

RAS 4640

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

DOCKETED 07/15/02

SERVED 07/15/02
RESERVED 07/18/02

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Richard F. Cole
Ann Marshall Young

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Watts Bar Nuclear Plant, Unit 1;
Sequoyah Nuclear Plant, Units 1 & 2;
Browns Ferry Nuclear Plant, Units 1, 2 & 3)

Docket Nos. 50-390-CivP; 50-327 CivP;
50-328-CivP; 50-259-CivP;
50-260-CivP; 50-296-CivP

ASLBP No. 01-791-01-CivP

EA 99-234

July 15, 2002

RESUMPTION OF EVIDENTIARY HEARING IN ROCKVILLE, MD.

This proceeding involves a proposed civil penalty of \$110,000, sought to be imposed by the NRC Staff on the Tennessee Valley Authority (TVA) for an alleged violation of NRC's employee-protection requirements set forth in 10 C.F.R. § 50.7, based upon the asserted discrimination against a former employee for engaging in protected activities. Parties to this proceeding are TVA and the NRC Staff. As set forth in the Order Imposing Civil Monetary Penalty, 66 Fed. Reg. 27,166, 27,167 (May 16, 2001), issues to be considered are (a) whether the Licensee violated the Commission's requirements, as set forth in the Notice of Violation and Proposed Imposition of Civil Penalty, dated February 7, 2000 (NOV); and, if so, (b) whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

Notice is hereby given that, as discussed in a telephone conference call on Monday, July 8, 2002, the evidentiary hearing in this proceeding will continue on Monday, September 9, 2002, beginning at 11:00 a.m. EDT, at the ASLBP Hearing Room, 3rd Floor, 11545 Rockville Pike, Rockville, Maryland 20852-2738. The hearing will continue, to the extent necessary, on

September 10-13, 2002, commencing at 9:00 a.m. EDT each day, at the same location. Hearings will extend until approximately 6:00 p.m. each day. (In addition, if necessary to accommodate all witnesses, a hearing may be scheduled for Saturday, September 14, 2002, beginning at 9:00 a.m. EDT.) As the hearing proceeds, the Board may make changes in the foregoing schedule, modifying the times for each day's session or canceling a session, as deemed appropriate to allow for witnesses' availability and other matters arising during the course of the proceeding.

Documents related to this proceeding issued prior to December 1, 1999, are available in microfiche form (with print form available on one-day recall) for public inspection at the Commission's Public Document Room (PDR), Room 0-1 F21, NRC One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. Documents issued subsequent to November 1, 1999 are available electronically through the Agency Wide Documents Access and Management System (ADAMS), with access to the public through NRC's Internet Web site (Public Electronic Reading Room Link, www.nrc.gov/reading-rm/adams.html/). The PDR and many public libraries have terminals for public access to the Internet.

It is so ORDERED.

For the Atomic Safety and Licensing Board

/RA/

Charles Bechhoefer
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 15, 2002

[Copies of this Notice were transmitted this date by e-mail to counsel for each of the parties.]

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
TENNESSEE VALLEY AUTHORITY)	Docket Nos. 50-390-CIVP,
)	50-327/328-CIVP and
(Watts Bar Nuclear Plant, Unit 1;)	50-259/260/296-CIVP
Sequoyah Nuclear Plant, Units 1 & 2; and)	
Browns Ferry Nuclear Plant, Units 1, 2 & 3))	
(Order Imposing Civil Monetary Penalty))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing RESUMPTION OF EVIDENTIARY HEARING IN ROCKVILLE, MD have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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Washington, DC 20555-0001

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Docket Nos. 50-390-CIVP
50-327/328-CIVP and
50-259/260/296-CIVP
RESUMPTION OF EVIDENTIARY HEARING
IN ROCKVILLE, MD

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 18th day of July 2002