



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

EA-12-049

July 29, 2013

10 CFR 2.202

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

Bellefonte Nuclear Plant, Units 1 and 2
Construction Permit Nos. CPPR-122 and CPPR-123
NRC Docket Nos. 50-438 and 50-439

Subject: Tennessee Valley Authority – Proposed Alternative Submittal of the Overall Integrated Plans in Response to March 12, 2012, Commission Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (Order Number EA-12-049) for Bellefonte Nuclear Plant Units 1 and 2

- References:
1. NRC Order Number EA-12-049, "Issuance of Order to Modify Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," dated March 12, 2012 (ML12054A735)
 2. NRC Interim Staff Guidance JLD-ISG-2012-01, "Compliance with Order EA-12-049, Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events," Revision 0, dated August 29, 2012 (ML12229A174)
 3. NEI 12-06, "Diverse and Flexible Coping Strategies (FLEX) Implementation Guide," Revision 0, August 2012 (ML12242A378)
 4. Letter from TVA to NRC, "Tennessee Valley Authority – Initial Status Report in Response to March 12, 2012, Commission Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (Order Number EA-12-049)," dated October 29, 2012 (ML12307A104)
 5. Commission Policy Statement on Deferred Plants, dated October 14, 1987 (52 FR 38077)

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On March 12, 2012, the Nuclear Regulatory Commission (NRC) issued an immediately effective order (Order Number EA-12-049) entitled "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (Effective Immediately)" to "All Power Reactor Licenses and Holders of Construction Permits in Active or Deferred Status" (Reference 1). On August 29, 2012, the NRC issued the final interim staff guidance (Reference 2) that endorsed the industry guidance (Reference 3) related to Order EA-12-049. On October 29, 2012 TVA provided an initial status report (Reference 4) describing plans related to Order EA-12-049. NRC Order EA-12-049, Section IV, Condition C.1.b requires submission of an overall integrated plan within one (1) year after issuance of the final interim staff guidance (Reference 2), including a description of how the requirements described in Attachment 2 of the Order will be achieved.

The purpose of this letter is to request that the Director, Office of Nuclear Reactor Regulation (NRR) relax Condition C.1.b based upon the good cause described herein and authorize TVA to submit the overall integrated plans by the dates that TVA submits construction reactivation letters for Bellefonte Units 1 and 2, respectively.

As of the date of this letter, Bellefonte Units 1 and 2 remain in deferred plant status. At least 120 days before TVA expects to resume construction at Bellefonte Units 1 and 2, TVA will submit letters to the Director of NRR providing the information specified by Section III.A.6 of the Commission Policy Statement on Deferred Plants (Reference 5) to the extent that the information has not been submitted during the deferral period. The information required by Condition C.1.b of Order EA-12-049 is encompassed by Section III.A.6.e of the Commission Policy Statement on Deferred Plants, which states that the licensee should submit a "list of any new regulatory requirements applicable to the plant that have become effective since plant construction was deferred, together with a description of the licensee's proposed plans for compliance with these requirements or a commitment to submit such plans by a specified date."

Based upon the above information, TVA requests the Director, NRR, authorize TVA to comply with Condition C.1.b of Order EA-12-049, by submitting the overall integrated plans for Bellefonte Units 1 and 2 as part of TVA's submission under Section III.A.6 of the Commission Policy Statement on Deferred Plants, by the respective dates that TVA submits the letters to reactivate construction at Bellefonte Units 1 and 2.

There are no regulatory commitments contained in this letter.

If you have any questions or require additional information, please do not hesitate to contact Martin Bryan at (256) 574-8265.

Respectfully,



K. D. Stinson
Vice President
Bellefonte Project

cc: See page 4

Subscribed and sworn to before me

on this 29th day of July 2013

Kimberly Robbins
Notary Public

My Commission Expires 04/27/2016

cc:

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