

July 17, 1998

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

EA

SUBJECT: TENNESSEE VALLEY AUTHORITY (TVA) REQUEST FOR DEPARTMENT OF LABOR
CASE NO. 97-ERA-53 (TVA VS. CURTIS C. OVERALL)

By letter from R. Purcell to L. Reyes dated May 28, 1998, the Tennessee Valley Authority (TVA) requested that the Nuclear Regulatory Commission (NRC) refrain from initiating escalated enforcement action regarding a U. S. Department of Labor (DOL) Administrative Law Judge (ALJ) Recommended Decision and Order (RDO) in the case of Curtis C. Overall vs. TVA (97-ERA-53). The NRC acknowledged the request by letter dated June 18, 1998, indicating that the matter was under Agency review.

To assist us in our determination of whether to defer Agency action in this case pending completion of the DOL review process, we request that TVA submit to the NRC a description of the bases for your appeal of the ALJ RDO made to the DOL Administrative Review Board (ARB). In addition, we request that TVA provide the NRC with copies of all future filings made to DOL by TVA in the Overall case.

If you have any questions regarding this letter, please contact Anne Boland, Director, Enforcement and Investigations Coordination Staff, of my staff at 404-562-4421.

Sincerely,

original signed by LAR

Luis A. Reyes
Regional Administrator

Docket Nos. 50-390, 50-391
License Nos. NPF-90, CPPR-92

cc: See Page 2

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County Executive
Rhea County Courthouse
Dayton, TN 37321

County Executive
Meigs County Courthouse
Decatur, TN 37322

Michael H. Mobley, Director
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401 Church Street
Nashville, TN 37243-1532

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U.S. Nuclear Regulatory Commission
 Watts Bar Nuclear Plant
 1260 Nuclear Plant Road
 Spring City, TN 37381

*OE concurrence
 per M. Stein
 on 07/07/98
 via telephone*

SEND TO PUBLIC DOCUMENT ROOM?		YES			
OFFICE	RII:DRP	RII:ORA	RII:DRP	OE	RII:ORA
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NAME	ABoland	CEvans	LPlisco	LIEBERMAN	JJohnson
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COPY?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>