

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