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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II

245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

May 3, 2017

EA-17-069

Mr. Joseph W. Shea
Vice President, Nuclear Licensing
Tennessee Valley Authority
1101 Market Street, LP 3D-C
Chattanooga, TN 37402-2801

SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 and 3 – NRC SECURITY
INSPECTION REPORT 05000259/2017408, 05000260/2017408, AND
05000296/2017408; PRELIMINARY GREATER THAN GREEN FINDING

Dear Mr. Shea:

This letter transmits the results of the NRC's initial review of a finding that has preliminarily been determined to be Greater than Green, a finding of greater than very low safety significance resulting in the need for further evaluation to determine significance and therefore the need for additional NRC action. This finding was assessed based on the best available information, using the Baseline Security Significance Determination Process (BSSDP).

The finding is also an apparent violation of NRC requirements and is being considered for escalated enforcement action in accordance with the Enforcement Policy, which can be found on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>

Before we make a final decision on this matter, we are providing you with an opportunity to (1) attend a Regulatory Conference where you can present to the NRC your perspective on the facts and assumptions the NRC used to arrive at the finding and assess its significance, or (2) submit your position on the finding to the NRC in writing. If you request a Regulatory Conference, it should be held within 40 days of the receipt of this letter and we encourage you to submit supporting documentation at least one week prior to the conference in an effort to make the conference more efficient and effective. If you choose to attend a regulatory conference, a meeting notice will be issued; however, the regulatory conference will be closed to public observation. The focus of the Regulatory Conference is to discuss the significance of the finding and not necessarily the root cause(s) or corrective action(s) associated with the finding. If you decide to submit only a written response, such submittal should be sent to the NRC within 40 days of your receipt of this letter. If you decline to request a Regulatory Conference or to submit a written response, you relinquish your right to appeal the final SDP

~~Enclosure(s) transmitted herewith contain(s) SUNSI. When separated from Enclosure(s), this transmittal document is decontrolled.~~

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determination, in that by not doing either, you fail to meet the appeal requirements stated in the Prerequisite and Limitation sections of Attachment 2 of NRC Inspection Manual Chapter 0609.

Please contact James Shehee at 404-997-4563 and in writing within 10 days from the issue date of this letter to notify the NRC of your intentions. If we have not heard from you within 10 days, we will continue with our significance determination and enforcement decision. The final resolution of this matter will be conveyed in separate correspondence.

Because the NRC has not made a final determination in this matter, no Notice of Violation is being issued for this inspection finding at this time. In addition, please be advised that the number and characterization of the apparent violation described in the enclosed inspection report may change as a result of further NRC review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>

However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>

If Security Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

/RA/

Anthony T. Gody, Director
Division of Reactor Safety

Docket Nos. 50-259, 50-260, and 50-296
License Nos. DPR-33, DPR-52 and DPR-68

Enclosure:
Preliminary Significance Determination
and Apparent Violation (OUO)

cc: (See page 3)

J. Shea

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cc:

Mr. Steven M. Bono
Site Vice President
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Mr. James L. Paul
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SUBJECT: BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 and 3 – NRC SECURITY REACTIVE INSPECTION REPORT 05000259/2017408, 05000260/2017408, and 05000296/2017408 – Dated: May 3, 2017

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