

July 18, 2000

Mr. J. A. Scalice  
Chief Nuclear Officer and  
Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

SUBJECT: SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2 - ISSUANCE OF AMENDMENTS  
REGARDING LICENSE CONDITION 2.B.(5) (TAC NOS. MA8169 AND MA8170)

Dear Mr. Scalice:

The Commission has issued the enclosed Amendment No. 257 to Facility Operating License No. DPR-77 and Amendment No. 248 to Facility Operating License No. DPR-79 for the Sequoyah Nuclear Plant, Units 1 and 2, respectively. These amendments are in response to your license amendment application dated December 17, 1999, as supplemented by a letter dated June 30, 2000.

These amendments revise License Condition 2.B.(5) in each of the licenses, which authorizes possession of byproduct and special nuclear materials "as may be produced by the operation of the facility." These amendments change the wording to "as may be produced by the operation of the Sequoyah or Watts Bar Unit 1 Nuclear Plants." These amendments allow the Tennessee Valley Authority to store low-level radioactive waste generated at the Watts Bar Nuclear Plant, Unit 1, at the Sequoyah Nuclear Plant site at a waste facility designed for that purpose.

A copy of the Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

**/RA/**

Ronald W. Hernan, Senior Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

Enclosures: 1. Amendment No. 257 to License No. DPR-77  
2. Amendment No. 248 to License No. DPR-79  
3. Safety Evaluation

cc w/enclosures: See next page

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These amendments revise License Condition 2.B.(5) in each of the licenses, which authorizes possession of byproduct and special nuclear materials "as may be produced by the operation of the facility." These amendments change the wording to "as may be produced by the operation of the Sequoyah or Watts Bar Unit 1 Nuclear Plants." These amendments allow the Tennessee Valley Authority to store low-level radioactive waste generated at the Watts Bar Nuclear Plant, Unit 1, at the Sequoyah Nuclear Plant site at a waste facility designed for that purpose.

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Docket Nos. 50-327 and 50-328

Enclosures: 1. Amendment No. 257 to DPR-77  
2. Amendment No. 248 to DRP-79  
3. Safety Evaluation

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TENNESSEE VALLEY AUTHORITY

DOCKET NO. 50-327

SEQUOYAH NUCLEAR PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 257  
License No. DPR-77

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Tennessee Valley Authority (the licensee) dated December 17, 1999, as supplemented on June 30, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Operating License is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 45 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard P. Correia, Chief, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Change to the Facility  
Operating License

Date of Issuance: July 18, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 257

TO FACILITY OPERATING LICENSE NO. DPR-77

DOCKET NO. 50-327

Replace the following page of Operating License No. DPR-77 with the attached page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

REMOVE

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Page 3

Page 3

- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
  - (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Sequoyah and Watts Bar Unit 1 Nuclear Plants.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

The Tennessee Valley Authority is authorized to operate the facility at reactor core power levels not in excess of 3411 megawatts thermal.
  - (2) Technical Specifications

The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 257 are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications.
  - (3) Initial Test Program

The Tennessee Valley Authority shall conduct the post-fuel-loading initial test program (set forth in Section 14 of Tennessee Valley Authority's Final Safety Analysis Report, as amended), without making any major modifications of this program unless modifications have been identified and have received prior NRC approval. Major modifications are defined as:

    - A. Elimination of any test identified in Section 14 of TVA's Final Safety Analysis Report as amended as being essential;
    - B. Modification of test objectives, methods or acceptance criteria for any test identified in Section 14 of TVA's Final Safety Analysis Report as amended as being essential;
    - C. Performance of any test at a power level different from there described; and

TENNESSEE VALLEY AUTHORITY  
DOCKET NO. 50-328  
SEQUOYAH NUCLEAR PLANT, UNIT 2  
AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 248  
License No. DPR-79

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Tennessee Valley Authority (the licensee) dated December 17, 1999, as supplemented on June 30, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the Operating License is amended as indicated in the attachment to this license amendment.
3. This license amendment is effective as of its date of issuance and shall be implemented within 45 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Richard P. Correia, Chief, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Change to the Facility  
Operating License

Date of Issuance: July 18, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 248

TO FACILITY OPERATING LICENSE NO. DPR-79

DOCKET NO. 50-328

Replace the following page of Operating License No. DPR-79 with the attached page. The revised page is identified by amendment number and contains a marginal line indicating the area of change.

REMOVE

Page 3

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Page 3

- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess, and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
  - (5) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Sequoyah and Watts Bar Unit 1 Nuclear Plants.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level  
  
The Tennessee Valley Authority is authorized to operate the facility at reactor core power levels not in excess of 3411 megawatts thermal.
  - (2) Technical Specifications  
  
The Technical Specifications contained in Appendices A and B, as revised through Amendment No. 248 are hereby incorporated into the license. The licensee shall operate the facility in accordance with the Technical Specifications.
  - (3) Initial Test Program  
  
The Tennessee Valley Authority shall conduct the post-fuel-loading initial test program (set forth in Section 14 of Tennessee Valley Authority's Final Safety Analysis Report, as amended), without making any major modifications of this program unless modifications have been identified and have received prior NRC approval. Major modifications are defined as:
    - a. Elimination of any test identified in Section 14 of TVA's Final Safety Analysis Report as amended as being essential;
    - b. Modification of test objectives, methods or acceptance criteria for any test identified in Section 14 of TVA's Final Safety Analysis Report as amended as being essential;
    - c. Performance of any test at a power level different from there described; and

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
RELATED TO AMENDMENT NO. 257 TO FACILITY OPERATING LICENSE NO. DPR-77  
AND AMENDMENT NO. 248 TO FACILITY OPERATING LICENSE NO. DPR-79

TENNESSEE VALLEY AUTHORITY

SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-327 AND 50-328

1.0 INTRODUCTION

By application to the U.S. Nuclear Regulatory Commission (NRC) dated December 17, 1999, as supplemented on June 30, 2000, the Tennessee Valley Authority (TVA, the licensee) proposed an amendment to the Facility Operating Licenses for Sequoyah Nuclear Plant (SQN) Units 1 and 2. The requested changes would revise License Condition 2.B.(5) to allow TVA to store low-level radioactive waste generated at the Watts Bar Nuclear Plant (WBN), Unit 1, at the SQN site. The TVA application also requested an exemption from certain portions of Title 10, *Code of Federal Regulations* (10 CFR), Section 50.54(ee)(1). However, subsequent NRC staff review concluded that the exemption was neither required nor appropriate. TVA provided additional supporting information regarding the License Condition change and withdrew the request for an exemption by letter dated June 30, 2000. The supplemental letter did not expand the scope of the initial amendment request nor change the NRC staff's initial proposed no significant hazards consideration determination.

The SQN, Units 1 and 2, and WBN, Unit 1, are Westinghouse 4-loop pressurized water reactors. The SQN facility is located in Hamilton County, Tennessee, near the City of Chattanooga. The WBN facility is located in Rhea County, Tennessee, about 30 miles northeast of the SQN site.

2.0 DISCUSSION

TVA proposed to amend the SQN Units 1 and 2 Facility Operating Licenses (DPR-77 and DPR-79) to specifically allow receipt and storage of low-level radioactive waste (LLRW) from WBN at the SQN site, specifically at the LLRW storage facility constructed and licensed in 1982. This would be accomplished by modifying License Condition 2.B.(5) in each license, which currently states:

Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

To read as follows:

Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the Sequoyah or Watts Bar Unit 1 Nuclear Plants.

TVA believes that License Condition 2.B.(5) was intended, consistent with fissile material non-proliferation objectives, to restrict licensees from separating nuclides generated in the course of operation of the licensed facility and that it was not intended to restrict licensees from possessing low-level byproduct and special nuclear materials produced by operation of another facility operated by the same licensee. Nonetheless, TVA is requesting that License Condition 2.B.(5) be modified as stated above to remove any question of interpretation with respect to receipt of LLRW generated at WBN Unit 1 at SQN. TVA's request is partly in response to the rising cost of sending LLRW to the Barnwell, South Carolina LLRW repository for final disposal, as well as the ultimate closure of Barnwell to states not belonging to the Atlantic Compact. The cost of disposal of LLRW at Barnwell, which is operated for the State of South Carolina by Chem-Nuclear Systems, has increased 800% over the past 10 years. The average cost of disposal is now about \$500 per cubic foot, but can be more for highly radioactive resins. TVA currently has no contract with Chem-Nuclear. The State of South Carolina joined with New Jersey and Connecticut to form the Atlantic Compact on July 1, 2000, and, over the next several years, access by out-of-compact LLRW generators will be gradually phased out. TVA currently ships Class A dry active waste to Envirocare of Utah for permanent disposal, but that facility is not yet licensed under Utah Agreement State regulations that are compatible with 10 CFR Part 61 to accept any other types of waste. Envirocare has applied to the State of Utah for a license to process Class B and C waste and other types of Class A waste.

TVA halted the shipment of all classes of LLRW (A, B, and C) to the Barnwell facility after access and disposal fees escalated to economically prohibitive levels. Although these fees have now stabilized, the site operator (Chem-Nuclear Systems, LLC) now requires the payment of past (unused and unpaid) site access fees prior to resumption of further shipments. Furthermore, as stated above, the State of South Carolina has announced the reduction of future amounts of LLRW to be accepted at Barnwell, with access to the facility gradually being entirely phased out between now and calendar year 2008.

Consistent with the NRC policy of utilizing permanent off-site disposal whenever feasible, TVA is currently shipping and plans to continue shipment of Class A dry active waste to the Envirocare facility in Utah, as noted above, because it is much less expensive than shipment to Barnwell. If Envirocare is successful in its current efforts to become licensed to receive Classes B and C LLRW, TVA will consider the economic viability of shipping those classes of LLRW to the Envirocare facility.

TVA has taken, and will continue to take, steps to ensure that adequate funds are provided to account for the costs associated with disposal of the LLRW generated in the course of SQN and WBN operations. The availability of such funds will in no way compromise the funds required for SQN or WBN decommissioning activities, consistent with the decommissioning funding requirements and limitations contained in 10 CFR 50.75 and 10 CFR 50.82.

TVA has evaluated its onsite storage capabilities at the SQN site, including the refurbishment of existing on-site LLRW storage facility modules constructed at SQN in the early 1980s.

TVA had envisioned the possibility of off-site disposal restrictions at that time and had designed the LLRW storage facility to have sufficient capacity to permit power operations to continue for the design life of the plant. The counterpart facility at WBN was never completed. However, reductions in radioactive waste volumes due to continuing process improvements at both SQN and WBN Unit 1 have resulted in the SQN facility having sufficient capacity to accept LLRW from both SQN and WBN Unit 1 for the life of all three units. Therefore, construction of a separate LLRW storage facility at WBN would be an unnecessary expense and burden to ratepayers.

### 3.0 EVALUATION

#### Licensee's Analysis

TVA constructed at Sequoyah in the early 1980s an On-site Storage Facility (OSF) for LLRW which was never utilized for that purpose. TVA had envisioned the possibility of off-site disposal restrictions at that time and had designed the OSF to have sufficient capacity to permit power operations to continue for the life of the plant.

The NRC granted Materials License No. 41-08165-14 on September 17, 1982 ..., for use of the OSF at SQN for a period of five years. Consistent with the NRC policy of utilizing permanent off-site disposal whenever possible, however, LLRW continued to be shipped by TVA to Barnwell, South Carolina, since that repository continued to be available, and no radwaste was stored in the SQN facility. The Materials License was renewed once prior to expiration, but on April 25, 1990, TVA requested its termination ... since there were no plans for its use in the foreseeable future. The termination request noted that if use of the facility became necessary, TVA would not need to renew the Materials License but would instead perform a 10 CFR 50.59 evaluation as allowed in [NRC] Generic Letter [GL] 81-38, "Storage of Low-Level Radioactive Wastes at Power Reactor Sites."

Pursuant to 10 CFR 50.59, TVA has completed a safety analysis which addresses utilizing the existing LLRW OSF to accept radioactive wastes previously sent to the Barnwell, South Carolina facility. The safety analysis evaluated extended storage of LLRW resins in de-watered form and other radwaste material inside high integrity containers (HICs). The safety analysis justifies 88,500 Curies as the total approved accumulated activity limit for on-site storage of radioactive waste within the OSF structure. The total yearly generated activity stored in the facility shall not exceed 17,744 Curies. These Curie limitations, which are based on limiting the yearly cumulative exposure received by personnel handling LLRW, are stated in the original TVA application for a materials license ... to store LLRW under 10 CFR Part 30. The safety analysis reviewed applicable design program requirements having the potential to affect nuclear safety as a result of the proposed change. It was concluded that nuclear safety would not be reduced by the proposed change. The types of LLRW generated at WBN Unit 1 are very similar to those generated at SQN. Also, the total projected quantities (both in terms of volume and activity) for the SQN and WBN lifetimes are well within the storage capabilities of the SQN OSF facility. Therefore, receipt and storage of WBN LLRW at the SQN OSF is supported by the above safety analysis.

## NRC Staff Evaluation

The NRC staff has reviewed the licensee's application dated December 17, 1999, supplemental letter dated June 30, 2000, NRC GL 81-38, "Storage of Low-Level Radioactive Wastes at Power Reactor Sites," Materials License No. 41-08165-14 issued to TVA on September 17, 1982, 10 CFR Part 20, "Standards for Protection Against Radiation," and SECY-94-198, Review of Existing Guidance Concerning the Extended Storage of Low-Level Radioactive Waste," in response to TVA's application. Although TVA's justification focuses on financial hardship and pending unavailability associated with shipment of Class B and C LLRW to the Barnwell facility in South Carolina, the staff's review focused on any potential safety issues relative to operation of the two SQN nuclear reactors as a result of storing LLRW generated at WBN Unit 1, which is the purpose of this license amendment. The staff also reviewed the incremental environmental effects, such as occupational radiation exposure and dose to the public, due to storage of this additional waste at the SQN site. As discussed below in Section 5.0, the NRC prepared and published an Environmental Assessment regarding this amendment request.

The SQN OSF are located within the protected area of the site boundary in a remote area approximately 2000 feet east the reactor and auxiliary buildings. No buildings associated with operation of the SQN units are in the immediate vicinity of the OSF. The OSF is also surrounded by a locked barbed-wire fence and has its own access road that avoids traffic in the vicinity of the SQN plant structures. In accordance with the guidance in GL 81-38, TVA has performed an evaluation in accordance with 10 CFR 50.59 to store LLRW in the OSF and has determined that it is authorized to proceed without specific NRC approval. The 10 CFR 50.59 evaluation assumed certain quantities and curie content of the waste materials to be stored in the facility. These parameters may be changed by another 10 CFR 50.59 analysis in the future, if required. A summary report of 10 CFR 50.59 evaluations is required to be submitted to the NRC at intervals not to exceed 24 months and the licensee is required to maintain copies of all evaluations onsite for NRC review as deemed necessary by the staff. Plant procedures are in place for operation of the OSF and have previously been reviewed by the NRC staff. The NRC Inspection Manual also has detailed inspection guidance for NRC inspectors with regard to LLRW storage facilities. On the basis of these facts, the staff finds that transportation and storage of additional LLRW generated by operation of the Watts Bar Nuclear plant should have a negligible affect on safe operation of the SQN units.

As with all Part 50 Licensees, TVA is required by 10 CFR 20.1101(b) to maintain a program at SQN to achieve occupational doses and doses to members of the public that are as low as reasonably achievable (ALARA). Periodic reviews of this program are required, including dose rates resulting from storage of LLRW at the SQN OSF. Detailed procedures and reporting requirements are required and have been implemented to comply with 10 CFR Part 20. In addition, the requirements of 10 CFR Part 100, "Reactor Site Criteria," must be complied with to protect members of the public against any significant radiation doses. This regulation would also be a factor in any TVA decisions regarding the type and quantity of LLRW to be stored at the SQN OSF. Therefore, the staff finds that the incremental amount of LLRW generated by operation of the Watts Bar Nuclear plant and stored at the SQN OSF should result in only a minor contribution to occupational radiation exposure and radiation dose to the general public.

## Conclusion

For the reasons discussed above, the NRC staff finds that amending License Condition 2.B.(5) in the licenses for SQN Units 1 and 2, to add a provision to store LLRW generated at WBN at the SQN OSF is acceptable in that this activity would have an insignificant effect on safe operation of the SQN units and increases in radiation dose to workers and the general public would be very minor. Therefore, the staff should approve the TVA request, as submitted.

### 4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Tennessee State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 5.0 ENVIRONMENTAL CONSIDERATION

The NRC staff concluded that this amendment had the potential for environmental effects and therefore decided to develop and publish an Environmental Assessment. The assessment was published in the *Federal Register* on July 6, 2000 (65 FR 41739), and concluded that the proposed action will not have a significant effect on the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action. The NRC staff has also determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration (65 FR 9012), and there has been no public comment on such finding.

### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Ronald W. Hernan, DLPM, NRR

Dated: July 18, 2000

Mr. J. A. Scalice  
Tennessee Valley Authority

## SEQUOYAH NUCLEAR PLANT

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