

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to

participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to M. Stanford Blanton, Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 8, 2000, as supplemented by letter dated October 2, 2000, which are available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 4th day of October, 2000.

**L. Mark Padovan,**

*Project Manager, Project Directorate II-1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-391]**

### **Tennessee Valley Authority; Watts Bar Nuclear Plant, Unit 2, Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an extension of the latest construction completion dates specified in Construction Permit No. CPPR-92 issued to Tennessee Valley Authority (permittee, TVA) for the Watts Bar Nuclear Plant (WBN), Unit 2. The facility is located at the permittee's site on the west branch of the Tennessee River approximately 50 miles northeast of Chattanooga, Tennessee.

#### **Environmental Assessment**

##### *Identification of Proposed Action*

The proposed action would extend the latest construction completion date of Construction Permit No. CPPR-92 to December 31, 2010. The proposed action is in response to the permittee's request dated October 13, 1999, as supplemented by letter dated July 14, 2000.

##### *The Need for the Proposed Action*

The proposed action is needed to grant the licensee the option of completing construction on WBN Unit 2 in the future. The construction permit expired in December 1999. The permittee requested the extension for Unit 2 due to the delay in the completion of Unit 1 and TVA's decision to maintain Unit 2 in a construction layup status pending TVA's determination of further options to meet future electric power demands.

##### *Environmental Impacts of the Proposed Action*

The environmental impacts associated with the construction of the facility have been previously discussed and evaluated in TVA's Final Environmental Statement for construction (FES-CP) of WBN, Units 1 and 2, issued on November 9, 1972. NRC staff evaluated the environmental impacts of construction and operation of this plant, issuing comments on TVA's FES-CP as

part of its review. In December 1978, NRC staff issued a Final Environmental Statement for the operating-license stage (FES-OL), which addressed the environmental impacts of construction activities not addressed previously in TVA's FES-CP. The activities included: (1) Construction of the transmission route for the Watts Bar—Volunteer 500 kV line; (2) construction of the settling pond for siltation control for construction runoff at a different location from that originally proposed in the FES-CP; and (3) the relocation of the blowdown diffuser from the originally proposed site indicated in the FES-CP. The staff addressed the terrestrial and aquatic environmental impacts in the FES-OL, as well as historic and archeological impacts, and concluded that the assessment presented in the FES-CP remains valid.

A supplemental Final Environmental Statement related to the operation of WBN Units 1 and 2 was issued in April 1995. Environmental issues evaluated included changes to regional demography, natural resource use, meteorology, ecology, impacts to humans and the environment, and socioeconomic impacts, including environmental justice issues. The staff concluded that there were no significant changes to the environmental impacts discussed in the 1978 FES-OL due to changes in plant design or operation, or changes in the environment. Furthermore, the staff concluded that no additional impacts not previously discussed in the NRC's 1978 FES-OL related to construction of Unit 2 were expected.

Since the NRC's latest review, all candidate species have been removed and the bald eagle delisted from the Federal threatened and endangered species list issued by the Fish and Wildlife Service. The licensee has no plans to construct additional transmission lines or disturb any land that has not been discussed in previous environmental reviews. Socioeconomic impacts were evaluated in the supplement to the FES-OL issued in 1995. No additional impacts are expected.

The construction of Unit 2 is approximately 65 percent complete; therefore, most of the construction impacts discussed in the FES have already occurred. This action would only extend the period of construction as described in the FES. It does not involve any different impacts as described and analyzed in the original and updated environmental impact statements. The proposed extension will not allow any work to be performed that is not already allowed by the existing

construction permit. The extension will merely grant the permittee more time to complete construction and modification in accordance with the previously approved construction permit.

Based on the foregoing, the NRC staff has concluded that the proposed action would have no significant environmental impact. Since this action would only extend the period of construction activities described in the FES, it does not involve any different impacts or a significant change to those impacts described and analyzed in the original environmental impact statement. Consequently, an environmental impact statement addressing the proposed action is not required.

#### *Alternatives to the Proposed Action*

A possible alternative to the proposed action would be to deny the request, or the no-action alternative. This would result in expiration of the construction permit for Watts Bar, Unit 2. This option would require submittal of another application for construction in order to allow the permittee to complete construction of the facility with no significant environmental benefit. The environmental impacts of the proposed action and alternative action are similar.

#### *Alternative Use of Resources*

This action does not involve the use of resources not previously considered in the FES for Watts Bar.

#### *Agencies and Persons Contacted*

In accordance with its stated policy, on October 2, 2000, the staff consulted with the Tennessee State Official, Ms. Joel Key, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that this action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for this action.

For further details with respect to this action, see the licensee's request for extension dated October 13, 1999, as supplemented July 14, 2000. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site,

<http://www.nrc.gov> (the Electronic Reading Room).

Dated at Rockville, Maryland this 3rd day of October 2000.

For the Nuclear Regulatory Commission.

**Richard P. Correia,**

*Chief, Section 2, Project Directorate II,  
Division of Licensing Project Management,  
Office of Nuclear Reactor Regulation*

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## **OFFICE OF PERSONNEL MANAGEMENT**

### **Excepted Service**

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of positions established or revoked under Schedule C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

**FOR FURTHER INFORMATION CONTACT:** Pam Shivery, Acting Director, Washington Service Center, Employment Service (202) 606-1015.

**SUPPLEMENTARY INFORMATION:** The Office of Personnel Management published its last monthly notice updating appointing authorities established under the Excepted Service provisions of 5 CFR 213 on September 20, 2000 (64 FR 56966). Individual authorities established under Schedule C between August 1, and August 31, 2000, appear in the listing below. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 will also be published.

### **Schedule C**

The following Schedule C authorities were established during August 2000.

#### *Department of Agriculture*

Confidential Assistant to the Administrator, Farm Services Agency. Effective August 4, 2000.

Staff Assistant to the Administrator, Farm Service Agency. Effective August 4, 2000.

Confidential Assistant to the Administrator, Rural Housing Service. Effective August 11, 2000.

Confidential Assistant to the Under Secretary for Food Safety. Effective August 11, 2000.

Confidential Assistant to the Administrator, Foreign Agricultural Service. Effective August 14, 2000.

Confidential Assistant to the Administrator, Rural Utilities Service,