

April 5, 2005

Mr. L. M. Stinson  
Vice President - Farley Project  
Southern Nuclear Operating  
Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201-1295

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2, ENVIRONMENTAL  
ASSESSMENT RELATED TO EXEMPTION 10 CFR PART 50, APPENDIX E,  
SECTION IV.F.2.b AND c (TAC NOS. MC5395 AND MC5396)

Dear Mr. Stinson:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your request for an exemption dated December 13, 2004, that would reschedule the biennial full-participation exercise from 2004 to 2005. Future full-participation exercises will resume their normal biennial exercise cycle in 2006.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

**/RA/**

Sean Peters, Project Manager, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-348 and 50-364

Enclosure: Environmental Assessment

cc w/encl: See next page

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ADAMS Accession Number: ML050260005

NRR-048

Office	PDII-1/PM	PDII-1/LA	RLEP	OGC	PDII-1/SC
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Date	02/01/05	02/01/05	1/18 /05	1/21/05	02/02/05

**OFFICIAL RECORD COPY**

Joseph M. Farley Nuclear Plant, Units 1 & 2

cc:

Mr. J. R. Johnson  
General Manager  
Southern Nuclear Operating Company, Inc.  
P.O. Box 470  
Ashford, AL 36312

William D. Oldfield  
SAER Supervisor  
Southern Nuclear Operating Company, Inc.  
P.O. Box 470  
Ashford, AL 36312

Mr. B. D. McKinney, Licensing Manager  
Southern Nuclear Operating Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201-1295

Mr. M. Stanford Blanton  
Balch and Bingham Law Firm  
P.O. Box 306  
1710 Sixth Avenue North  
Birmingham, AL 35201

Mr. J. Gasser  
Executive Vice President  
Southern Nuclear Operating Company, Inc.  
P.O. Box 1295  
Birmingham, AL 35201

State Health Officer  
Alabama Department of Public Health  
434 Monroe St.  
Montgomery, AL 36130-1701

Chairman  
Houston County Commission  
P.O. Box 6406  
Dothan, AL 36302

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

UNITED STATES NUCLEAR REGULATORY COMMISSION  
SOUTHERN NUCLEAR OPERATING COMPANY  
DOCKET NOS. 50-348 AND 50-364  
JOSEPH M. FARLEY NUCLEAR POWER PLANT, UNITS 1 AND 2  
ENVIRONMENTAL ASSESSMENT AND FINDING OF  
NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix E, Section IV.F.2.b and c for Facility Operating License Nos. NPF-2 and NPF-8, issued to Southern Nuclear Operating Company (SNC or the licensee), for operation of the Joseph M. Farley Nuclear Power Plant (FNP), Units 1 and 2, located in Houston County, Alabama. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The proposed action, as described in the licensee's application for a one-time exemption to the requirements of 10 CFR Part 50, Appendix E, dated December 13, 2004, would allow the licensee to postpone the offsite full-participation emergency exercise from 2004 to 2005. The licensee's letter dated December 13, 2004, requested an exemption from Section IV.F.2.e of Appendix E to 10 CFR Part 50 regarding the full participation by each offsite authority having a role under the plan. The NRC staff determined that the requirements of Section IV.F.2.e are not applicable to the circumstances of the licensee's request and, accordingly, no exemption from those requirements is being granted. However, the NRC staff has determined that the

requirements of Appendix E to 10 CFR Part 50, Sections IV.F.2.b and 2.c are applicable to the circumstances of the licensee's request and that an exemption from those requirements is appropriate. The licensee also stated in its December 13, 2004, letter that FNP will resume its normal biennial exercise cycle in 2006.

The Need for the Proposed Action:

The proposed exemption from 10 CFR Part 50, Appendix E, Section IV.F.2.b and c is needed because the planned full-participation exercise originally scheduled for August 18, 2004, was not performed. The Federal Emergency Management Agency (FEMA), which normally participates in the evaluated full-participation exercise, and Alabama Emergency Management Agency were unable to provide the necessary resources for the exercise due to the impact of Hurricane Charley.

Environmental Impacts of the Proposed Action:

The NRC has completed its safety evaluation of the proposed action and concludes that the proposed exemption will not present an undue risk to the public health and safety. The details of the NRC staff's Safety Evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation. The action relates to the exercising of the emergency response plan, which has no effect on the operation of the facility.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has

no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement related to the operation of the Joseph M. Farley Nuclear Plant, Units 1 and 2, dated December 1974.

Agencies and Persons Consulted:

In accordance with its stated policy, on January 6, 2005, the staff consulted with the Alabama State official, Kirk Whatley of the Office of Radiation Control, Alabama Department of Public Health, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated December 13, 2004. 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 System (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](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 5<sup>th</sup> day of April, 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

Sean Peters, Project Manager, Section 1  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation