

Nuclear Power Station (Operating License Amendment).

This proceeding concerns hearing requests submitted on August 30, 2004, by the Vermont Department of Public Service and the New England Coalition of Brattleboro, Vermont. Those requests, which were filed in response to a June 15, 2004 notice of consideration of issuance of facility operating license amendment and opportunity for hearing published in the **Federal Register** on July 1, 2004 (69 FR 39976), challenge the request of Entergy Nuclear Vermont Yankee, LLC, and Entergy Operations, Inc., to change the operating license for the Vermont Yankee Nuclear Power Station to increase the maximum authorized power level from 1593 megawatts thermal (MWt) to 1912 MWt, an increase of approximately twenty percent above the current maximum authorized power level.

The Board is comprised of the following administrative judges:

Alex S. Karlin, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Dr. Anthony J. Baratta, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Lester S. Rubenstein, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 CFR 2.302.

Issued at Rockville, Maryland, this 14th day of September 2004.

G. Paul Bollwerk, III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-266 and 50-301]

Nuclear Management Company, LLC; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (NRC) has granted the request of Nuclear Management Company, LLC (the licensee), to withdraw its September 26, 2003, application for a proposed amendment to Facility Operating License Nos. DPR-24 and DPR-27 for the Point Beach

Nuclear Plant, Unit Nos. 1 and 2, located in Manitowoc County, WI.

The proposed amendment would have revised Technical Specification 5.6.5, "Reactor Coolant System (RCS) Pressure and Temperature Limits Report (PTLR)," Paragraph b. to reference an NRC approval of a revised pressurized thermal shock screening evaluation methodology for Unit 2. This methodology, described in Babcock & Wilcox Report BAW-2308, Revision 1, "Initial RT_{NDT} [reference nil-ductility temperature] of Linde 80 Weld Materials" (August 2003), was submitted by Framatome ANP on behalf of the Babcock & Wilcox Owners Group Reactor Vessel Working Group for NRC review on August 19, 2003.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on November 25, 2003 (68 FR 66138). As discussed, the amendment request was based on an evaluation methodology that was being reviewed, but had not yet been approved for use, by the NRC when the request was submitted. The NRC conveyed to the licensee that the additional time required to complete its review of the BAW-2308, Revision 1 methodology, which remains under review, had the potential to impact the NRC's review activities associated with Point Beach license renewal. By letter dated August 3, 2004, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated September 26, 2003, and the licensee's letter dated August 3, 2004, 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 O1 F21, 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 e-mail to pdr@nrc.gov.

Dated in Rockville, Maryland, this 16th day of September, 2004.

For the Nuclear Regulatory Commission.

Harold K. Chernoff,

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

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-390-CivP, 50-327-CivP, 50-328-CivP, 50-259-CivP, 50-260-CivP, 50-296-CivP (EA 99-234); ASLBP No. 04-830-01-R]

Tennessee Valley Authority, Watts Bar Nuclear Plant, Unit 1, Sequoyah Nuclear Plant, Units 1 and 2, Browns Ferry Nuclear Plant, Units 1, 2 and 3; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28710 (1972), and §§ 2.205, 2.700, 2.702, 2.714, 2.714a, 2.717, 2.721, and 2.772(j) of the Commission's Regulations (as they were in effect prior to February 13, 2004), an Atomic Safety and Licensing Board is being established to preside over the following proceeding: Tennessee Valley Authority Watts Bar Nuclear Plant, Unit 1 Sequoyah Nuclear Plant, Units 1 & 2 Browns Ferry Nuclear Plant, Units 1, 2 & 3 Order Imposing Civil Monetary Penalty.

This Board is being established pursuant to the August 18, 2004 Commission memorandum and order (CLI-04-24, 60 NRC _ (Aug. 18, 2004)) remanding for further proceedings this matter regarding the request of the Tennessee Valley Authority (TVA), the licensee for the Watts Bar (Unit 1), Sequoyah (Units 1 and 2), and Browns Ferry (Units 1, 2 and 3) Nuclear Plants, for a hearing challenging an Order issued by the Director, Office of Enforcement, dated May 4, 2001, entitled "Order Imposing Civil Monetary Penalty" (65 FR 27166 (May 4, 2001)).

The Board is comprised of the following administrative judges: Charles Bechhoefer, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Dr. Richard F. Cole, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Ann Marshall Young, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.