

1. Technical—primarily concerns/issues relating to technical health and safety matters discussed or referenced in the Browns Ferry Nuclear Plants Units 1, 2 and 3 license renewal application.

2. Environmental—primarily concerns/issues relating to matters discussed or referenced in the Environmental Report for the license renewal application.

3. Miscellaneous—does not fall into one of the categories outlined above.

As specified in 10 CFR 2.309, if two or more requestors/petitioners seek to co-sponsor a contention, the requestors/petitioners shall jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention. If a requestor/petitioner seeks to adopt the contention of another sponsoring requestor/petitioner, the requestor/petitioner who seeks to adopt the contention must either agree that the sponsoring requestor/petitioner shall act as the representative with respect to that contention, or jointly designate with the sponsoring requestor/petitioner a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

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 participate fully in the conduct of the hearing. A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov); or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at 301-415-1101, verification number is 301-415-1966. A copy of the request for hearing and petition for leave to intervene must also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile

transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the licensee.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition, request and/or contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(i)-(viii).

Detailed information about the license renewal process can be found under the Nuclear Reactors icon at <http://www.nrc.gov/reactors/operating/licensing/renewal.html> on the NRC's Web page. Copies of the application to renew the operating licenses for Browns Ferry Nuclear Plant, Units 1, 2 and 3, are available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, and at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/brownsferry.html> the NRC's Web page while the application is under review. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS accession number ML040060355. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, may contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

The staff has verified that a copy of the license renewal application is also available to local residents near the Browns Ferry Nuclear Plant at the Athens-Limestone Public Library, at 405 E. South Street, Athens, Alabama 35611.

Dated in Rockville, Maryland, this the 4th day of March, 2004.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Program Director, License Renewal and Environmental Impacts, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-259, 50-260, and 50-296]

### Tennessee Valley Authority, Browns Ferry Nuclear Plant, Units 1, 2, and 3; Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping Process

Tennessee Valley Authority (TVA) has submitted an application for renewal of Facility Operating Licenses, DPR-33, DPR-52, and DPR-68 for an additional 20 years of operation at the Browns Ferry Nuclear Plant, Units 1, 2, and 3. The Browns Ferry Nuclear Plant (BFN) is located in Limestone County, Alabama, 16 km (10 mi) southwest of Athens, Alabama. The operating licenses for Browns Ferry Nuclear Plant, Units 1, 2, and 3 expire on December 20, 2013, June 28, 2014, and July 2, 2016, respectively. The application for renewal was received on January 6, 2004, pursuant to 10 CFR part 54. A notice of receipt and availability of the application, which included the environmental report (ER), was published in the **Federal Register** on January 13, 2004, (69 FR 2012). A notice of acceptance for docketing and notice of opportunity for hearing regarding renewal of the facility operating license is also published in the **Federal Register** today. The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. In addition, as outlined in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act (NEPA).

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, TVA submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR part 51 and is available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Electronic Reading Room link. Persons who do not have

access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff at 1-800-397-4209, or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The application may also be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/brownsferry.html>. In addition, the Athens-Limestone Public Library, 405 East South Street, Athens, Alabama, has agreed to make the ER available for public inspection.

This notice advises the public that the NRC intends to gather the information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the application for renewal of the BFN operating licenses for an additional 20 years. Possible alternatives to the proposed action (license renewal) include no action and reasonable alternative energy sources. The NRC is required by 10 CFR 51.95 to prepare a supplement to the GEIS in connection with the renewal of an operating license. This notice is being published in accordance with the National Environmental Policy Act (NEPA) and the NRC's regulations found in 10 CFR part 51.

The NRC will first conduct a scoping process for the supplement to the GEIS and, as soon as practicable thereafter, will prepare a draft supplement to the GEIS for public comment. Participation in the scoping process by members of the public and local, State, Tribal, and Federal government agencies is encouraged. The scoping process for the supplement to the GEIS will be used to accomplish the following:

a. Define the proposed action which is to be the subject of the supplement to the GEIS.

b. Determine the scope of the supplement to the GEIS and identify the significant issues to be analyzed in depth.

c. Identify and eliminate from detailed study those issues that are peripheral or that are not significant.

d. Identify any environmental assessments and other EISs that are being or will be prepared that are related to, but are not part of the scope of the supplement to the GEIS being considered.

e. Identify other environmental review and consultation requirements related to the proposed action.

f. Indicate the relationship between the timing of the preparation of the environmental analyses and the

Commission's tentative planning and decision-making schedule.

g. Identify any cooperating agencies and, as appropriate, allocate assignments for preparation and schedules for completing the supplement to the GEIS to the NRC and any cooperating agencies.

h. Describe how the supplement to the GEIS will be prepared, and include any contractor assistance to be used.

The NRC invites the following entities to participate in the scoping:

a. The applicant, TVA.

b. Any Federal agency that has jurisdiction by law or special expertise with respect to any environmental impact involved, or that is authorized to develop and enforce relevant environmental standards.

c. Affected State and local government agencies, including those authorized to develop and enforce relevant environmental standards.

d. Any affected Indian tribe.

e. Any person who requests or has requested an opportunity to participate in the scoping process.

f. Any person who intends to petition for leave to intervene.

In accordance with 10 CFR 51.26, the scoping process for an EIS may include a public scoping meeting to help identify significant issues related to a proposed activity and to determine the scope of issues to be addressed in an EIS. The NRC has decided to hold public meetings for the license renewal supplement to the GEIS. The scoping meetings will be held at the Athens State University, Student Center Cafeteria Ballroom, 300 North Beaty Street, Athens, Alabama, on Thursday, April 1, 2004. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7 p.m. with a repeat of the overview portions of the meeting and will continue until 10 p.m., as necessary. Both meetings will be transcribed and will include:

(1) An overview by the NRC staff of the NEPA environmental review process, the proposed scope of the supplement to the GEIS, and the proposed review schedule; and

(2) the opportunity for interested government agencies, organizations, and individuals to submit comments or suggestions on the environmental issues or the proposed scope of the supplement to the GEIS. Additionally, the NRC staff will host informal discussions one hour before the start of each session at the Athens State University, Student Center Cafeteria

Ballroom. No formal comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing, as discussed below. Persons may register to attend or present oral comments at the meetings on the scope of the NEPA review by contacting Dr. Michael Masnik, by telephone at 1-800-368-5642, extension 1191, or by Internet to the NRC at

[BrownsFerryEIS@nrc.gov](mailto:BrownsFerryEIS@nrc.gov) no later than March 24, 2004. Members of the public may also register to speak at the meeting within 15 minutes of the start of each session. Individual oral comments may be limited by the time available, depending on the number of persons who register. Members of the public who have not registered may also have an opportunity to speak, if time permits. Public comments will be considered in the scoping process for the supplement to the GEIS. Dr. Masnik will need to be contacted no later than March 24, 2004, if special equipment or accommodations are needed to attend or present information at the public meeting, so that the NRC staff can determine whether the request can be accommodated.

Members of the public may send written comments on the environmental scope of the BFN license renewal review to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Comments may also be delivered to the NRC, Room T-6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. during Federal workdays. To be considered in the scoping process, written comments should be postmarked by no later than 60 days from today's date. Electronic comments may be sent by the Internet to the NRC at [BrownsFerryEIS@nrc.gov](mailto:BrownsFerryEIS@nrc.gov) and should be sent no later than 60 days from today's date to be considered in the scoping process. Comments will be available electronically and accessible through ADAMS at <http://www.nrc.gov/reading-rm/adams.html>.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Notice of opportunity for a hearing regarding the renewal application is the subject of a separate notice published today in the **Federal Register**. Matters related to

participation in any hearing are outside the scope of matters to be discussed at this public meeting.

At the conclusion of the scoping process, the NRC will prepare a concise summary of the determination and conclusions reached, including the significant issues identified, and will send a copy of the summary to each participant in the scoping process. The summary will also be available for inspection in ADAMS at <http://www.nrc.gov/reading-rm/adams.html>. The staff will then prepare and issue for comment the draft supplement to the GEIS, which will be the subject of separate notices and separate public meetings. Copies will be available for public inspection at the above-mentioned addresses, and one copy per request will be provided free of charge. After receipt and consideration of the comments, the NRC will prepare a final supplement to the GEIS, which will also be available for public inspection.

Information about the proposed action, the supplement to the GEIS, and the scoping process may be obtained from Dr. Masnik at the aforementioned telephone number or e-mail address.

Dated at Rockville, Maryland, this 4th day of March, 2004.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Program Director, License Renewal and Environmental Impacts Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

### Workshop To Discuss Combined License Topic 10 (COL-10), 10 CFR Part 52 Subpart C Emergency Planning Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC)

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of April 27, 2004, public workshop.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is holding a workshop on April 27, 2004, to solicit comments on draft proposed emergency planning inspections, tests, analyses, and acceptance criteria (ITAAC). The NRC staff, in consultation with the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA), crafted the draft proposed EP ITAAC, which addresses 15 of the 16 EP planning standards in title 10 of Code of Federal Regulations part 50,

§ 50.47(b), and NUREG-0654/FEMA-REP-1, Rev. 1, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" (NUREG-0654). (The excluded planning standard, 50.47(b)(13), pertains to the development of general plans for recovery and reentry, and was determined to not be applicable to EP ITAAC). The draft proposed EP ITAAC are available for public inspection in the Agencywide Document Access and Management System (ADAMS), Accession No. ML 033010440, and as described below. The NRC staff has scheduled the public workshop to discuss the draft proposed EP ITAAC issues and to solicit stakeholder comments on the staff's draft proposal. This workshop will be transcribed. To allow for timely registration on the day of the meeting, it is recommended that guests pre-register for the workshop. To pre-register for the workshop, contact Mr. Raj Anand (information provided below) and provide the following information: name, organization, phone number, and country of citizenship.

**FOR FURTHER INFORMATION CONTACT:** Mr. Raj K. Anand, New, Research and Test Reactors Program, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Mr. Anand can be reached by telephone at 301-415-1146, or by e-mail at [rka@nrc.gov](mailto:rka@nrc.gov). Questions regarding the public meeting process should be directed to Mr. Francis (Chip) Cameron, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone 301-415-1642, or by e-mail at [fxc@nrc.gov](mailto:fxc@nrc.gov)

**DATES:** The workshop will be held on April 27, 2004, from 10:30 a.m. to 4:30 p.m. Written comments on the NRC staff's draft proposed EP ITAAC should be submitted by May 27, 2004. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** The workshop will be held at the Nuclear Regulatory Commission offices in the Two White Flint North Auditorium, 11545 Rockville Pike, Rockville, Maryland.

The NRC staff's draft proposed EP ITAAC are available for public inspection in the Agencywide Document Access and Management System (ADAMS) in the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike, Public File Area O-1F21, Rockville, Maryland. The information is also

available electronically from the Publicly Available Records (PARS) component of ADAMS (ADAMS Accession No. ML033010440). ADAMS is accessible from the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html> (Public Electronic Reading Room). For more information, contact the NRC Public Document Room (PDR) Reference staff at 800-397-4209, 202-634-3273, or by email at [pdr@nrc.gov](mailto:pdr@nrc.gov). In addition, the draft proposed EP ITAAC and additional associated documentation can be found on NRC's Web site under the Combined Licenses discussion on the following Web page: <http://www.nrc.gov/reactors/new-licensing/licensing-process.html>.

Written comments on the draft proposal may be sent to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T-6D59, Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may also be hand-delivered to the NRC at 11545 Rockville Pike, Rockville, Maryland, between the hours of 7:45 a.m. and 4:15 p.m. on Federal workdays, or submitted electronically by e-mail at [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov). All comments received by the Commission, including those made by Federal, State, and local agencies, Indian tribes, or other interested persons, will be made available at the Commission's PDR in Rockville, Maryland, or electronically from the PARS component of NRC's document system (ADAMS).

**SUPPLEMENTARY INFORMATION:** In 1989, the NRC established new alternatives for nuclear plant licensing under title 10 of the Code of Federal Regulations (10 CFR) part 52, which describe, among other things, a process for issuing a combined construction and operating license, referred to as a combined license (COL). A COL authorizes construction and, with conditions, operation of a nuclear power plant. A COL application must describe the license conditions (*i.e.*, inspections, tests, analyses, and acceptance criteria, referred to as ITAAC) that are necessary to ensure that the plant has been properly constructed and will operate safely. After issuing a COL, the NRC would verify that the licensee completed the required ITAAC before initial loading of fuel into the plant. The NRC would publish notices of the successful completion of the ITAAC. Following successful completion of all ITAAC, and not less than 180 days before the date scheduled for initial loading of nuclear fuel into the reactor, the NRC would publish in the **Federal Register** a notice of intended operation.