

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-184]

**National Institute of Standards and Technology (NIST); Notice of Receipt and Availability of Application for Renewal of the National Institute of Standards and Technology Reactor (the NBSR) Facility Operating License No. TR-5 for an Additional 20-Year Period**

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated April 9, 2004, from the National Institute of Standards and Technology (NIST), filed pursuant to Sections 104c of the Atomic Energy Act of 1954, as amended, and 10 CFR Part 50.51(a), to renew Operating License No. TR-5 for the National Institute of Standards and Technology Reactor (the NBSR). NIST requested renewal of the license to authorize operation of the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for the NBSR (TR-5) expires on May 16, 2004. In accordance with 10 CFR 2.109(a), NIST's application for renewal was at least 30 days prior to the expiration of an existing license, and therefore the existing license will not be deemed to have expired until the application has been finally determined. The reactor is located on the NIST campus in Gaithersburg, Maryland. The acceptability of the tendered application for docketing, and other matters including an opportunity to request for a hearing, will be the subject of 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 NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under accession number ML041120161. 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 by telephone at 1-800-

397-4209, extension 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 29th day of April 2004.

For the Nuclear Regulatory Commission.

**Patrick M. Madden,**

*Section Chief, Research and Test Reactors Section, New, Research and Test Reactors Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-499]

**STP Nuclear Operating Company; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of STP Nuclear Operating Company acting on behalf of itself and for Texas Genco, LP, the City Public Service Board of San Antonio (CPS), AEP Texas Central Company, and the City of Austin, Texas, (the licensee) to withdraw its March 4, 2004, application for proposed amendment to Facility Operating License No. NPF-80 for the South Texas Project (STP), Unit 2, located in Matagorda County, Texas.

The proposed amendment would have revised the Technical Specifications to allow STP, Unit 2 to change modes with standby diesel generator 22 inoperable.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on March 23, 2004 (69 FR 13596). However, by letter dated April 29, 2004, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated March 4, 2004, and the licensee's letter dated April 29, 2004, 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 e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

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

For the Nuclear Regulatory Commission.

**Michael Webb,**

*Senior Project Manager, Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 72-52; EA 04-080]

**In the Matter of Tennessee Valley Authority; Browns Ferry Nuclear Plant, 6A Lookout Place, 1101 Market Street, Chattanooga, Tennessee 37402-2801; Order Modifying License (Effective Immediately)**

**I**

Tennessee Valley Authority (TVA) has been issued a general license by the U.S. Nuclear Regulatory Commission (NRC or the Commission) authorizing storage of spent fuel in an independent spent fuel storage installation (ISFSI) in accordance with the Atomic Energy Act of 1954, 10 CFR part 50, and 10 CFR part 72. This Order is being issued to TVA who has identified near term plans to store spent fuel in an ISFSI under the general license provisions of 10 CFR part 72. The Commission regulations at 10 CFR 72.212(b)(5) and 10 CFR 73.55(h)(1) require TVA to maintain safeguards contingency plan procedures in accordance with 10 CFR part 73, appendix C. Specific safeguards requirements are contained in 10 CFR 73.55.

**II**

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees in order to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. The Commission has also communicated with other Federal, State, and local government agencies and industry representatives to discuss and evaluate the current threat environment in order