

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 52-008]

**Dominion Nuclear North Anna, LLC; Notice of Acceptance of Application for Early Site Permit for the North Anna ESP Site**

The Nuclear Regulatory Commission (NRC, the Commission) has received an application from Dominion Nuclear North Anna LLC (Dominion) dated September 25, 2003, filed pursuant to Section 103 of the Atomic Energy Act and 10 CFR Part 52, for an early site permit (ESP) for a location in central Virginia (near Mineral, Virginia) identified as the North Anna ESP site. A notice of receipt and availability of this application was previously published in the **Federal Register** (68 FR 59642; October 16, 2003).

An applicant may seek an ESP in accordance with Subpart A of 10 CFR part 52 separate from the filing of an application for a construction permit (CP) or combined license (COL) for a nuclear power facility. The ESP process allows resolution of issues relating to siting. At any time during the period of an ESP (up to 20 years), the permit holder may reference the permit in a CP or COL application.

The NRC staff has determined that Dominion has submitted information in accordance with 10 CFR Part 52 that is sufficiently complete and acceptable for docketing. The Docket No. established for this application is 52-008. The NRC staff will perform a detailed technical review of the application, and docketing of the ESP application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with 10 CFR 52.21 and will receive a report on the application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.23. If the Commission then finds that the application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue an ESP, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

In accordance with 10 CFR Part 51, the Commission will also prepare an environmental impact statement for the proposed action. 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 will be included in a future **Federal Register** notice.

Finally, the Commission will announce, in a future **Federal Register** notice, the opportunity for petition for leave to intervene in the hearing required for this application by 10 CFR 52.21.

A copy of the Dominion ESP application is 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. It is also 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> (ADAMS Accession No. ML032731517). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room staff by telephone at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland this 23rd day of October 2003.

**James E. Lyons,**

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

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**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-247 &amp; 50-286 and License Nos. DPR 26 &amp; DPR 64]

**Entergy Nuclear Operating Company, Indian Point Nuclear Generating Unit Nos. 2 and 3; Receipt of Request for Action Under 10 CFR 2.206**

Notice is hereby given that by Petition dated September 8, 2003, as supplemented by letter dated September 22, 2003, submitted by Riverkeeper and the Union of Concerned Scientists (collectively, the Petitioners), the U.S. Nuclear Regulatory Commission (NRC) has been requested to take enforcement actions against Entergy Nuclear Operation Inc. (Entergy), the licensee for Indian Point Nuclear Generating, Units Nos. 2 and 3, (IP2 and 3) in Buchanan, New York, and the Petitioners requested as an alternative enforcement action that the NRC prevent plant restart until certain conditions have been met with additional restrictions in the interim.

As the bases for the request to have the NRC take enforcement actions against the licensee, the Petitioners assert that the continued operations of IP2 and 3 present a public health hazard because of a lack of reasonable assurance that the containment sumps will be able to perform their safety function. The request is based on publically available reports published by the NRC. The Petitioners assert that this action is entirely consistent with actions taken by the NRC for the Donald C. Cook and Davis-Besse nuclear plants.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the NRC's Office of Nuclear Reactor Regulation (NRR). As provided by Section 2.206, appropriate action will be taken on this Petition within a reasonable time.

A copy of the Petition is available in the Agencywide Documents Access and Management System (ADAMS) for inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and from the ADAMS Public Library component on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room), using Accession No. ML032580235. 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 or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 23rd day of October 2003.

For the Nuclear Regulatory Commission.

**R. William Borchardt,**

*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-27215 Filed 10-28-03; 8:45 am]

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**PENSION BENEFIT GUARANTY CORPORATION****Submission of Information Collection for OMB Review; Comment Request; Qualified Domestic Relations Orders Submitted to the PBGC**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of request for extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation ("PBGC") is requesting that the Office of Management and Budget ("OMB") extend approval, under the Paperwork Reduction Act, of an