

July 1, 2005

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

SUBJECT: BROWNS FERRY NUCLEAR PLANT UNITS 2 AND 3 — NOTICE OF  
CONSIDERATION OF ISSUANCE OF AMENDMENTS TO FACILITY  
OPERATING LICENSE FOR EXTENDED POWER UPRATE AND  
OPPORTUNITY FOR A HEARING (TAC NOS. MC3743 AND MC3744)

Dear Mr. Singer:

Enclosed is a copy of a "Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity For a Hearing" related to your application for amendments dated June 25, 2004, as supplemented on February 23 and April 25, 2005, for Browns Ferry Nuclear Plant (BFN), Units 2 and 3.

The proposed amendments would change the BFN, Units 2 and 3 operating licenses to increase the maximum authorized power level from 3458 megawatts thermal (MWt) to 3952 MWt. This change represents an increase of approximately 15 percent above the current maximum authorized power level. The proposed amendments would also change the BFN licensing bases and any associated technical specifications for containment overpressure.

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

Sincerely,

**/RA/**

Eva A. Brown, Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
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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\*No Legal Objection

NRR-106

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OFFICIAL RECORD COPY

Mr. Karl W. Singer  
Tennessee Valley Authority

**BROWNS FERRY NUCLEAR PLANT**

cc:

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Chattanooga, TN 37402-2801

Mr. Fredrick C. Mashburn  
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Tennessee Valley Authority  
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Chattanooga, TN 37402-2801

Manager  
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Decatur, AL 35609

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Browns Ferry Nuclear Plant  
Tennessee Valley Authority  
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Decatur, AL 35609

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Browns Ferry Nuclear Plant  
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General Counsel  
Tennessee Valley Authority  
ET 11A  
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Knoxville, TN 37902

State Health Officer  
Alabama Dept. of Public Health  
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P.O. Box 303017  
Montgomery, AL 36130-3017

Mr. John C. Fornicola, Manager  
Nuclear Assurance and Licensing  
Tennessee Valley Authority  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

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

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

UNITED STATES NUCLEAR REGULATORY COMMISSION

TENNESSEE VALLEY AUTHORITY

BROWNS FERRY NUCLEAR PLANT, UNITS 2 AND 3

DOCKET NOS. 50-260 AND 50-296

NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO  
FACILITY OPERATING LICENSE AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of amendments to Facility Operating Licenses No. DPR-52 and DPR-68, issued to Tennessee Valley Authority (the licensees), for operation of the Browns Ferry Nuclear Plant (BFN) Units 2 and 3 located in Limestone County, Alabama.

The proposed amendments would change the BFN, Units 2 and 3 operating licenses to increase the maximum authorized power level from 3458 megawatts thermal (MWt) to 3952 MWt. This change represents an increase of approximately 15 percent above the current maximum authorized power level. The proposed amendments would also change the BFN, Units 2 and 3 licensing bases and any associated technical specifications for containment overpressure.

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.

Within 60 days after the date of publication of this notice, the licensee may file a request for a hearing with respect to issuance of the amendments 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 current copies of 10 CFR 2.309, 2.304, and 2.305, which are available at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing and petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request and petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner/requestor 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 general requirements: 1) the name, address and telephone number of the requestor or petitioner; 2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; 3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and 4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated in the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of

the bases for 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. The petition must include 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/requestor to relief. A petitioner/requestor who fails to satisfy 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.

Nontimely requests and petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(I)-(viii).

A request for a hearing and petition for leave to intervene must be filed by: 1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; 2) courier, express mail, or expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; 3) e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV); or 4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington,

DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A request for hearing and petition for leave to intervene need not comply with 10 CFR 2.304(b), (c) and (d) if an original and two copies otherwise complying with the requirements of that section are mailed within two (2) days after filing by e-mail or facsimile transmission to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by email to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to General Counsel, Tennessee Valley Authority, ET 11A, 400 West Summit Hill Drive, Knoxville, Tennessee, 37902, attorney for the licensee.

For further details with respect to this action, see the application for amendments dated June 25, 2004, and supplements dated February 23 and April 25, 2005, which are available for public inspection at the Commission's 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 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, 301-415-4737,  
or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 1st day of July 2005.

FOR THE NUCLEAR REGULATORY COMMISSION

***/RA/***

Eva A. Brown, Project Manager, Section 2  
Project Directorate II  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation