

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING APPEAL BOARD '82 SEP 20 P2:26

Administrative Judges:

Stephen F. Eilperin, Chairman
Dr. John H. Buck
Gary J. Edles

OFFICE OF SECRETARY
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SERVED SEP 20 1982

In the Matter of)	
TENNESSEE VALLEY AUTHORITY)	
(Browns Ferry Nuclear Plant,)	Docket Nos. 50-259 OL
Units 1, 2 and 3))	50-260 OL
)	50-296 OL
)	
)	

ORDER

September 20, 1982

On September 15, 1982 the Commission vacated our decision in ALAB-664 and remanded the case to us for further proceedings. Before deciding what further proceedings may be necessary we wish to be apprised of the current status of the Tennessee Valley Authority's application to store low-level radioactive waste at the Browns Ferry Nuclear Plant and of the prospective intervenors' position with regard to that application as it now stands. We have the following questions to ask of the Tennessee Valley Authority (TVA).

1. What approvals are now being sought by TVA for storage of low level radioactive waste at Browns Ferry?
2. What approvals does TVA contemplate seeking in the future?

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3. How many storage modules have been constructed thus far? What is their capacity and what use is planned for them if the approvals TVA is seeking are granted?

4. How many storage modules does TVA plan on constructing? What is their capacity and what use is planned for them if the approvals TVA is seeking are granted?

5. What are the current and projected rates of production of low level waste from operations at Browns Ferry Nuclear Plant?

6. How does TVA now accommodate, and plan to accommodate, the storage and disposal of that waste?

7. What offsite disposal facilities are now available to TVA and what is TVA's allocation at each for Browns Ferry originating waste?

8. What is the current status of the Southeast Interstate Low-Level Radioactive Waste Management Compact and of TVA's participation in it? How will its implementation affect the storage and disposal of low level radioactive waste from Browns Ferry?

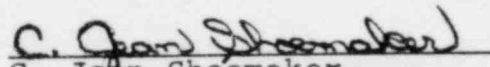
9. What are TVA's plans with regard to either volume reduction or incineration of Browns Ferry low level radioactive waste?

TVA's answers are to be filed by October 4, 1982 and may refer to or incorporate information from prior submissions of any party such as from the NRC staff's June, 1982 environmental impact appraisal. Evidentiary submissions in answer to these

questions should be submitted by way of affidavit. The NRC staff is to file by October 11 any supplemental information which we should be apprised of with regard to the questions asked of TVA. The prospective intervenors are to file by October 22 a statement whether TVA's responses have mooted their concerns, or whether they still plan to pursue intervention. If their answer is the latter, the filing of the prospective intervenors should include a general statement of their concerns, their comments in that regard on the staff's June, 1982 environmental impact appraisal, and a statement as to the course of action they recommend we take. By November 5 the NRC staff and TVA are to file their advice as to whether they think there is a live controversy between the parties, and if so, what course of action they recommend we take.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Shoemaker
Secretary to the
Appeal Board

Dr. Buck did not participate in this order.