

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

November 10, 2021

ORDER

(Granting Joint Motion for Termination)

Before the Board is the parties' joint motion to terminate this enforcement proceeding.<sup>1</sup>

On November 8, 2021, after the Board's Memorandum and Order of November 3, 2021 granting summary disposition in part,<sup>2</sup> the NRC Staff rescinded entirely the Notice of Violation<sup>3</sup> and civil monetary penalty Order<sup>4</sup> that it had issued to the Tennessee Valley Authority.<sup>5</sup>

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<sup>1</sup> Joint Motion for Termination of Enforcement Proceeding (Nov. 8, 2021).

<sup>2</sup> LBP-21-06, 94 NRC \_\_, \_\_ (slip op. at 1) (Nov. 3, 2021).

<sup>3</sup> Notice of Violation and Proposed Imposition of Civil Penalty to TVA, NRC Office of Investigations (EA-20-006 & EA-20-007) (Aug. 24, 2020) (ADAMS Accession No. ML20232B803).

<sup>4</sup> In the Matter of Tennessee Valley Authority, Chattanooga, TN, 85 Fed. Reg. 70,203 (Nov 4, 2020); TVA Order Imposing Civil Monetary Penalty (Oct. 29, 2020) (ADAMS Accession No. ML20297A544).

<sup>5</sup> Letter from Mark Lombard, NRC, to Jim Barstow, TVA (Nov. 8, 2021) (ADAMS Accession No. ML21312A380).

Because there is no longer a live controversy, the parties' joint motion is granted, and this proceeding is terminated.

It is so ORDERED.

THE ATOMIC SAFETY  
AND LICENSING BOARD

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Paul S. Ryerson, Chairman  
ADMINISTRATIVE JUDGE

*/RA/*

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E. Roy Hawkens  
ADMINISTRATIVE JUDGE

*/RA/*

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Dr. Sue H. Abreu  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
November 10, 2021

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Granting Joint Motion for Termination) (LBP-21-07)** 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  
**ORDER (Granting Joint Motion for Termination) (LBP-21-07)**

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Tennessee Valley Authority

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On behalf of Tennessee Valley Authority

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Dated at Rockville, Maryland,  
this 10<sup>th</sup> day of November 2021.

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Office of the Secretary of the Commission