

October 30, 2003

The Honorable R. Perry Beaver, Principal Chief  
Muscogee (Creek) Nation  
P.O. Box 580  
Okmulgee, OK 74447

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REVIEW OF THE  
JOSEPH M. FARLEY NUCLEAR PLANT LICENSE RENEWAL APPLICATION

Dear Chief Beaver:

The U.S. Nuclear Regulatory Commission (NRC) is seeking input for its environmental review of an application from Southern Nuclear Operating Company, Inc. (SNC) to renew its operating licenses for the Joseph M. Farley Nuclear Plant, Units 1 and 2 (FNP), located in Houston County, Alabama, on the west bank of the Chattahoochee River. FNP is owned by Alabama Power Company (the licensee), and is operated by SNC. FNP is in close proximity to lands that may be of interest to the Muscogee (Creek) Nation. As described below, the NRC process includes an opportunity for public participation in the environmental review. We want to ensure that you are aware of our efforts and, pursuant to 10 CFR 51.28(b), the NRC invites the Muscogee Tribal Community to provide input to the scoping process relating to the NRC's environmental review of the application.

The NRC will hold public scoping meetings for the FNP license renewal supplement to the NRC's "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS) (NUREG-1437). These scoping meetings will be held at the Quality Inn, 3053 Ross Clark Circle, Dothan, Alabama, 36301-1121, on Thursday, January 8, 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 7:00 p.m., with a repeat of the overview portions of the meeting, and will continue until 10:00 p.m., as necessary. Additionally, the NRC staff will host informal discussions one hour before the start of each session. 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. The application and the environmental review process are described below.

Under NRC regulations, the original operating license for a nuclear power plant is issued for up to 40 years. The license may be renewed for up to an additional 20 years if NRC requirements are met. The current operating licenses for FNP will expire in 2017 and 2021 respectively. SNC submitted an environmental report as part of its application for renewal of the FNP operating license on September 15, 2003. The application is electronically available for inspection 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 Public Electronic Reading Room (PERR) link. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document

Room (PDR) Reference staff at 1 (800) 397-4209, (301) 415-4737, or by e-mail to [pdrc@nrc.gov](mailto:pdrc@nrc.gov).

In addition, the application can be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/farley.html>.

A paper copy of the document can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738; at the Houston Love Memorial Library, 212 West Burdeshaw Street, Dothan, Alabama, 36301-1121; and at the Lucy Maddox Memorial Library, 11880 Columbia Street, Blakely, Georgia, 39823-2577. Also, the GEIS assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site. A copy of this document can also be found on the NRC's website or at the NRC's PDR.

The NRC is gathering information for the document that will be a FNP-specific supplement to the GEIS. The supplement will contain the results of the review of the environmental impacts on the area surrounding the FNP site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action.

Please submit any written comments the Muscogee Tribal Community may have to offer on the scope of the environmental review by February 6, 2004. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [FarleyEIS@nrc.gov](mailto:FarleyEIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified, the conclusions reached, and will mail a copy to you.

The NRC will prepare a draft supplemental environmental impact statement (SEIS) for public comment, and will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final environmental statement for FNP is planned for March 2005. If you need additional information regarding the environmental review process, please contact Jack Cushing, Environmental Project Manager, at (301) 415-1424.

Sincerely,  
**/RA/**

Pao-Tsin Kuo, Program Director  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-348, 50-364

cc: See next page

Room (PDR) Reference staff at 1 (800) 397-4209, (301) 415-4737, or by e-mail to [pdrc@nrc.gov](mailto:pdrc@nrc.gov).

In addition, the application can be viewed on the Internet at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/farley.html>.

A paper copy of the document can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738; at the Houston Love Memorial Library, 212 West Burdeshaw Street, Dothan, Alabama, 36301-1121; and at the Lucy Maddox Memorial Library, 11880 Columbia Street, Blakely, Georgia, 39823-2577. Also, the GEIS assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site. A copy of this document can also be found on the NRC's website or at the NRC's PDR.

The NRC is gathering information for the document that will be a FNP-specific supplement to the GEIS. The supplement will contain the results of the review of the environmental impacts on the area surrounding the FNP site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action.

Please submit any written comments the Muscogee Tribal Community may have to offer on the scope of the environmental review by February 6, 2004. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to [FarleyEIS@nrc.gov](mailto:FarleyEIS@nrc.gov).

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified, the conclusions reached, and will mail a copy to you.

The NRC will prepare a draft supplemental environmental impact statement (SEIS) for public comment, and will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final environmental statement for FNP is planned for March 2005. If you need additional information regarding the environmental review process, please contact Jack Cushing, Environmental Project Manager, at (301) 415-1424.

Sincerely,

**/RA/**

Pao-Tsin Kuo, Program Director  
License Renewal and Environmental Impacts Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket Nos.: 50-348, 50-364

cc: See next page DISTRIBUTION: See next page

Accession no.: **ML030080288**

DOCUMENT NAME: C:\ORPCheckout\FileNET\ML033080288.wpd

OFFICE	LA:RLEP	GS:RLEP	PM:RLEP	SC:RLEP	PD:RLEP
NAME	LJenkins	JDavis	JCushing	JTappert	PTKuo
DATE	10/23/03	10/23/03	10/23/03	10/27/03	10/30/03

OFFICIAL RECORD COPY

DISTRIBUTION: Letter to the Honorable R. Perry Beaver, Dated: October 30, 2003

---

Accession no.: **ML030080288**

PUBLIC

DMatthews/FGillespie

PTKuo

JCushing

AKugler

JDavis

JTappert

TLiu

FRinaldi

TJohnson, (Resident) RII

BBonser, RII

OGC

Crystal Quinley (LLNL)

RLEP R/F

Joseph M. Farley Nuclear Plant

cc:

Mr. Don E. Grissette  
General Manager -  
Southern Nuclear Operating Company  
Post Office Box 470  
Ashford, Alabama 36312

Mr. B. D. McKinney  
Licensing Manager  
Southern Nuclear Operating Company  
Post Office Box 1295  
Birmingham, Alabama 35201-1295

Mr. M. Stanford Blanton  
Balch and Bingham Law Firm  
Post Office Box 306  
1710 Sixth Avenue North  
Birmingham, Alabama 35201

Mr. J. D. Woodard  
Executive Vice President  
Southern Nuclear Operating Company  
Post Office Box 1295  
Birmingham, Alabama 35201

State Health Officer  
Alabama Department of Public Health  
434 Monroe Street  
Montgomery, Alabama 36130-1701

Chairman  
Houston County Commission  
Post Office Box 6406  
Dothan, Alabama 36302

Resident Inspector  
U.S. Nuclear Regulatory Commission  
7388 N. State Highway 95  
Columbia, Alabama 36319

William D. Oldfield  
SAER Supervisor  
Southern Nuclear Operating Company  
Post Office Box 470  
Ashford, Alabama 36312

Mr. Charles R. Pierce  
Manager - License Renewal  
Southern Nuclear Operating Company  
Post Office Box 1295  
Birmingham, AL 35201

Mr. Fred Emerson  
Nuclear Energy Institute  
1776 I Street, N.W., Suite 400  
Washington, DC 20006-3708

Ms. Betty Forbus  
Director  
Houston Love Memorial Library  
212 West Burdeshaw Street  
Dothan, Alabama 36303

Ms. Barbara Crawford  
The Lucy Maddox Memorial Library  
11880 Columbia Street  
Blakely, GA 39823