the effect of its timely construction permit extension request is incorrect.

Sincerely,



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cc: (see page 3)

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