

proposed to the content and format of TS Tables 3.3-1 and 4.3-1 to enhance TS clarity.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on November 25, 2003 (68 FR 66136). However, by letter dated November 26, 2003, the licensee withdrew the amendment request.

For further details with respect to this action, see the application for amendment dated December 17, 2001, as supplemented by letter dated June 4, 2002, and the licensee's letter dated November 26, 2003, which withdrew the application for license amendment. 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 Systems (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 email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 5th day of January, 2004.

For the Nuclear Regulatory Commission.

**Stephen P. Sands,**

*Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-679 Filed 1-12-04; 8:45 am]

**BILLING CODE 7590-01-U**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-259, 50-260, and 50-296]

### Tennessee Valley Authority, Notice of Receipt of Application for Renewal of Browns Ferry Nuclear Plant, Units 1, 2 and 3, Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 for an Additional 20-Year Period

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated January 6, 2004, from the Tennessee Valley Authority, filed pursuant to Section 104b of the Atomic Energy Act of 1954, as amended, and 10 CFR part 54, to renew Operating License Nos. DPR-33, DPR-52, and DPR-68 for the Browns

Ferry Nuclear Plant, Units 1, 2 and 3, respectively. Renewal of the licenses would authorize the applicant to operate the facilities for an additional 20-year period. The current operating licenses for the Browns Ferry Nuclear Plant, Units 1, 2 and 3, expire on December 20, 2013, June 28, 2014, and July 2, 2016, respectively. The Browns Ferry Nuclear Plant, Units 1, 2 and 3, are boiling-water reactors designed by General Electric Corporation, and are located in Limestone County, Alabama. The acceptability of the tendered application for docketing, and other matters, including an opportunity to request a hearing, will be addressed in subsequent **Federal Register** notices.

Copies of the application are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the Publicly Available Records (PARS) component of the NRC's Agencywide Documents Access and Management System (ADAMS) under accession number ML040060355. The ADAMS Public Electronic Reading Room is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available on the NRC web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, while the application is under review. 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, 301-415-4737, or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

The staff has also verified that a copy of the license renewal application for the Browns Ferry Nuclear Plant, Units 1, 2 and 3 has been provided to the Athens-Limestone Public Library, at 405 South Street E, Athens, Alabama, 35611.

Dated at Rockville, Maryland, this 7th day of January, 2004.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Program Director, License Renewal and Environmental Impacts, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-681 Filed 1-12-04; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-275 and 50-323]

### Pacific Gas and Electric Company, Diablo Canyon Power Plant, Unit Nos. 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, section 50.68 for Facility Operating License Nos. DPR-80 and DPR-82, issued to Pacific Gas and Electric Company (the licensee), for operation of the Diablo Canyon Power Plant (DCPP), Unit Nos. 1 and 2, respectively, located in San Luis Obispo County, California. 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 would exempt the licensee from the requirements of 10 CFR 50.68, "Criticality Accident Requirements," for handling the 10 CFR part 72 licensed contents of the Holtec HI-STORM 100 Cask System.

The proposed action is in accordance with the licensee's application dated October 8, 2003, as supplemented on November 25, 2003.

##### The Need for the Proposed Action

10 CFR 50.68(b)(1) sets forth the following requirement that must be met, in lieu of a monitoring system capable of detecting criticality events:

Plant procedures shall prohibit the handling and storage at any one time of more fuel assemblies than have been determined to be safely subcritical under the most adverse moderation conditions feasible by unborated water.

The licensee is unable to satisfy the above requirement for handling of the 10 CFR part 72 licensed contents of the Holtec HI-STORM 100 Cask System. Section 50.12(a) allows licensees to apply for an exemption from the requirements of part 50 if the regulation is not necessary to achieve the underlying purpose of the rule and other conditions are met. The licensee has stated that compliance with 10 CFR 50.68(b)(1) is not necessary for handling the 10 CFR part 72 licensed contents of the cask system to achieve the underlying purpose of the rule.

##### Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes

that the exemption described above would continue to satisfy the underlying purpose of 10 CFR 50.68(b)(1). The details of the staff's safety evaluation will be provided with the letter to the licensee approving the exemption to the regulation.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types or amounts of effluents that may be released off site, 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 nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological 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 resource than those previously considered in the Final Environmental Statement for the Diablo Canyon Power Plant, Unit Nos. 1 and 2, dated May 1973.

#### *Agencies and Persons Consulted*

On December 15, 2003, the staff consulted with the California State official, Mr. Steve Hsu of the Radiologic Health Branch of the California Department of Health Services, 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 October 8, 2003, as supplemented on November 25, 2003. 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 7th day of January 2004.

For the Nuclear Regulatory Commission.

#### **Stephen Dembek,**

*Chief, Section 2, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-680 Filed 1-12-04; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **SUNSHINE ACT MEETING**

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of January 12, 19, 26, February 2, 9, 16, 2004.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and closed.

#### **MATTERS TO BE CONSIDERED:**

##### **Week of January 12, 2004**

*Wednesday, January 14, 2004*

9:30 a.m. Briefing on Status of Office of Chief Information Officer Programs, Performance, and Plans (Public Meeting). (Contact: Jacqueline Silber, (301) 415-7330).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

##### **Week of January 19, 2004—Tentative**

*Wednesday, January 21, 2004*

1:30 p.m. Discussion of Security Issues (Closed—Ex. 1).

##### **Week of January 26, 2004—Tentative**

There are no meetings scheduled for the Week of January 26, 2004.

##### **Week of February 2, 2004—Tentative**

There are no meetings scheduled for the Week of February 2, 2004.

##### **Week of February 9, 2004—Tentative**

There are no meetings scheduled for the Week of February 9, 2004.

##### **Week of February 16, 2004—Tentative**

*Wednesday, February 18, 2004*

9:30 a.m. Briefing on Status of Office of Chief Financial Officer Programs, Performance, and Plans (Public Meeting). (Contact: Edward L. New, (301) 415-5646).

\*The schedule for Commission meeting is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Timothy J. Frye, (301) 415-1651.

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#### **ADDITIONAL INFORMATION**

By a vote of 3-0 on January 6, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of SECY-03-0224 (Sequoyah Fuels Corp; State of Oklahoma's Petition for Review of LBP-03-25)" be held on January 8, and on less than one week's notice to the public.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at: [www.nrc.gov/what-we-do/policy-making/schedule.html](http://www.nrc.gov/what-we-do/policy-making/schedule.html).

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301) 415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: January 8, 2004.

#### **Timothy J. Frye,**

*Technical Coordinator, Office of the Secretary.*

[FR Doc. 04-766 Filed 1-9-04; 12:06 pm]

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