

Reg. Cent.

July 18, 1978

Mr. and Mrs. Arthur Jensen  
Route 1, Box 86A  
Grandview, Tennessee 37337

In the Matter of  
Tennessee Valley Authority  
(Watts Bar Nuclear Plant, Units 1 & 2)  
Docket Nos. 50-390 & 50-391

Dear Mr. and Mrs. Jensen:

This letter is in response to your letter of June 28, 1978 to the U. S. Nuclear Regulatory Commission in which you request a hearing and an opportunity to intervene in the operating license proceedings in the above-referenced matter. You stated that the Draft Environmental Statement 1/ raised questions of concern to certain persons in the immediate vicinity of the Watts Bar facility.

Under the Commission's Rules of Practice, 10 CFR Part 2, no adjudicatory hearing is scheduled for the Tennessee Valley Authority's (TVA) application for an operating license. A hearing is not required on an application for an operating license unless a person or persons with an appropriate interest petition for leave to intervene and request a hearing pursuant to 10 CFR §2.714 of the Commission's Rules of Practice. A copy of the Commission's Rules of Practice are enclosed.

The notice of hearing for the operating license application for the Watts Bar facility was published in the Federal Register (41 F. R. 56244) on December 27, 1976 (copy enclosed). The notice fully described the procedures provided by the Commission's Rules of Practice, 10 CFR §2.714, for becoming a full party to the operating licensing proceeding. The notice specified that petitions to intervene and requests for a hearing had to be filed prior to January 26, 1977. One timely petition was filed in accordance with the December 26, 1976 Federal Register notice. A pre-hearing conference which considered that petition was

1/ Draft Environmental Statement related to operation of Watts Bar Nuclear Plant, Units 1 and 2, Tennessee Valley Authority, Docket Nos. 50-390 and 50-391, U.S. Nuclear Regulatory Commission, NUREG-0352. (copy enclosed)

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held in Dayton, Tennessee on May 12, 1977. The petition to intervene and request for a hearing filed by that potential intervenor was denied. Copies of the decisions by the Commission's Atomic Safety and Licensing Board and by the Atomic Safety and Licensing Appeal Board which considered and denied that petition are enclosed.<sup>27</sup>

In summary, the period for intervention in the Watts Bar proceeding has passed. A hearing will not be held, absent someone making a substantial showing of good cause that a late intervention should be granted.

The NRC Staff is, nevertheless, still interested in the concerns of local citizens. Your letter, however, indicates that your concerns were generated from review of the Draft Environmental Statement (DES). Your concerns have been forwarded to the Staff's Environmental Project Manager for consideration in preparation of the Final Environmental Impact Statement. If you wish to provide any additional comments, you may submit them to Mrs. Suzanne Keblusek, Environmental Project Manager, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D. C. 20555. You should submit any additional comments, if possible, prior to July 24, 1978 for them to be considered in the development of the Final Environmental Statement for the Watts Bar facility.

After receipt and consideration of comments on the draft statement, the NRC Staff will prepare a final environmental statement, which will include a discussion of questions and objections raised by the comments and the disposition thereof; a final cost-benefit analysis, which will consider and balance the environmental effects of the facility, and the alternatives available for reducing or avoiding adverse environmental effects with the environmental, economic, technical, and other benefits of the facility; and a conclusion as to whether -- after the environmental, economic, technical, and other benefits are weighed against environmental costs and after available alternatives have been considered, the action called for, with respect to environmental issues, is the issuance or denial of the proposed permit or license or its issuance with appropriate conditions to protect environmental values.

2/ Tennessee Valley Authority (Watts Bar Nuclear Plant, Units 1 and 2) LBP-77-36, 5 NRC 1292 (1977); Tennessee Valley Authority (Watts Bar Nuclear Plant, Units 1 and 2), ALAB-413, 5 NRC 1418 (1977).

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We appreciate your interest in this matter. If I may be of further service, please contact me (301-492-7268).

Sincerely,

Edward G. Ketchen  
Counsel for NRC Staff

Enclosures as Stated

cc w/o encls.):

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