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Docket File 50-327/328

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FEB 27 1981

Docket Nos. 50-327
and 50-328

Mr. H. G. Parris
Manager of Power
Tennessee Valley Authority
500A Chestnut Street Tower II
Chattanooga, Tennessee 37401



Dear Mr. Parris:

We have received your application of November 24, 1980, for amendment to the license for Sequoyah Unit 1 to authorize onsite low-level waste storage at Sequoyah for a period of five years. We understand that this storage facility is also expected to accommodate the low-level waste from Unit 2 after that unit has received an operating license. We note in Enclosure 3 to your submittal that construction work on the storage facility is in progress. Your letter of November 24, 1980, requested that we publish in the Federal Register a notice concerning your application. Enclosed is a copy of the "Notice of Consideration of Amendment to Facility Operating License" for the Sequoyah Nuclear Plant, Unit 1 and 2, which we have sent to the Office of the Federal Register for publication.

Your application entails amendment of the Part 30 portion of your reactor license authorizing possession of byproduct waste material in accordance with the license and supporting application. In this connection, the NRC Staff will have to assess the significance of potential environmental impacts to determine whether the provisions of 10 CFR §30.32(f) are or should be applicable to your program. In order to minimize any delay in such determination, I anticipate that our staff will need to meet with your staff in the very near future to obtain supporting information. We will contact Mr. Larry Mills of your staff to establish a convenient meeting schedule. In the meantime, however, TVA continues construction at its own risk.

Sincerely,

A. Schwencer, Chief
Licensing Branch No. 2
Division of Licensing

Enclosure: As stated

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cc w/enclosure: See next page

SEE PREVIOUS PAGE FOR CONCURRENCES
SEE ATTACHED SHEET FOR DISTRIBUTION

OFFICE	DL:LB#2	DL:LB#2	OELD	NMSS	DL:LB#2		
SURNAME	*MDHouston:ph	*MService	Cunningham	L.Rouse	A.Schwencer		
DATE	1/28/81	1/28/81	2/10/81	2/25/81	2/26/81		

Mr. H. G. Parris
Manager of Power
Tennessee Valley Authority
500A Chestnut Street Tower II
Chattanooga, Tennessee 37401

cc: Herbert S. Sanger, Jr., Esq.
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Resident Inspector/Sequoyah NPS
c/o U.S. Nuclear Regulatory Commission
2600 Igou Ferry Road
Soddy Daisy, Tennessee 37379

UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-327 AND 50-328

TENNESSEE VALLEY AUTHORITY

NOTICE OF CONSIDERATION OF AMENDMENT TO

FACILITY OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) has received a request dated November 24, 1980, for issuance of an amendment to Facility Operating License No. DPR-77, issued to Tennessee Valley Authority (the licensee), for Sequoyah Nuclear Plant, Unit 1, located in Hamilton County, Tennessee.

The proposed amendment would entail modification of the authority provided by paragraph 2.B(5) of License DPR-77 and related license conditions and technical specifications, to authorize the licensee to store onsite the low level radioactive waste generated from operation of the Sequoyah Plant for a period of five years. The description of the storage facility and the aspect of its operations, submitted as Enclosure 2 to the above noted request, is applicable and common to both Units 1 and 2. We understand that this storage facility is expected to accommodate the low-level waste from Unit 2 after that unit is licensed to operate. In the letter of November 24, 1980, the licensee has requested that the application be noticed in the Federal Register.

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By ^{April 6} March , 1981, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license

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and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As requested by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up

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to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000

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(in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to A. Schwencer: (petitioner's name and telephone number); (date petition was mailed); (plant name); and (publication date and page number of this FEDERAL REGISTER notice). A copy of the petition should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to H. S. Sanger, Jr., Tennessee Valley Authority, 400 Commerce Avenue, E 11B 33 C, Knoxville, Tennessee 37401, General Counsel for the licensee.

Nontimely findings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR §2.714 (a)(i)-(v) and §2.714(d).

If the requested authority to store on-site the low level waste generated from operation of the Sequoyah Plant for a period of five years is granted, the Director of Nuclear Reactor Regulation and the Director of Nuclear Materials Safety and Safeguards, acting in concert, may choose not to exercise the Commission's discretion under 10 CFR §50.52 to combine into a single license those activities which would otherwise be licensed severally, if they determine that a separate license would be preferable for the administrative convenience of the Commission.

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For further details with respect to this action, see the application for an amendment dated November 24, 1980, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D. C. and at the Chattanooga Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

Dated at Bethesda, Maryland this ^{21st} day of ^{February} ~~January~~, 1981.

FOR THE NUCLEAR REGULATORY COMMISSION

Don Sells, Acting Chief
Licensing Branch No. 2
Division of Licensing

OFFICE	DL:LB#2	DL:LB#2	OELD	NMSS	DL:LB#2		
SURNAME	MDHouston:ph	MService	Cunningham	LRouse	ASchwencer		
DATE	01/28/81	01/28/81	01/10/81	02/25/81	01/20/81		