

May 16, 2012
EN-12-024

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Tennessee Valley Authority (EA-12-071)
Browns Ferry Nuclear Plant, Units 1, 2, and 3
Docket Numbers 50-259, 260 and 296

Subject: CONFIRMATORY ORDER (EFFECTIVE IMMEDIATELY) TO TENNESSEE
VALLEY AUTHORITY

This is to inform the Commission that a Confirmatory Order (CO) will be issued on or about May 21, 2012, to the Tennessee Valley Authority (TVA, licensee), confirming TVA's commitment to submit its license amendment request (LAR) by March 29, 2013. This LAR will transition the Browns Ferry Nuclear Plant (BFN) Units 1, 2, and 3, to the National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," in accordance with Section 50.48(c) to Title 10 of the *Code of Federal Regulations*.

On March 4, 2009, TVA notified the NRC of its intent to transition the BFN units 1, 2, and 3 to NFPA 805 along with its commitment to submit the LAR by March 4, 2012. However, due to TVA's implementation of its transition strategy and continued development of a high-quality application, the LAR will require more time than originally anticipated. In a letter dated January 13, 2012, the licensee proposed a new submittal date of March 29, 2013. This proposed date is beyond the 3-year timeframe and, thus, exceeds the enforcement discretion (i.e., until March 4, 2012) that the NRC granted to BFN for certain fire protection noncompliances.

The licensee provided justification for the revised submittal date including a summary of the remaining key activities and major milestones for completing its NFPA 805 application. The staff reviewed this information, and finds that TVA has provided adequate justification for the submittal delay. The CO constitutes the NRC's acceptance of the proposed March 29, 2013 submittal date, and extends enforcement discretion for certain fire protection noncompliances for BFN Units 1, 2, and 3 until March 29, 2013.

The schedule for the issuance for all actions is:

Mailing of Notice and closure letters	May 21, 2012
Telephone notification to the licensee	May 21, 2012

The State of Alabama will be notified.

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