

October 30, 2003

The Honorable Eddie Tullis, Chairman
Poarch Band of Creek Nation
5811 Jack Springs Road
Atmore, AL 36502

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REVIEW OF THE
JOSEPH M. FARLEY NUCLEAR PLANT LICENSE RENEWAL APPLICATION

Dear Chairman Tullis:

The U.S. Nuclear Regulatory Commission (NRC) is seeking input for its environmental review of an application from Southern Nuclear Operating Company, Inc. (SNC) to renew its operating licenses for the Joseph M. Farley Nuclear Plant, Units 1 and 2 (FNP), located in Houston County, Alabama, on the west bank of the Chattahoochee River. FNP is owned by Alabama Power Company (the licensee), and is operated by SNC. FNP is in close proximity to lands that may be of interest to the Poarch Band of the Creek Indians. As described below, the NRC process includes an opportunity for public participation in the environmental review. We want to ensure that you are aware of our efforts and, pursuant to 10 CFR 51.28(b), the NRC invites the Poarch Band Tribal Community to provide input to the scoping process relating to the NRC's environmental review of the application.

The NRC will hold public scoping meetings for the FNP license renewal supplement to the NRC's "Generic Environmental Impact Statement for License Renewal of Nuclear Plants" (GEIS) (NUREG-1437). These scoping meetings will be held at the Quality Inn, 3053 Ross Clark Circle, Dothan, Alabama, 36301-1121, on Thursday, January 8, 2004. There will be two sessions to accommodate interested parties. The first session will convene at 1:30 p.m. and will continue until 4:30 p.m., as necessary. The second session will convene at 7:00 p.m., with a repeat of the overview portions of the meeting, and will continue until 10:00 p.m., as necessary. Additionally, the NRC staff will host informal discussions one hour before the start of each session. No formal comments on the proposed scope of the supplement to the GEIS will be accepted during the informal discussions. To be considered, comments must be provided either at the transcribed public meetings or in writing. The application and the environmental review process are described below.

Under NRC regulations, the original operating license for a nuclear power plant is issued for up to 40 years. The license may be renewed for up to an additional 20 years if NRC requirements are met. The current operating licenses for FNP will expire in 2017 and 2021 respectively. SNC submitted an environmental report as part of its application for renewal of the FNP operating license on September 15, 2003. The application is electronically available for inspection 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 Public Electronic Reading Room (PERR) link. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document

Room (PDR) Reference staff at 1 (800) 397-4209, (301) 415-4737, or by e-mail to pdrr@nrc.gov.

In addition, the application can be viewed on the Internet at

<http://www.nrc.gov/reactors/operating/licensing/renewal/applications/farley.html>.

A paper copy of the document can be viewed at the NRC's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20852-2738; at the Houston Love Memorial Library, 212 West Burdeshaw Street, Dothan, Alabama, 36301-1121; and at the Lucy Maddox Memorial Library, 11880 Columbia Street, Blakely, Georgia, 39823-2577. Also, the GEIS assesses the scope and impact of environmental effects that would be associated with license renewal at any nuclear power plant site. A copy of this document can also be found on the NRC's website or at the NRC's PDR.

The NRC is gathering information for the document that will be a FNP-specific supplement to the GEIS. The supplement will contain the results of the review of the environmental impacts on the area surrounding the FNP site that are related to terrestrial ecology, aquatic ecology, hydrology, cultural resources, and socioeconomic issues (among others) and will contain a recommendation regarding the environmental acceptability of the license renewal action.

Please submit any written comments the Poarch Band Tribal Community may have to offer on the scope of the environmental review by February 6, 2004. Comments should be submitted either by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or by e-mail to FarleyEIS@nrc.gov.

At the conclusion of the scoping process, the NRC staff will prepare a summary of the significant issues identified, the conclusions reached, and will mail a copy to you.

The NRC will prepare a draft supplemental environmental impact statement (SEIS) for public comment, and will hold another set of public meetings in the site vicinity to solicit comments on the draft. A copy of the draft SEIS will be sent to you for your review and comment. After consideration of public comments received on the draft, the NRC will prepare a final SEIS. The issuance of a final environmental statement for FNP is planned for March 2005. If you need additional information regarding the environmental review process, please contact Jack Cushing, Environmental Project Manager, at (301) 415-1424.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos.: 50-348, 50-364

cc: See next page

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