

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

Before Administrative Judges:

Paul S. Ryerson, Chairman
Dr. Gary S. Arnold
Dr. Sue H. Abreu

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Clinch River Nuclear Site Early Site Permit
Application)

Docket No. 52-047-ESP

ASLBP No. 17-954-01-ESP-BD01

August 8, 2017

MEMORANDUM AND ORDER

(Denying Motion to Hold Prehearing Conference in Tennessee)

On August 7, 2017, Petitioners Southern Alliance for Clean Energy, Tennessee Environmental Council, and Blue Ridge Environmental Defense League moved to have the initial oral argument in this matter held near the proposed site in Tennessee.¹ Petitioners represent that TVA and the NRC Staff take no position on the motion.²

As indicated by the Board's Notice and Order issued today, the Board intends to conduct oral argument from the Atomic Safety and Licensing Board Panel's hearing room in Rockville, Maryland. This location is physically convenient for the Board and for the NRC Staff, and is but a short Metro ride from the offices of counsel for two of the three Petitioners. All participants may elect to appear in person or to appear remotely either by telephone or by online video conference. Likewise the public may observe either in person or remotely by listening on telephone lines that will be made available for that purpose.

¹ Petitioners' Motion to Hold Prehearing Conference in Vicinity of Tennessee Valley Authority's Proposed Early Site Permit for Small Modular Reactor (Aug. 7, 2017).

² Id. at 1.

As also indicated in today's Notice and Order, the primary purpose of the scheduled argument is for the Board to ask questions regarding the sufficiency of the pleadings and related procedural issues. It will not involve the taking of evidence or a determination of the merits of Petitioners' contentions.

In the circumstances, the Board concludes that the NRC's policy of encouraging public participation is well served by proceeding as outlined above, while simultaneously taking advantage of technology to avoid unnecessary expenditures of money and time. When and if an evidentiary hearing is conducted, the Board expects it will take place near the site of the proposed facility.

Petitioners' motion is DENIED.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
August 8, 2017

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NUCLEAR REGULATORY COMMISSION

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for Clinch River Nuclear Site))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM AND ORDER (Denying Motion to Hold Prehearing Conference in Tennessee)** have been served upon the following persons by Electronic Information Exchange.

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Dated at Rockville, Maryland,
this 8th day of August, 2017

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