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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before The Atomic Safety and Licensing Appeal Board

DOCKETED  
USNRC

In the Matter of )  
 )  
TENNESSEE VALLEY AUTHORITY )  
 )  
(Yellow Creek Nuclear )  
Plant, Units 1 and 2) )

'84 SEP -7 A11:10

Docket Nos. STN 50-566 CP  
STN 50-567 CP  
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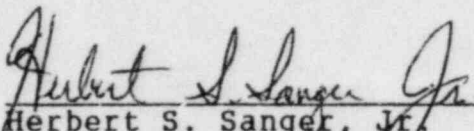
MOTION TO TERMINATE APPELLATE JURISDICTION

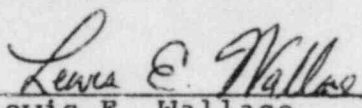
The Tennessee Valley Authority (TVA) requests that the Atomic Safety and Licensing Appeal Board terminate its limited appellate jurisdiction over Yellow Creek Nuclear Plant, Units 1 and 2, which jurisdiction was retained over a single generic issue: the environmental effects associated with the release of radioactive radon gas to the atmosphere from the mining and milling of uranium for reactor fuel. A similar motion by TVA for Hartsville Nuclear Plant, Units 1B and 2B, was granted in ALAB-760 (copy attached).

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The TVA Board of Directors decided on August 29, 1984 to cancel the Yellow Creek Nuclear Plant. Therefore, TVA moves that the Appeal Board dismiss as moot, without prejudice, these appellate proceedings.

  
\_\_\_\_\_  
Herbert S. Sanger, Jr.  
General Counsel  
Tennessee Valley Authority  
Knoxville, Tennessee

  
\_\_\_\_\_  
Lewis E. Wallace  
Deputy General Counsel

  
\_\_\_\_\_  
W. Walter LaRoche

Knoxville, Tennessee  
September 5, 1984

Attorneys for Applicant  
Tennessee Valley Authority

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
JAN 27 1984

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Administrative Judges:

Alan S. Rosenthal, Chairman  
Dr. John H. Buck

January 27, 1984  
(ALAB-760)

SERVED JAN 27 1984

In the Matter of  
  
TENNESSEE VALLEY AUTHORITY  
  
(Hartsville Nuclear Plant,  
Units 1B and 2B)

Docket Nos. STN 80-818  
STN 80-821

Herbert S. Ganger, Jr., Lewis E. Wallace and  
James W. Barker, Knoxville, Tennessee, for  
the applicant, Tennessee Valley Authority.

MEMORANDUM AND ORDER

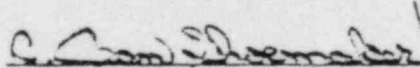
The Tennessee Valley Authority has advised us of the cancellation of Units 1B and 2B of its proposed four-unit Hartsville nuclear plant. On its motion, we therefore terminate, with respect to those two units, the limited appellate jurisdiction previously retained over this construction permit proceeding involving all four units.<sup>1</sup> See Tennessee Valley Authority (Phipps Bend Nuclear Plant, Units 1 and 2), ALAB-752, 18 NRC \_\_\_\_ (December 6, 1983),

<sup>1</sup> See ALAB-554, 10 NRC 15, 16 n.2, and ALAB-558, 10 NRC 158, 159 (1979). The retained jurisdiction was with regard to a single generic issue as to which an ultimate Commission determination has not as yet been reached: the environmental effects associated with the release of radioactive radon gas (radon-222) to the atmosphere as a result of the mining and milling of uranium for reactor fuel.

and Duke Power Co. (Cherokee Nuclear Station, Units 1, 2 and 3), ALAB-745, 18 NRC \_\_\_\_ (October 12, 1983).

It is so ORDERED.<sup>2</sup>

FOR THE APPEAL BOARD

  
C. Jean Shoemaker  
Secretary to the  
Appeal Board

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<sup>2</sup> This order has no application to Units 1A and 2A of the Hartsville facility. The appellate jurisdiction over the radon issue remained in ALAB-554 and ALAB-558, supra, thus is not affected insofar as those units are concerned.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Before The Atomic Safety and Licensing Appeal Board

In the Matter of )  
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TENNESSEE VALLEY AUTHORITY ) Docket Nos. STN 50-566  
 ) STN 50-567  
(Yellow Creek Nuclear )  
Plant, Units 1 and 2) )

CERTIFICATE OF SERVICE

I hereby certify that I have served the original and two conformed copies of the following document on the Nuclear Regulatory Commission by depositing them in the United States mail, postage prepaid and addressed to Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Docketing and Service Section:

Motion to Terminate Appellate Jurisdiction  
and that I have served a copy of the above document upon the persons listed below by depositing it in the United States mail, postage prepaid and addressed:

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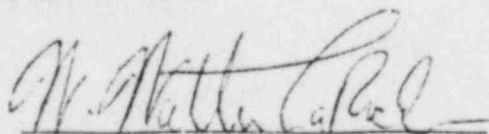
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This 5th day of September 1984



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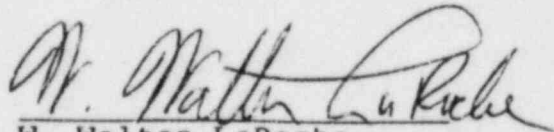
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This 5th day of September 1984.



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