

created as a result of non-routine and special requests.

2. Department of Defense, National Geospatial-Intelligence Agency (N1-537-03-2, 38 items, 32 temporary items). General geospatial program files, source data files, work assignment files, quality assurance files, and user surveys. Also included are electronic copies of documents created using word processing and electronic mail. Proposed for permanent retention are recordkeeping copies of records relating to such matters as studies, requirements, plans, and conferences as well as geospatial publications and products. This schedule authorizes the agency to apply the proposed disposition instructions to any recordkeeping medium.

3. Department of Defense, National Geospatial-Intelligence Agency (N1-537-03-6, 9 items, 7 temporary items). Geospatial collection and acquisition files maintained separately from offices assigned functional responsibility. Also included are electronic copies of documents created using word processing and electronic mail. Proposed for permanent retention are recordkeeping copies of geospatial collection and acquisition files maintained by the offices assigned functional responsibility. This schedule authorizes the agency to apply the proposed disposition instructions to any recordkeeping medium.

4. Department of Homeland Security, Transportation Security Administration (N1-560-03-11, 7 items, 6 temporary items). Correspondence and training materials accumulated by the Office of Civil Rights. Also included are electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of files documenting the agency's interactions with the public regarding development of its civil rights policy.

5. Department of Homeland Security, Transportation Security Administration (N1-560-04-2, 16 items, 14 temporary items). Records relating to strategic planning, including working papers, chronological files, correspondence, automation project files, and strategic planning development files. Also included are electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of all published studies, papers, strategic plans, annual operating plans, assessment reports, organizational studies and charts, and implementation plans.

6. Department of Labor, Office of the Secretary (N1-174-03-1, 12 items, 8

temporary items). Records of the Office of Small Business Programs, including such records as publication background files, copies of speeches, news releases, and directives that are maintained elsewhere in the agency, records relating to support provided tribal and minority educational institutions of higher learning, and records relating to the Small Business Regulatory Enforcement Fairness Act of 1996. Also included are electronic copies of documents created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of such files as unique program publications, annual reports submitted to the Small Business Administration, and Federal Advisory Committee Act files.

7. Department of Transportation, Federal Aviation Administration (N1-237-03-1, 5 items, 5 temporary items). Docket files relating to legal complaints of unfair treatment brought against Federally-assisted airports by their tenants. Included are complaints, replies, discovery requests, exhibits, transcripts, court orders, and decisions. Also included are electronic copies of records created using electronic mail and word processing. The agency will notify NARA of any docket files that may warrant permanent retention and they will be appraised on a case-by-case basis. This schedule also authorizes the agency to apply the proposed disposition instructions to any recordkeeping medium.

8. Department of Transportation, Federal Highway Administration (N1-406-04-1, 4 items, 3 temporary items). Internal notices transmitting one-time or short-term instructions or information relating to agency policies and procedures. Also included are electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of the notices.

9. Department of the Treasury, Internal Revenue Service (N1-58-04-2, 2 items, 2 temporary items). U.S. gift tax returns (IRS Tax Forms 709) that cannot be associated with estate tax returns (IRS Tax Forms 706).

10. Department of the Treasury, Bureau of Engraving and Printing (N1-318-04-17, 5 items, 2 temporary items). Electronic copies of records created using electronic mail and word processing that relate to building construction and renovation and special studies relating to initiatives and projects, such as currency design, electronic currency, and currency designed for the visually impaired. Recordkeeping copies of these files are proposed for permanent retention.

11. Department of the Treasury, Bureau of Engraving and Printing (N1-318-04-23, 12 items, 9 temporary items). Correspondence, working files, memorandums, reports, and studies accumulated by the Director and other high level officials concerning matters that are not related to the agency's primary mission and its policies, programs, and organizational structure. Also included are electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of substantive policy, program, and organizational records of the Director and other high level officials.

12. Panama Canal Commission, Office of Transition Administration (N1-185-04-1, 10 items, 4 temporary items). Maps drawn on paper, cardboard, and polyester at various scales detailing the topography of the Panama Canal. Records include such information as spot elevations and contour lines and the location of structures, roads, utilities, wells, and survey monuments. Also included are maps drawn on paper and linen detailing periodic surveys of Canal hydrography. Proposed for permanent retention are obsolete maps at various scales that are no longer essential to ongoing operations.

13. Social Security Administration, Office of Facilities Management (N1-47-04-1, 1 item, 1 temporary item). Surveillance recordings of agency facilities. This schedule decreases the retention period of these records, which are approved for disposal in the General Records Schedules.

Dated: February 27, 2004.

**Michael J. Kurtz,**

*Assistant Archivist for Record Services—  
Washington, DC.*

[FR Doc. 04-4960 Filed 3-9-04; 8:45 am]

**BILLING CODE 7515-01-P**

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## **NUCLEAR REGULATORY COMMISSION**

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

**Tennessee Valley Authority; Browns  
Ferry Nuclear Plant, Units 1, 2 and 3;  
Notice of Acceptance for Docketing of  
the Application and Notice of  
Opportunity for Hearing Regarding  
Renewal of 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 the Commission) is considering application for the renewal of Operating License Nos. DPR-33, DPR-52, and DPR-68, which authorize the Tennessee Valley

Authority (TVA) to operate the Browns Ferry Nuclear Plant at 3293 megawatts thermal for Unit 1, 3458 megawatts thermal for Unit 2, and 3458 megawatts thermal for Unit 3. The renewed licenses would authorize the applicant to operate Browns Ferry Nuclear Plant, Units 1, 2 and 3 for an additional 20 years beyond the period specified in the current licenses. The current operating license for the Browns Ferry Nuclear Plant Unit 1 expires on December 20, 2013, the current operating license for Browns Ferry Nuclear Plant Unit 2 expires on June 28, 2014, and the current operating license for Browns Ferry Nuclear Plant Unit 3 expires on July 2, 2016.

On January 6, 2004, the Commission's staff received an application from TVA filed pursuant to 10 CFR part 54, to renew the Operating License Nos. DPR-33, DPR-52, and DPR-68 for Browns Ferry Nuclear Plant, Units 1, 2 and 3, respectively. A notice of receipt and availability of the license renewal application, "TVA; Notice of Receipt and Availability 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 Additional 20-Year Period," was published in the **Federal Register** on January 13, 2004 (69 FR 1212).

The Commission's staff has determined that TVA has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is acceptable for docketing. The current Docket Nos. 50-259, 50-260, and 50-296 for Operating License Nos. DPR-33, DPR-52, and DPR-68, respectively, will be retained. The docketing of the renewal application does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to: (1) Managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed

licenses will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," dated May 1996. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting is included in a **Federal Register** notice also published today.

Within 60 days after the date of publication of this **Federal Register** notice, the applicant may file a request for a hearing, 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 with respect to the renewal of the licenses. 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 a current copy of 10 CFR 2.309, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852 and is accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at <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's PDR reference staff at 1-800-397-4209, or by email at [pdr@nrc.gov](mailto:pdr@nrc.gov). If a request for a hearing or a petition for leave to intervene is filed within the 60-day period, 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/or 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. In the event that no request for a hearing or petition for leave to intervene is filed within the 60-day period, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51

and 54, renew the licenses without further notice.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (3) 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 set forth the specific contentions which the petitioner/requestor seeks to have litigated at 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 requestor/petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the requestor/petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The requestor/petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact.<sup>1</sup> Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Each contention shall be given a separate numeric or alpha designation within one of the following groups:

<sup>1</sup> To the extent that the application contains attachments and supporting documents that are not publicly available because they are asserted to contain safeguards or proprietary information, petitioners desiring access to this information should contact the applicant or applicant's counsel to discuss the need for a protective order.

1. Technical—primarily concerns/issues relating to technical health and safety matters discussed or referenced in the Browns Ferry Nuclear Plants Units 1, 2 and 3 license renewal application.

2. Environmental—primarily concerns/issues relating to matters discussed or referenced in the Environmental Report for the license renewal application.

3. Miscellaneous—does not fall into one of the categories outlined above.

As specified in 10 CFR 2.309, if two or more requestors/petitioners seek to co-sponsor a contention, the requestors/petitioners shall jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention. If a requestor/petitioner seeks to adopt the contention of another sponsoring requestor/petitioner, the requestor/petitioner who seeks to adopt the contention must either agree that the sponsoring requestor/petitioner shall act as the representative with respect to that contention, or jointly designate with the sponsoring requestor/petitioner a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

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, including the opportunity to participate fully in the conduct of the hearing. A request for a hearing or a 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, and 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 copy of the request for hearing and petition for leave to intervene must 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 e-mail 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 the attorney for the licensee.

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

Detailed information about the license renewal process can be found under the Nuclear Reactors icon at <http://www.nrc.gov/reactors/operating/licensing/renewal.html> on the NRC's Web page. Copies of the application to renew the operating licenses for Browns Ferry Nuclear Plant, Units 1, 2 and 3, are available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, and at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications/brownsferry.html> the NRC's Web page while the application is under review. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS accession number ML040060355. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, may contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

The staff has verified that a copy of the license renewal application is also available to local residents near the Browns Ferry Nuclear Plant at the Athens-Limestone Public Library, at 405 E. South Street, Athens, Alabama 35611.

Dated in Rockville, Maryland, this the 4th day of March, 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. 04-5340 Filed 3-9-04; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

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

### Tennessee Valley Authority, Browns Ferry Nuclear Plant, Units 1, 2, and 3; Notice of Intent to Prepare an Environmental Impact Statement and Conduct Scoping Process

Tennessee Valley Authority (TVA) has submitted an application for renewal of Facility Operating Licenses, DPR-33, DPR-52, and DPR-68 for an additional 20 years of operation at the Browns Ferry Nuclear Plant, Units 1, 2, and 3. The Browns Ferry Nuclear Plant (BFN) is located in Limestone County, Alabama, 16 km (10 mi) southwest of Athens, Alabama. The operating licenses for Browns Ferry Nuclear Plant, Units 1, 2, and 3 expire on December 20, 2013, June 28, 2014, and July 2, 2016, respectively. The application for renewal was received on January 6, 2004, pursuant to 10 CFR part 54. A notice of receipt and availability of the application, which included the environmental report (ER), was published in the **Federal Register** on January 13, 2004, (69 FR 1012). A notice of acceptance for docketing and notice of opportunity for hearing regarding renewal of the facility operating license is also published in the **Federal Register** today. The purpose of this notice is to inform the public that the U.S. Nuclear Regulatory Commission (NRC) will be preparing an environmental impact statement (EIS) in support of the review of the license renewal application and to provide the public an opportunity to participate in the environmental scoping process, as defined in 10 CFR 51.29. In addition, as outlined in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC plans to coordinate compliance with section 106 of the National Historic Preservation Act in meeting the requirements of the National Environmental Policy Act (NEPA).

In accordance with 10 CFR 51.53(c) and 10 CFR 54.23, TVA submitted the ER as part of the application. The ER was prepared pursuant to 10 CFR part 51 and is available for public inspection at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>, which provides access through the NRC's Electronic Reading Room link. Persons who do not have