

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

In the Matter of  
TENNESSEE VALLEY AUTHORITY  
(Browns Ferry Nuclear Plant)

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Docket Nos. 50-259, 50-260  
and 50-296  
License Nos. DPR-33, DPR-52  
and DPR-68  
EA 84-106

ORDER IMPOSING CIVIL MONETARY PENALTY

I

Tennessee Valley Authority (licensee) is the holder of Operating License Nos. DPR-33, DPR-52 and DPR-68 issued by the Nuclear Regulatory Commission (Commission) which authorized the licensee to operate the Browns Ferry Nuclear Plant in accordance with the conditions specified therein. The licenses were issued on June 6, 1973, June 28, 1973 and July 2, 1976, respectively.

II

A routine safeguards inspection of the licensee's activities was conducted on August 20-24, 1984. As a result of this inspection, it appeared that the licensee had not conducted its activities in full compliance with the conditions of its licenses. A written Notice of Violation and Proposed Imposition of Civil Penalty was served upon the licensee by letter dated December 5, 1984. The Notice stated the nature of the violation, requirements of the Commission that the licensee had violated, and the amount of the civil penalty proposed for the violation in the Notice. A response to the Notice of Violation and Proposed Imposition of Civil Penalty dated December 27, 1984 was received from the licensee.

~~ENCLOSURE CONTAINS~~  
~~SAFEGUARDS INFORMATION.~~ PR  
~~UPON SEPARATION, THIS~~  
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PDR ADOCK 05000259  
Q PDR

III

Upon consideration of the licensee's response and the statements of fact, explanation, and arguments for mitigation contained therein, the Director, Office of Inspection and Enforcement has determined, as set forth in the Appendix to this Order, that the violation occurred as stated and that the penalty (\$50,000) proposed for the violation in the Notice of Violation and Proposed Imposition of Civil Penalty should be imposed.

IV

In view of the foregoing, and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282, PL 92-295), and 10 CFR 2.205, IT IS HEREBY ORDERED THAT:

The licensee pay the civil penalty in the amount of Fifty Thousand Dollars (\$50,000) within thirty days of the date of this Order, by check, draft, or money order, payable to the Treasurer of the United States and mailed to the Director, Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555.

V

The licensee may, within thirty days of the date of this Order, request a hearing. A request for a hearing shall be addressed to the Director, Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555. A copy of the

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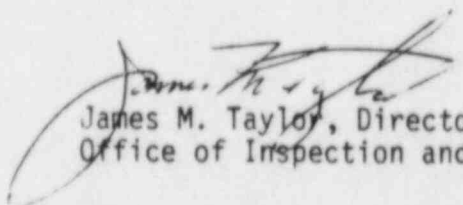
hearing request shall also be sent to the Executive Legal Director at the same address. If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the licensee fails to request a hearing within thirty days of the date of this Order, the provisions of this Order shall be effective without further proceedings; and if payment has not been made by that time, the matter may be referred to the Attorney General for collection.

VI

In the event the licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

- (a) whether the licensee was in violation of the Commission's requirements as set forth in the Notice of Violation and Proposed Imposition of Civil Penalty referenced in Section II above, and
- (b) whether, on the basis of such violation, this Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

  
James M. Taylor, Director  
Office of Inspection and Enforcement

Dated at Bethesda, Maryland  
this 1<sup>st</sup> day of March 1985

~~ENCLOSURE CONTAINS~~  
~~SAFEGUARDS INFORMATION~~  
~~UPON RECEIPT OF THIS~~ PR

Tennessee Valley Authority

Distribution/without Safeguards enclosure

- PDR
- LPDR
- ACRS
- CA
- SECY
- JMTaylor, IE
- RVollmer, IE
- JNGrace, RII\*
- JAAxelrad, IE
- PRobinson, IE\*
- Enforcement Coordinators  
RI, RII, RIII, RIV, RV
- FIngram, PA
- JLieberman, ELD
- BHayes, OI
- SConnelly, OIA
- JCrooks, AEOD
- HDenton, NRR
- A Puglise, RM
- EA File
- ES File
- EDO Rdg File
- DCS

\* w/Safeguards enclosure

IE:ES *PR*  
PRobinson  
2/13/85

*Burns*  
*by phone*  
ELD *PR*  
JLieberman  
2/13/85

*M. Puckett*  
*by phone*  
RII *PR*  
NGrace  
2/13/85

*HH Beach*  
ES:D  
JAxelrad  
2/14/85  
*2/14*  
*#7*  
*2*

IE: *PR*  
RVollmer  
2/14/85  
IE: *PR*  
JTaylor  
2/14/85