

notice of the opportunity, within thirty (30) days from the date of publication of this notice of hearing in the **Federal Register**, for (1) any person whose interest may be affected by this proceeding to file a petition for leave to intervene; and for (2) any interested governmental entity to file a request to participate. The following criteria govern those two categories:

- Any petition for leave to intervene must set forth the information required by 10 CFR 2.1205(e), including a detailed description of (1) the interest of the petitioner in the proceeding; (2) how that interest may be affected by the results of the proceeding, including the reasons why the petitioner should be permitted to intervene with respect to the factors set forth in 10 CFR 2.1205(h); (3) the petitioner's areas of concern regarding the application/license; and (4) the circumstances establishing that the petition to intervene is timely in accordance with 10 CFR 2.1205(d).

- Under 10 CFR 2.1211(b), any request to participate by an interested governmental entity must state with reasonable specificity the requestor's areas of concern regarding the CFC activity that is the subject of the application/license.

All prospective participants should be aware that, pursuant to 10 CFR 2.1205(m), the Presiding Officer may take steps "in the interest of avoiding repetitive factual presentations and argument" at the hearing, and thus will likely consider consolidating presentations by parties having similar concerns.

In addition, pursuant to 10 CFR 2.1211(a), any person not a party to the proceeding may submit a written "limited appearance" statement setting forth his or her position on the issues in this proceeding. These statements do not constitute evidence, but may assist the Presiding Officer and/or parties in the definition of the issues being considered. Persons wishing to submit a written limited appearance statement should send it to the Office of the Secretary (Attention: Docketing and Service Branch), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Two copies of the statement should also be served on the Office of the Atomic Safety and Licensing Board Panel at the same NRC/DC address.

In his October 29, 2003 Order, the Presiding Officer directed that on or before Friday, November 28, 2003, the NRC Staff prepare and submit the hearing file for this proceeding. Once the hearing file is received and any needed prehearing conferences are held, the Presiding Officer will, pursuant to

10 CFR 2.1233, establish a schedule for the filing of written presentations by the above-named residents and by CFC (and perhaps by the NRC Staff), which presentations may be subject to supplementation to accommodate the grant of any intervention petition or request to participate by an interested governmental entity. After receiving the parties' written presentations, the Presiding Officer may, pursuant to 10 CFR 2.1233(a), 2.1235, submit written questions to the parties or any interested governmental entity or provide an opportunity for oral presentations by any party or interested governmental entity, which may include oral questioning of witnesses by the Presiding Officer.

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room at NRC Headquarters in Rockville, Maryland. Additionally, documents are available electronically through the NRC's Agencywide Documents Access and Management System (ADAMS), with access to the public through the NRC's Internet Web site Public Electronic Reading Room link at <http://www.nrc.gov/reading-rm/adams.html>. Also, general information regarding the conduct of agency adjudicatory proceedings, including the provisions of 10 CFR part 2, subpart L, can be found by accessing the NRC hearing process page at <http://www.nrc.gov/what-we-do/regulatory/adjudicatory/hearing-pro.html>.

Dated: Rockville, Maryland, October 30, 2003.

By the Presiding Officer.

**Michael C. Farrar,**

*Administrative Judge.*

[FR Doc. 03-27806 Filed 11-4-03; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-413]

### **Duke Energy Corporation; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Duke Energy Corporation (the licensee) to withdraw its October 15, 2003, application for proposed amendment to Facility Operating License No. NPF-35 for the Catawba Nuclear Station, Unit No. 1, located in York County, South Carolina.

The proposed amendment would have revised the Technical

Specifications to allow the continued operation of Catawba Unit 1 with only one fully-operable train of the Containment Spray System until midnight on November 9, 2003.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the *The Herald* newspaper on October 19, 20 and 21, 2003, and the *Charlotte Observer* newspaper on October 20 and 21, 2003. However, by letter dated October 22, 2003, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated October 15, 2003, and the licensee's letter dated October 22, 2003, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 24th day of October 2003.

For the Nuclear Regulatory Commission.

**Sean E. Peters,**

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

[FR Doc. 03-27800 Filed 11-4-03; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-272 and 50-311]

### **PSEG Nuclear, LLC; Notice of Issuance; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of issuance; correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on October 14, 2003 (68 FR 59228), that incorrectly stated implementation date requirements for Amendment No. 259 to Facility Operating License DPR-70 for the Salem Nuclear Generating Station,

Unit No. 1. The effective date for the license amendment issued on October 1, 2003, should be "as of its date of issuance and shall be implemented prior to the exit from Refueling Outage 1R16."

**FOR FURTHER INFORMATION CONTACT:**

Robert Fretz, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-1324, e-mail: [rxrf@nrc.gov](mailto:rxrf@nrc.gov).

Dated in Rockville, Maryland, this 28th day of October 2003.

For the Nuclear Regulatory Commission.

**George F. Wunder,**

*Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-27801 Filed 11-4-03; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-348 and 50-364]

**Southern Nuclear Operating Company (SNC), Joseph M. Farley Nuclear Plant, Units 1 and 2; Notice of Opportunity for Hearing Regarding the Application for Renewal of Facility Operating License Nos. NPF-2 and NPF-8 for an Additional 20-Year Period**

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for the renewal of Operating License Nos. NPF-2 and NPF-8, which authorize the Southern Nuclear Operating Company (SNC) to operate Joseph M. Farley Nuclear Plant, Units 1 and 2, at 2775 megawatts thermal for each unit. The renewed licenses would authorize the applicant to operate Farley Nuclear Plant, Units 1 and 2, for an additional 20 years beyond the period specified in the current licenses. The current operating licenses for Joseph M. Farley Nuclear Plant, Units 1 and 2, will expire on June 25, 2017, and March 31, 2021, respectively.

On September 15, 2003, the Commission's staff received an application from the SNC, filed pursuant to 10 CFR part 54, to renew the Operating License Nos. NPF-2 and NPF-8 for Joseph M. Farley Nuclear Plant, Units 1 and 2, respectively. A Notice of Receipt and Availability of the license renewal application, "Southern Nuclear Operating Company, Joseph M. Farley Nuclear Plant; Notice of Receipt and Availability of Application for Renewal of Facility Operating License Nos. NPF-2 and NPF-8 for an

Additional 20-Year Period," was published in the **Federal Register** on October 6, 2003 (68 FR 57715).

The Commission's staff determined that SNC had submitted information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is acceptable for docketing. "Southern Nuclear Operating Company (SNC), Joseph M. Farley Nuclear Plant, Units 1 and 2; Notice of Acceptance for Docketing of the Application Regarding Renewal of Facility Operating License Nos. NPF-2 and NPF-8 for an Additional 20-Year Period," was published in the **Federal Register** on October 30, 2003 (68 FR 61835).

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," dated May 1996. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future **Federal Register** notice. As discussed further herein, in the event that a hearing is held, issues that may be litigated will be confined to those pertinent to the foregoing.

Within 30 days from the date of publication of this **Federal Register** notice, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the

licenses in accordance with the provisions of 10 CFR 2.714. Interested persons should consult a current copy of 10 CFR 2.714, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and on the NRC Web site at <http://www.nrc.gov/reading-rm.html>. If a request for a hearing or a petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board (ASLB) designated by the Commission or by the Chairman of the ASLB Panel will rule on the request(s) and/or petition(s), and the Secretary or the designated ASLB will issue a notice of hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed by the above date, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51 and 54, renew the licenses without further notice.

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, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 51 and 54. The petition must 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 that may be entered in the proceeding on the petitioner's interest. The petition must 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 before 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 before the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene that must include a list of the contentions that the petitioner seeks to have litigated in the hearing. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition,