

March 8, 2004

Dr. Lee Warner
State Historic Preservation Officer
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

SUBJECT: BROWNS FERRY NUCLEAR PLANT LICENSE RENEWAL REVIEW

Dear Dr. Warner:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application to renew the operating licenses for Browns Ferry Nuclear Plant, Units 1, 2, and 3 (BFN), which is located in Limestone County, Alabama, 16 km (10 mi) southwest of Athens, Alabama. BFN is operated by the Tennessee Valley Authority (TVA). The site boundary is shown on the NRC's web site at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/browns-ferry/env-bfn-2.pdf> on page E-70. The application for renewal was submitted by TVA on January 6, 2004, pursuant to NRC requirements at Title 10 of the *Code of Federal Regulations* Part 54 (10 CFR Part 54). The NRC has established that, as part of the staff review of any nuclear power plant license renewal action, a site-specific Supplemental Environmental Impact Statement (SEIS) to its "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS), NUREG-1437, will be prepared under the provisions of 10 CFR Part 51, which implements the National Environmental Policy Act of 1969 (NEPA). In accordance with 36 CFR 800.8, the SEIS will include analyses of potential impacts to historic and cultural resources. A draft SEIS is scheduled for publication in November of 2004, and will be provided to you for review and comment.

In the context of the National Historic Preservation Act of 1966, as amended, the NRC staff has determined that the area of potential effect (APE) for a license renewal action is the area at the power plant site and its immediate environs which may be impacted by post-license renewal land disturbing operation or projected refurbishment activities associated with the proposed action. The APE may extend beyond the immediate environs in those instances where post-license renewal land disturbing operations or projected refurbishment activities, specifically related to license renewal, may potentially have an effect on known or proposed historic sites located beyond the immediate environs of the proposed site. This determination is made irrespective of ownership or control of the lands of interest.

We understand that in a letter dated January 8, 2001, after reviewing the TVA issued Draft Environmental Impact Statement for Operating License Renewal of the Browns Ferry Nuclear Plant, you concluded that license renewal activities will have no effect on significant cultural resources, provided that site 1Li535 and the Cox Cemetery are avoided. The Alabama Historical Commission tracking number for this action is 2001-1439.

Dr. L. Warner

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On April 1, 2004, the NRC will conduct two public NEPA scoping meetings at the Athens State University Student Center Cafeteria Ballroom, 300 North Beaty Street, Athens, Alabama 35611-1999. You and your staff are invited to attend. Your office will receive a copy of the draft SEIS for review and comment. If you have any questions or require additional information, please contact the Senior Environmental Project Manager for the BFN project, Dr. Michael Masnik, at 301-415-1191 or mtm2@nrc.gov.

Sincerely,

/RA/

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

Docket Nos.: 50-259, 50-260, and 50-296

cc: See next page

Dr. L. Warner

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On April 1, 2004, the NRC will conduct two public NEPA scoping meetings at the Athens State University Student Center Cafeteria Ballroom, 300 North Beaty Street, Athens, Alabama 35611-1902. You and your staff are invited to attend. Your office will receive a copy of the draft SEIS for review and comment. If you have any questions or require additional information, please contact the Senior Environmental Project Manager for the BFN project, Dr. Michael Masnik, at 301-415-1191 or mtm2@nrc.gov

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

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

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

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

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

Mr. Mark J. Burzynski, Manager
Nuclear Licensing
Tennessee Valley Authority
4X Blue Ridge
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

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

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

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

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

Mr. J. A. Scalice
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37404-2801