



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

May 15, 2013

Administrative Judge
Paul S. Ryerson, Chair
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Paul B. Abramson
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Administrative Judge
Gary S. Arnold
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
TENNESSEE VALLEY AUTHORITY
(Watts Bar Nuclear Plant Unit 2)
Docket No. 50-391-OL; ASLBP No. 09-893-01-OL-BD01

Dear Administrative Judges:

The NRC Staff hereby submits Supplement 40 to the hearing file for the Watts Bar Nuclear Plant (Unit 2) OL proceeding, Docket No. 50-391-OL.

Pursuant to the agreement of the parties, disclosures and the hearing file may be limited to final non-privileged documents relevant to the admitted contentions. Further, historical versions of the application need not be listed and privilege logs are waived.

This supplement to the hearing file includes materials required pursuant to 10 C.F.R. § 2.1203, as well as the Staff's mandatory disclosures produced pursuant to 10 C.F.R. § 2.336, as modified by the agreement. Materials in the hearing file may be accessed through the Agencywide Documents Access and Management System ("ADAMS"). An index containing the ADAMS accession number, date, and title or description of public each item in the hearing file is appended hereto as Attachment 1.

The Staff has taken a broad approach in identifying potentially-relevant documents for inclusion in the disclosures and hearing file. Additional public documents associated with the application, but not relevant to the admitted contention, are readily accessible in ADAMS. In addition, pursuant to the agreement of the parties, the Staff will continue to work with both parties to provide access to documents.

On or around May 15, 2013, the supplement to the hearing file will be made available via the Electronic Hearing Docket ("EHD"), which may be accessed at the following URL: <http://adams.nrc.gov/ehd/>. The hearing file will be contained in a sub-folder entitled, "Watts Bar Hearing File" of the "Watts_Bar_50-391-OL" folder of the EHD.

Further, attached is the affidavit of Justin C. Poole certifying that all relevant materials required under the agreement of the parties by this section have been disclosed, and that the disclosures are accurate and complete for documents identified as of May 14, 2013.

Sincerely,

/Signed (electronically) by/

David Roth
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O15-D21
Washington, DC 20555
Telephone: (301) 415-2749
E-mail: David.Roth@nrc.gov
Signed: May 15, 2013

Enclosures: Attachment 1 – Public Hearing File Index

Affidavit of Justin C. Poole

May 15, 2013

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
TENNESSEE VALLEY AUTHORITY)	Docket No. 50-391-OL
)	
(Watts Bar Nuclear Plant, Unit 2))	

AFFIDAVIT OF JUSTIN C. POOLE CONCERNING
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(b)

I, Justin C. Poole, do hereby state as follows:

1. I am employed as Senior Project Manager, Plant Licensing Branch LPL II-2, in the Division of Operator Reactor Licensing in the U.S. Nuclear Regulatory Commission's ("NRC") Office of Nuclear Reactor Regulation. My responsibilities include oversight of the NRC Staff's review and evaluation of the Watts Bar Nuclear Plant, Unit 2 operating license application ("OLA"). Among other things, I am managing the preparation of the hearing file and mandatory disclosures in connection with the OLA at issue in this proceeding.

2. I hereby certify that all relevant materials required to be disclosed pursuant to 10 C.F.R. §§ 2.336 and 2.1203, as modified by the parties' agreement of December 1, 2009, have been disclosed, and that the disclosures are accurate and complete for documents identified as of May 14, 2013.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

/Executed in Accord with 10 CFR 2.304(d)/

Justin C. Poole
Senior Project Manager,
NRR/DORL/LPL II-2
U.S. Nuclear Regulatory Commission
Washington, DC 20555
Telephone: (301)415-2048
E-mail: Justin.Poole@nrc.gov
Date Signed: May 15, 2013

ATTACHMENT 1 WATTS BAR OPERATING LICENSE APPLICATION HEARING FILE AND MANDATORY DISCLOSURES

HEARING FILE INDEX

Supplemental Disclosures – May 15, 2013

ID#	Accession Number	Document Date	Title
40-001	ML13107B494	4/17/2013	04/16/2013 Meeting Summary with the Public to Discuss the Annual Assessment of the Watts Bar Nuclear Unit 2 Construction Project.
40-002	ML13095A403	4/9/2013	04/29/2013 Notice of Meeting with Tennessee Valley Authority (TVA) Regarding Extension Request to Respond to Recommendation 2.1, Flooding, of Near-Term Task Force Review of Insights from Fukushima Da-ichi Accident for Sequoyah Nuclear Plant & Watts Bar.
40-003	ML13099A350	3/7/2013	2013/03/07 Watts Bar 2 OL - 2012-03-07 - WBN Project Plan - Unit 2.pdf
40-004	ML13099A353	3/7/2013	2013/03/07 Watts Bar 2 OL - TVA letter to NRC_03-06-13_2-PTI-068-13 transmittal to NRC
40-005	ML13099A349	3/11/2013	2013/03/11 Watts Bar 2 OL - 2012-03-11 - WBN Project Plan - Unit 2.pdf
40-006	ML13099A372	3/12/2013	2013/03/12 Watts Bar 2 OL - TVA letter to NRC_03-12-2013_ Code Transition Change to two Previous Statements
40-007	ML13099A360	3/13/2013	2013/03/13 Watts Bar 2 OL - TVA letter to NRC_03-13-2013_ WBN2 Transmittal of Revised Unit 1 Unit 2 As Designed FPR
40-008	ML13099A344	3/14/2013	2013/03/14 Watts Bar 2 OL - 2012-03-14 - WBN Project Plan - Unit 2.pdf
40-009	ML13099A341	3/18/2013	2013/03/18 Watts Bar 2 OL - 2012-03-18 - WBN Project Plan - Unit 2.pdf
40-010	ML13099A369	3/18/2013	2013/03/18 Watts Bar 2 OL - TVA letter to NRC_03-18-13_ FSEIS Document Submittal
40-011	ML13099A370	3/18/2013	2013/03/18 Watts Bar 2 OL - TVA letter to NRC_03-18-2013_ CAT II Cable Letter
40-012	ML13099A336	3/21/2013	2013/03/21 Watts Bar 2 OL - 2012-03-21 - WBN Project Plan - Unit 2.pdf
40-013	ML13099A438	3/21/2013	2013/03/21 Watts Bar 2 OL - TVA letter to NRC_03-21-13_ TS 3.3.1 RAI Response
40-014	ML13099A436	3/26/2013	2013/03/26 Watts Bar 2 OL - TVA letter to NRC_03-26-13_2-PTI-002-02 & 2-PTI-084-01 transmittal to NRC
40-015	ML13099A334	3/28/2013	2013/03/28 Watts Bar 2 OL - 2012-03-28 - WBN Project Plan - Unit 2.pdf
40-016	ML13109A556	4/19/2013	5/7/2013 Notice of Meeting With Tennessee Valley Authority To Obtain Additional Information To Allow NRC To Make Subsequent Significance Determination & Enforcement Decisions Related To Three Apparent Violations Identified In NRC Inspection Report

ATTACHMENT 1 WATTS BAR OPERATING LICENSE APPLICATION HEARING FILE AND MANDATORY DISCLOSURES

HEARING FILE INDEX

Supplemental Disclosures – May 15, 2013

ID#	Accession Number	Document Date	Title
40-017	ML13107B505	4/17/2013	Public Meeting Summary Watts Bar Nuclear Plant Unit 2 Presentation (NRC Inspection Report 05000391/2013601.
40-018	ML13120A132	4/29/2013	Sequoyah and Watts Bar Nuclear Plants, Units 1 and 2 - NTTF Recommendation 2.1, Flooding Hazard Reevaluation Report Extension Request.
40-019	ML13108A107	4/16/2013	Sequoyah, Units 1 and 2, Watts Bar, Units 1 and 2, Commitment to Install Improved Flood Mitigation Systems.
40-020			Tennessee Valley Authority - Response to NRC Request for Information Pursuant to 10 CFR 50.54(f) Regarding Recommendations 2.1, 2.3, and 9.3, of the Near-Term Task Force Review of Insights from the Fukushima Dai-ichi Accident, dated March 12, 2012.
40-021	ML13092A362	4/2/2013	Tennessee Valley Authority Public Meeting Summary.
40-022	ML13121A427	4/29/2013	Watts Bar, Unit 2 - Construction Deficiency Report 50-391/2013-02 - Instrument Sense Line Slope Issue-Interim Report.
40-023	ML13120A004	4/25/2013	Watts Bar, Units 1 and 2 - 10 CFR 50.46 30-Day Report of Changes and Errors to the Calculated Peak Cladding Temperatures and Annual Report for 2012.

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NUCLEAR REGULATORY COMMISSION

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TENNESSEE VALLEY AUTHORITY)	Docket No. 50-391-OL
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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised), I hereby certify that copies of the foregoing "NRC STAFF'S SUPPLEMENTAL DISCLOSURE 40, INCLUDING PUBLIC HEARING FILE INDEX, PROTECTED HEARING FILE INDEX, AND AFFIDAVIT OF JUSTIN C. POOLE" dated April 15, 2013, have been served upon the Electronic Information Exchange, the NRC's E-Filing System, in the above captioned proceeding, this 15th day of May, 2013:

/Signed (electronically) by/

David E. Roth
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U.S. Nuclear Regulatory Commission
Office of the General Counsel
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Washington, DC 20555
Telephone: (301) 415-2749
E-mail: David.Roth@nrc.gov
Signed: May 15, 2013