

March 4, 2004

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

SUBJECT: NOTICE OF INTENT TO PREPARE AN ENVIRONMENTAL IMPACT STATEMENT AND CONDUCT SCOPING FOR LICENSE RENEWAL FOR THE BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3 (TAC NOS. MC1768, MC1769, AND MC1770)

Dear Mr. Scalice:

The U.S. Nuclear Regulatory Commission (NRC) has received your application dated, January 6, 2004, for the renewal of Operating Licenses DPR-33, DPR-52, and DPR-68 for the Browns Ferry Nuclear Plant (BFN), Units 1, 2, and 3. In support of the application and in accordance with 10 CFR Part 51 and 10 CFR Part 54, Tennessee Valley Authority (TVA) submitted an environmental report (ER). This letter provides information related to the staff's review of the BFN ER.

The NRC has prepared a notice of intent advising the public that the NRC intends to gather information necessary to prepare a plant-specific supplement to the Commission's "Generic Environmental Impact Statement for License Renewal of Nuclear Plants," (NUREG-1437) in support of the review of the application for the renewal of the BFN operating licenses. Enclosed is a copy of the notice of intent, which has been forwarded to the Office of the *Federal Register* for publication.

Pursuant to 10 CFR 51.28, TVA is invited to participate in the environmental scoping process. As discussed in the enclosed notice, the staff is providing the public with two opportunities to participate in the environmental scoping meeting to be held Thursday, April 1, 2004. The first session will be held in the afternoon and the second session, covering the same subjects, will be held in the evening. The NRC will present an overview of the environmental review process and will describe how the process will be implemented for the review of the BFN license renewal application. TVA is invited to participate in both sessions of the meeting by providing a brief description of the proposed action and the ER submitted as part of the application for license renewal. The meetings will be held at the Athens State University, Student Center Cafeteria Ballroom, 300 North Beaty Street, Athens, Alabama. A separate NRC meeting notice will be issued with a more detailed agenda. You will be provided a copy of that notice.

Additionally, NRC staff and contractors plan to be on site March 30-31, 2004, and potentially the morning of April 2, 2004, to discuss the background details of the preparation of the ER

J. A. Scalice

-2-

with members of your staff, to perform a walk down of the site and its environs, and to review documentation. Additional details regarding the site visit will be provided to your staff before the visit.

In the interim, should you have any questions regarding the scoping meeting, please contact the NRC environmental project manager, Dr. Michael Masnik, at (301) 415-1191.

Sincerely,  
**/RA/**

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

Docket No.: 50-259, 50-360, and 50-296

Enclosure: As stated

cc w/enclosure: See next page

J. A. Scalice

-2-

with members of your staff, to perform a walk down of the site and its environs, and to review documentation. Additional details regarding the site visit will be provided to your staff before the visit.

In the interim, should you have any questions regarding the scoping meeting, please contact the NRC environmental project manager, Dr. Michael Masnik, at (301) 415-1191.

Sincerely,

**/RA/**

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

Docket No.: 50-259, 50-260, and 50-296

Enclosure: As stated

cc w/enclosure: See next page

DISTRIBUTION:

DMatthews/FGillespie  
PTKuo  
MMasnik  
RSchaaf  
TTerry  
JTappert  
JYerokun  
KJabbour  
RHannah, RII  
KClark, RII  
CJulian, RII  
BHolbrook, SRI  
AHodgdon,OGC  
MSackchewsky (PNNL)  
RLEP R/F

Accession no.: **ML040640755**

Document Name:C:\ORPCheckout\FileNET\ML040640755.wpd **\*See Previous Concurrence**

OFFICE	CE:RLEP	PM:RLEP	LA:RLEP	SC:RLEP	OGC	PD:RLEP
NAME	TTerry*	MMasnik*	MJenkins*	JTappert	AHodgdon*	PTKuo
DATE	02/17/04	02/17/04	02/19/04	02/26/04	02/23/04	03/4/04

OFFICIAL RECORD COPY

UNITED STATES NUCLEAR REGULATORY COMMISSION  
TENNESSEE VALLEY AUTHORITY  
BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2, AND 3  
DOCKET NOS. 50-259, 50-260, and 50-296  
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/browns-ferry.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 7:00 p.m. with a repeat of the overview portions of the meeting and will continue until 10:00 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

***/RA/***

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

## **BROWNS FERRY NUCLEAR PLANT**

Tennessee Valley Authority

cc:

Mr. Karl W. Singer, Senior Vice President  
Nuclear Operations  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

Mr. Mark J. Burzynski, Manager  
Nuclear Licensing  
Tennessee Valley Authority  
4X Blue Ridge  
1101 Market Street  
Chattanooga, TN 37402-2801

Mr. James E. Maddox, Acting Vice President  
Engineering & Technical Services  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

Mr. Timothy E. Abney, Manager  
Licensing and Industry Affairs  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Mr. Ashok S. Bhatnagar, Site Vice President  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
Browns Ferry Nuclear Plant  
P.O. Box 149  
Athens, AL 35611

General Counsel  
Tennessee Valley Authority  
ET 11A  
400 West Summit Hill Drive  
Knoxville, TN 37902

State Health Officer  
Alabama Dept. of Public Health  
RSA Tower - Administration  
Suite 1552  
P.O. Box 303017  
Montgomery, AL 36130-3017

Mr. Robert J. Adney, General Manager  
Nuclear Assurance  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

Chairman  
Limestone County Commission  
310 West Washington Street  
Athens, AL 35611

Mr. Robert G. Jones, Plant Manager  
Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
P.O. Box 2000  
Decatur, AL 35609

Mr. Fred Emerson  
Nuclear Energy Institute  
1776 I St., NW., Suite 400  
Washington, DC 20006-3708