

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

Before Administrative Judges:

Paul S. Ryerson, Chairman
Dr. Paul B. Abramson
Dr. Gary Arnold

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Watts Bar Unit 2)

Docket No. 50-391-OL

ASLBP No. 09-893-01-OL-BD01

July 17, 2013

ORDER

(Granting Motion to Withdraw Contention 7)

This proceeding concerns the application of the Tennessee Valley Authority (TVA) for a license to operate a second reactor unit at the Watts Bar Nuclear Generating Station in Rhea County, Tennessee. One admitted contention—Contention 7—is pending.

On July 15, 2013, Intervenor Southern Alliance for Clean Energy (SACE) submitted an unopposed motion to withdraw Contention 7.¹ SACE asserts that the Nuclear Regulatory Commission (NRC) Staff's recently-issued Final Environmental Impact Statement is responsive to the majority of concerns raised in Contention 7, and that any remaining concerns are best addressed outside of the adjudicatory process.² Accordingly, for good cause shown, SACE's unopposed motion is granted.

¹ Southern Alliance for Clean Energy's Unopposed Motion to Withdraw Contention 7 (July 15, 2013) at 1.

² See id. at 1-2.

A motion to admit one other contention, concerning the vacatur of the NRC's Waste Confidence Rule, is currently being held in abeyance, at the Commission's direction, pending further order of the Commission.³ This adjudicatory proceeding therefore remains open.

It is so ORDERED.

THE ATOMIC SAFETY AND
LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

/RA/

Dr. Paul B. Abramson
ADMINISTRATIVE JUDGE

/RA/

Dr. Gary Arnold
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 17, 2013

³ See Licensing Board Order (Holding Waste Confidence Contention in Abeyance) (Aug. 9, 2012); Calvert Cliffs Nuclear Project, LLC (Calvert Cliffs Nuclear Power Plant, Unit 3), et al., CLI-12-16, 76 NRC 63, 68-69 (slip op. at 6) (Aug. 7, 2012).

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Granting Motion to Withdraw Contention 7)** have been served upon the following persons by the Electronic Information Exchange.

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Docket No. 50-391-OL

ORDER (Granting Motion to Withdraw Contention 7)

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[Original signed by Brian Newell]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 17th day of July 2013