SYSTEM MANAGER(S) AND ADDRESS:

Section Head, Polar Research Support Section, Office of Polar Programs, 4210 Wilson Boulevard, Arlington, VA 22230.

NOTIFICATION PROCEDURE:

To determine whether this system of records contains a record pertaining to the requesting individual, contact the NSF Privacy Act Officer, in accordance with procedures found at 45 CFR part 613.

RECORD ACCESS PROCEDURES:

See ''Notification procedure'' above.

CONTESTING RECORD PROCEDURES:

See ''Notification procedure'' above.

RECORD SOURCE CATEGORIES:

Information in these records is obtained from injured individuals; from individuals involved in accidents; witnesses to the accidents or injuries, NSF staff and NSF records, from electronic mail messages, from contractors performing duties for the U.S. Government, and from the USAP medical clinics.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 96–19851 Filed 8–2–96; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–295 and 50–304]

Commonwealth Edison Company (Zion Nuclear Power Station, Unit Nos. 1 and 2); Exemption

I

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. DPR–39 and DPR–48, which authorize operation of the Zion Nuclear Power Station, Units 1 and 2, respectively. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facility consists of two pressurized water reactors located at the licensee's site in Lake County, Illinois.

II

In its letter dated March 19, 1996, the licensee requested an exemption from the Commission's regulations. Title 10 of the Code of Federal Regulations, Part 50, Section 60 (10 CFR 50.60), ''Acceptance Criteria for Fracture Prevention Measures for Lightwater Nuclear Power Reactors for Normal Operation,'' states that all lightwater nuclear power reactors must meet the fracture toughness and material surveillance program requirements for the reactor coolant pressure boundary as set forth in Appendices G and H to 10 CFR Part 50. Appendix G to 10 CFR Part 50 defines pressure/temperature (P/T) limits during any condition of normal operation, including anticipated operational occurrences and system hydrostatic tests to which the pressure boundary may be subjected over its service lifetime. It also states that the ASME Code edition and addenda specified in 10 CFR 50.55a are applicable. It is specified in 10 CFR 50.60(b) that alternatives to the described requirements in Appendices G and H to 10 CFR Part 50 may be used when an exemption is granted by the Commission under 10 CFR 50.12.

To prevent low temperature overpressure transients that would produce pressure excursions exceeding the 10 CFR Part 50, Appendix G, P/T limits while the reactor is operating at low temperatures, the licensee installed a low temperature overpressure protection (LTOP) system. The system includes pressure-relieving devices called Power-Operated Relief Valves (PORVs). The PORVs are set at a pressure low enough so that if an LTOP transient occurred, the mitigation system would prevent the pressure in the reactor vessel from exceeding the 10 CFR Part 50, Appendix G, P/T limits. To prevent the PORVs from lifting as a result of normal operating pressure surges (e.g., reactor coolant pump starting, and shifting operating charging pumps) with the reactor coolant system in a solid water condition, the operating pressure must be maintained below the PORV setpoint. Applying the LTOP instrument uncertainties required by the staff's approved methodology results in an LTOP setpoint with an operating window between the LTOP setpoint and the minimum pressure required for reactor coolant pump seals which is too narrow to permit continued operation.

To allow itself a wider operating pressure band, the licensee has requested the use of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code) Case N–514, ''Low Temperature Overpressure Protection,'' which allows exceeding the 10 CFR Part 50, Appendix G, safety limits by 10 percent. ASME Code Case N–514 is consistent with guidelines developed by the ASME Working Group on Operating Plant Criteria to define pressure limits during LTOP events that avoid certain unnecessary operational restrictions, provide adequate margins against failure of the reactor pressure vessel, and reduce the potential for unnecessary activation of pressure-relieving devices used for LTOP. The content of this code case has been incorporated into Appendix G of Section XI of the ASME Code and published in the 1993 Addenda to Section XI. However, 10 CFR 50.55a, ''Codes and Standards,'' only authorizes addenda through the 1988 Addenda.

III

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), ''Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule * * *.''

The underlying purpose of 10 CFR 50.60, Appendix G, is to establish fracture toughness requirements for ferritic materials of pressure-retaining components of the reactor coolant pressure boundary to provide adequate margins of safety during any condition of normal operation, including anticipated operational occurrences, to which the pressure boundary may be subjected over its service lifetime. Section IV.A.2 of this appendix requires that the reactor vessel be operated with P/T limits at least as conservative as those obtained by following the methods of analysis and the required margins of safety of Appendix G of the ASME Code.

Appendix G of the ASME Code requires that the P/T limits be calculated: (a) Using a safety factor of two on the principal membrane (pressure) stresses, (b) assuming a flaw at the surface with a depth of one-quarter (¼) of the vessel wall thickness and a length of six (6) times its depth, and (c) using a conservative fracture toughness curve that is based on the lower bound of static, dynamic, and crack arrest fracture toughness tests on material similar to the Zion reactor vessel material.

In determining the setpoint for LTOP events, the licensee proposed to use safety margins based on an alternate methodology consistent with the ASME Code Case N–514 guidelines. The ASME Code Case N–514 allows determination

of the setpoint for LTOP events such that the maximum pressure in the vessel would not exceed 110 percent of the P/T limits of the existing ASME Appendix G. This results in a safety factor of 1.8 on the principal membrane stresses. All other factors, including assumed flaw size and fracture toughness, remain the same. Although this methodology would reduce the safety factor on the principal membrane stresses, the proposed criteria will provide adequate margins of safety to the reactor vessel during LTOP transients and, thus, will satisfy the underlying purpose of 10 CFR 50.60 for fracture toughness requirements. Further, by relieving the operational restrictions, the potential for undesirable lifting of the PORV would be reduced, thereby improving plant safety.

IV

For the foregoing reasons, the NRC staff has concluded that the licensee's proposed use of the alternate methodology in determining the acceptable setpoint for LTOP events will not present an undue risk to public health and safety and is consistent with the common defense and security. The NRC staff has determined that there are special circumstances present, as specified in 10 CFR 50.12(a)(2), in that application of 10 CFR 50.60 is not necessary in order to achieve the underlying purpose of this regulation.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), an exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest. Therefore, the Commission hereby grants an exemption from the requirements of 10 CFR 50.60 such that in determining the setpoint for LTOP events, the Appendix G curves for P/T limits are not exceeded by more than 10 percent. This exemption permits using the safety margins recommended in the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code) Case N–514, ''Low Temperature Overpressure Protection'' in lieu of the safety margins required by 10 CFR Part 50, Appendix G. This exemption is applicable only to LTOP conditions during normal operation.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (61 FR 25921).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of July 1996.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 96–19849 Filed 8–2–96; 8:45 am]

BILLING CODE 7590–01–P

Testco, Inc.; Establishment of Atomic Safety and Licensing Board

[Docket No. 150–00032–EA, ASLBP No. 96–719–04–EA]

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 F.R. 28710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717, and 2.721 of the Commission's Regulations, all as amended, an Atomic Safety and Licensing Board is being established to preside over the following proceeding.

Testco, Inc., Greensboro, North Carolina (Order Imposing Civil Monetary Penalty) (General License) EA 95–101.

This Board is established pursuant to the request of James L. Shelton, President of Testco, Inc., for a hearing regarding an order issued by the Director, Office of Enforcement, dated March 14, 1996, and published in the Federal Register at 61 FR 14583. The order imposes a monetary penalty on Testco, Inc., an agreement state licensee of North Carolina, for certain radiographic activities.

All correspondence, documents and other materials shall be filed in accordance with 10 CFR 2.701. The Board is comprised of the following Administrative Judges:

Charles Bechhoefer, Chairman, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Charles N. Kelber, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Frank F. Hooper, 26993 McLaughlin Boulevard, Bonita Springs, FL 33923

Issued at Rockville, Maryland, this 30th day of July 1996.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 96–19848 Filed 8–2–96; 8:45 am]

BILLING CODE 7590–01–P

POSTAL RATE COMMISSION

[Order No. 1128; Docket No. C96–1]

Complaint of Coalition Against Unfair USPS Competition; Order Denying Motion of United States Postal Service To Dismiss Proceeding and Notice of Formal Proceedings

July 30, 1996.

The Commission has before it a Complaint against the United States Postal Service pursuant to 39 U.S.C. § 3662 which concerns a ''Pack & Send'' service, hitherto unknown to and never reviewed by the Commission, and the rates or fees which the Service is charging for providing that service. Complainant, a coalition consisting of organizations and individuals doing business in the Commercial Mail Receiving Agency (''CMRA'') industry, alleges that the Postal Service is charging rates which do not conform to the policies of the Postal Reorganization Act, inasmuch as it is rendering a postal service without first having requested a recommended decision on the service and its rates from the Commission. The Postal Service concedes that it is offering the service on a trial basis at a limited number of facilities, but denies that its ''Pack & Send'' service is within the Commission's jurisdiction under § 3662 because it is not ''postal'' in character. On that ground, it moves to dismiss the complaint.

The factual assertions of Complainant and the Postal Service conflict on some, but not all, points. Furthermore, the information offered to support the conflicting factual claims is incomplete, and does not justify a conclusion at this time either that Pack & Send is, or is not, postal in character. However, some of the information already presented would tend to support an inference that Pack & Send is a postal service, and the Commission believes that further inquiry into this matter would be appropriate. Because the Commission reaches the preliminary conclusion that the Complaint may be justified, depending on the ultimate state of the facts concerning the Pack & Send service offering, the Postal Service's motion to dismiss shall be denied. Formal proceedings to develop an evidentiary record will be conducted in this docket.

Substance of the Complaint. In its Complaint filed May 23, 1996, the Coalition Against Unfair USPS Competition identifies its membership as organizations engaged in the franchising of stores in the CMRA industry, together with individual franchisees who independently own