

July  
August 22, 1998

Mr. J. A. Scalice  
Chief Nuclear Officer  
And Executive Vice President  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, Tennessee 37402-2801

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY OPERATING LICENSES AND OPPORTUNITY FOR A HEARING BROWNS FERRY NUCLEAR PLANT, UNITS 2 AND 3 (TAC NOS. M99711 AND M99712).

Dear Mr. Scalice:

Enclosed, for your information, is a copy of the subject notice. This notice relates to your application dated June 26, 1998, as supplemented July 17, 1998, which proposed technical specification changes relating to power uprate.

This notice has been sent to the Office of the Federal Register for publication.

Sincerely,

/s/

L. Raghavan, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-260 and 50-296

Enclosure: As stated

cc w/encl: See next page

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**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

July 22, 1998

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And Executive Vice President  
Tennessee Valley Authority  
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**SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSES AND OPPORTUNITY FOR A HEARING  
BROWNS FERRY NUCLEAR PLANT, UNITS 2 AND 3 (TAC NOS. M99711  
AND M99712).**

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L. Raghavan, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-260 and 50-296

Enclosure: As stated

cc w/encl: See next page

**UNITED STATES NUCLEAR REGULATORY COMMISSION****TENNESSEE VALLEY AUTHORITY****DOCKET NO. 50-260 AND 50-296****NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSES AND OPPORTUNITY FOR A HEARING**

The U.S. Nuclear Regulatory Commission (NRC, the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-52 and DPR-68 issued to the Tennessee Valley Authority (TVA or the licensee) for operation of the Browns Ferry Nuclear Plant (BFN), Units 2 and 3, located in Limestone County, Alabama.

Presently, the BFN Units 2 and 3 are licensed to operate at a maximum rated thermal power of 3293 Mwt. By letter dated October 1, 1997, as supplemented October 14, 1997, March 16, April 1 and 28, May 1 and 20, 1998, the licensee proposed changes to the BFN Units 2 and 3 Technical Specifications (TS) to allow operation of the Units at the uprated power level of 3458 Mwt which represents a proposed power level increase of 5 percent. The licensee proposed several TS changes to revise the rated thermal power value, flow, pressure and temperature values for various systems and structures, relief valve setpoints and associated surveillance requirements to reflect operation of the BFN Units 2 and 3 at the increased power level. The licensee's request was noticed in the FEDERAL REGISTER on June 9, 1998 (63 FR 31533).

By letter dated June 26, 1998, as supplemented July 17, 1998, the licensee proposed additional TS changes to its original power uprate application. The licensee proposed to add a new Limiting Condition for Operation (LCO) 3.4.10, and associated TS Bases changes. These

changes are related to operating limit for reactor steam dome pressure. Accordingly, this notice supplements the previous notice 63 FR 31533. For further details with respect to this action, see the application for amendments dated June 26, and July 17, 1998.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By August 27, 1998, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license 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. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Athens Public Library, 405 E. South Street, Athens, Alabama. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

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 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.

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, the Gelman Building, 2120 L Street, NW., Washington, DC, 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 General Counsel, Tennessee Valley Authority, 400 West Summit Drive, ET 10H, Knoxville, Tennessee 37902, 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).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92. For further details with respect to this action, see the application for amendments dated June 26, and July 17, 1998 which are available for public inspection at the Commission's Public Document Room, the Gelman

Building, 2120 L Street NW., Washington, DC and at the local public document room located at the Athens Public Library, 405 E. South Street, Athens, Alabama.

Dated at Rockville, Maryland, this 22nd day of July 1998.

For the Nuclear Regulatory Commission.

A handwritten signature in black ink, appearing to read 'L. Raghavan', followed by a long horizontal line extending to the right.

L. Raghavan, Senior Project Manager  
Project Directorate II-3  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation