

NRR-PMDAPeM Resource

From: Hon, Andrew
Sent: Tuesday, May 31, 2016 11:16 AM
To: Shea, Joseph W; Schrull, Edward Dustin (edschrull@tva.gov); Williams, Gordon Robert
Cc: Bowers, Anthony; Harwell, Shawn; Hess, Thomas A (tahess@tva.gov); Buckberg, Perry; Schaaf, Robert
Subject: Accepted for Review - Sequoyah Nuclear Plant Exemption Request to Balance Nuclear Decommission Trust Fund (CAC MF7562 and MF7563)

By letter dated March 10, 2016 (ADAMS NO. [ML16071A237](#)), TVA submitted the subject [exemption](#) request for Sequoyah Units 1 and 2. The purpose of this e-mail is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

In the submittal, TVA requests a one-time exemption from the requirements in 10 CFR 50.82(a)(8) to authorize the reallocation of surplus funds from the nuclear decommissioning trust fund (DTF) for SQN 1 and 2, to the DTFs for Browns Ferry Nuclear Plant Units 1, 2, and 3 and Watts Bar Nuclear Plant, Units 1 and 2. While the NRC has previously authorized a similar request for exemption from the requirements in 10 CFR 50.82(a)(8), staff notes that the facts surrounding this TVA request differ. Specifically, all reactor facilities involved in the proposed plan are in an operational status and, therefore, an additional exemption from 10 CFR 50.75(h)(2) is required. The regulations in 10 CFR 50.75 establish requirements for how a licensee [of a reactor currently in operation] will provide reasonable assurance that funds will be available for the decommissioning process. The regulations in 10 CFR 50.75(h)(2) prohibit disbursements or payments from a DTF except for withdrawals being made under 10 CFR 50.82(a)(8), or for payments of ordinary administrative costs and other incidental expenses of the fund in connection with the operation of the fund. Based on collaboration with the Office of General Counsel, the staff concludes that it is able to grant exemptions on its own initiative. As such, the additional exemption from 10 CFR 50.75(h)(2) will be considered during the staff's analysis.

Based on its preliminary review, the staff finds that the exemption request contains the basic information required to commence its review of TVA's submittal. If additional information is warranted for staff to complete its comprehensive technical review, you will be advised by separate correspondence.

If you have any questions, please contact me.

Andy Hon, PE

Project Manager (Brunswick Nuclear Plant 1 & 2, Sequoyah Nuclear Plant 1 & 2)

Plant Licensing Branch II-2

Division of Operating Reactor Licensing

Office of Nuclear Reactor Regulation

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From: Hon, Andrew

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