

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

Before Administrative Judges:

Paul S. Ryerson, Chairman
E. Roy Hawkens
Dr. Sue H. Abreu

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Enforcement Action)

Docket Nos. EA-20-006 and EA-20-007

ASLBP No. 21-969-01-EA-BD01

January 21, 2021

NOTICE OF HEARING
(Enforcement Action)

This proceeding arises from an Enforcement Order (Order) issued against the Tennessee Valley Authority (TVA) on November 4, 2020, by the Nuclear Regulatory Commission, Office of Enforcement.¹ On November 30, 2020, TVA timely filed an answer and request for hearing² in response to the Order to TVA imposing a civil penalty. The NRC Staff agreed that TVA is entitled to a hearing.³

¹ In the Matter of Tennessee Valley Authority, Chattanooga, TN, 85 Fed. Reg. 70,203 (Nov. 4, 2020).

² Tennessee Valley Authority's Answer and Request for Hearing (Nov. 30, 2020).

³ NRC Staff Answer to Tennessee Valley Authority's Request for a Hearing (Dec. 9, 2020).

This Atomic Safety and Licensing Board was established on December 8, 2020.⁴ An initial pre-hearing conference was held telephonically on December 17, 2020.⁵ On January 14, 2021, this Board published an Initial Scheduling Order.⁶

In light of the foregoing, and consistent with 10 C.F.R. § 2.318(a),⁷ please take notice that an evidentiary hearing will be conducted in this proceeding, beginning on August 23, 2021, at a place to be determined.⁸ The hearing will be governed by the hearing procedures set forth in 10 C.F.R. Part 2, Subpart G,⁹ which procedures supplement the general rules set forth in 10 C.F.R. Part 2, Subpart C.¹⁰ During the course of the proceeding, the Board may, among other measures, hold oral arguments and pre-hearing conferences, and may reschedule the hearing or conduct additional evidentiary hearings.¹¹

The public is invited to attend any oral argument, pre-hearing conference, or evidentiary hearing unless otherwise ordered by the Commission.¹² The time and place of any such sessions will be fixed by subsequent order(s); notices thereof will be published in the Federal

⁴ In the Matter of Tennessee Valley Authority; Establishment of Atomic Safety and Licensing Board, 85 Fed. Reg. 80,825 (Dec. 14, 2020).

⁵ Licensing Board Order (Scheduling Initial Prehearing Teleconference) (Dec. 11, 2020) (unpublished); Tr. at 1–29.

⁶ Licensing Board Order (Initial Scheduling Order) (Jan. 14, 2021) (unpublished).

⁷ See also 10 C.F.R. §§ 2.203, 2.312(a).

⁸ Licensing Board Order (Initial Scheduling Order) (Jan. 14, 2021) at app. A (unpublished).

⁹ 10 C.F.R. §§ 2.700–2.713.

¹⁰ Id. §§ 2.300–2.390.

¹¹ Id. §§ 2.329, 2.331, 2.711.

¹² Id. §§ 2.327–2.328.

Register and/or made available to the public at the NRC Public Document Room, located in One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and through the NRC website, <http://www.nrc.gov>.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 21, 2021

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
TENNESSEE VALLEY AUTHORITY) Docket Nos. EA-20-006 and 20-007-EA
)
(Enforcement Action))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE OF HEARING (Enforcement Action)** have been served upon the following persons by Electronic Information Exchange.

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TENNESSEE VALLEY AUTHORITY
Docket Nos. EA-20-006 and 20-007-EA
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Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 21st day of January 2021.