

data needed by the staff in its review of applications for permits and licenses.

The draft guide is a proposed Revision 2 to Regulatory Guide 1.149, and it is temporarily identified as DG-1043, "Nuclear Power Plant Simulation Facilities for Use in Operator License Examinations." The guide will be in Division 1, "Power Reactors." This regulatory guide is being revised to describe methods acceptable to the NRC staff for complying with those portions of the Commission's regulations regarding (1) certification of a simulation facility consisting solely of a plant-referenced simulator and (2) application for prior approval of a simulation facility for testing. This guide endorses, with clarifications and exceptions, an American National Standards Institute/American Nuclear Society standard, ANSI/ANS-3.5-1993, "Nuclear Power Plant simulators for use in Operator Training and Examination."

The draft guide has not received complete staff review and does not represent an official NRC staff position.

Public comments are being solicited on the guide. Comments should be accompanied by supporting data. Written comments may be submitted to the Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the NRC Public Document Room, 2120 L Street NW., Washington, DC. Comments will be most helpful if received by September 15, 1995.

Although a time limit is given for comments on this draft guide, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Comments may be submitted electronically, in either ASCII text or Wordperfect format (version 5.1 or later), by calling the NRC Electronic Bulletin Board on FedWorld. The bulletin board may be accessed using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet.

If using a personal computer and modem, the NRC subsystem on FedWorld can be accessed directly by dialing the toll free number: 1-800-303-9672. Communications software parameters should be set as follows: parity to none, data bits to 8, and stop bits to 1 (N,8,1). using ANSI or VT-100 terminal emulation, the NRC NUREGs and RegGuides for Comment subsystem can then be accessed by selecting the "Rules Menu" option from the "NRC at FedWorld, consult the "Help/

Information Center" from the "NRC Main Menu." Users will find the "FedWorld Online user's Guides" particularly helpful. Many NRC subsystems and data bases also have a "Help/Information Center" option that is tailored to the particular subsystem.

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If you contact FedWorld using Telnet, you will see the NRC area and menus, including the Rules men. Although you will be able to download documents and leave messages, you will not be able to write comments or upload files (comments). If you contact FedWorld using FTP, all files can be accessed and downloaded but uploads are not allowed; all you will see is a list of files without descriptions (normal Gopher look). An index file listing all files within a subdirectory, with descriptions, is included. There is a 15-minute time limit for FTP access.

Although FedWorld can be accessed through the World Wide Web, like FTP that mode only provides access for downloading files and does not display the NRC Rules menu.

For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-5780; e-mail AXD3@nrc.gov. For more information on this draft regulatory guide, contact F. Collins at the NRC, telephone (301) 415-3173, e-mail JFC1@nrc.gov; or R. Auluck, telephone (301) 415-6608, e-mail RCA@nrc.gov.

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(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 29th day of June 1995.

For the Nuclear Regulatory Commission.

Sher Bahadur,

Chief, Waste Management Branch, Division of Regulatory Applications, Office of Nuclear Regulatory Research.

[FR Doc. 95-17563 Filed 7-17-95; 8:45 am]

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[Docket No. 50-295]

Commonwealth Edison Co. (Zion Nuclear Power Station, Unit 1); Exemption

I

Commonwealth Edison Company (ComEd or the licensee) is the holder of Facility Operating License No. DPR-39, which authorizes operation of the Zion Nuclear Power Station, Unit 1, at a steady-state reactor power level not in excess of 3250 megawatts thermal. The facility is a pressurized water reactor located at the licensee's site in Lake County, Illinois. The license provides, among other things, that the Zion Nuclear Power Station is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect.

II

Section III.D.1.(a) of appendix J to 10 CFR part 50 requires the performance of three Type A containment integrated leakage rate tests (ILRTs) at approximately equal intervals during each 10-year inservice inspection period. Furthermore, the third test of each set is to be conducted during the shutdown for the 10-year plant inservice inspections.

III

In a letter dated May 12, 1995, the licensee requested relief from the requirement to perform a set of three Type A tests at approximately equal intervals during each 10-year inservice

inspection period. The requested exemption would permit a one-time interval extension of the third Type A test of the second 10-year inservice inspection period by approximately 18 months and would result in the interval between successive Type A leakage rate tests being approximately 60 months. If the revised 10 CFR part 50 requirements are approved and implemented, the next Type A test could be deferred up to an additional 60 months.

The licensee's request justified the proposed change, on the following basis.

In the Type A test conducted in the RFO in March 1988, the leakage rate was below the maximum allowable. In the Type A test conducted during the RFO in March 1992, after adding all required penalties associated with local leakage rate tests (LLRTs), the as-found Type A test result was a failure. However, the majority of the leakage in the LLRTs was due to a valve in one penetration. Prior to repairing the valve, a leakage rate that was double the allowed limit was measured. The licensee's corrective maintenance on the valve and its post-repair leakage rate testing resulted in a Type A test leakage rate that was about 20 percent of the allowable limit.

The licensee stated that there are no mechanisms which would adversely affect the structural integrity of the containment or that would be a factor in evaluating the extension of the test interval by 18 months. However, as a preventive maintenance measure, the visual containment inspection currently required by 10 CFR part 50, appendix J, prior to a Type A test, will be conducted during the September 1995 RFO to verify that there are no apparent signs of containment degradation and to provide added confidence that the containment structural integrity was not affected during the period since the last visual inspection. Any additional risk created by the longer interval between Type A testing is considered by the licensee to be negligible, primarily because all Type B and Type C leakage rate testing will continue to be performed in accordance with the requirements of 10 CFR part 50, appendix J, Sections III.B and III.C.

To justify granting an exemption to the requirements of 10 CFR Part 50, a licensee must show that the requirements of 10 CFR 50.12(a)(1) are met. The licensee stated that its exemption request meets the requirements of 10 CFR 50.12(a)(1), for the following reasons:

(1) The requested one time exemption and the associated activities are authorized by law.

There are no prohibitions of law which preclude the activities which would be authorized by the requested exemption. Similar exemptions have been granted for ComEd's Zion Station and other utilities. Therefore, the NRC is authorized by law to approve the proposed exemption.

(2) The requested exemption will not present undue risk to the public.

An exemption from the requirements of 10 CFR 50 Appendix J to perform reactor containment leakage testing will not present undue risk to the health and safety of the public. Past testing has demonstrated the leak tight nature of the primary reactor containment structure and systems and components penetrating the primary containment and the ability to maintain total leakages, including conservatisms, within required limits. A more detailed discussion of the past reactor containment integrated leakage rate test results is included below.

(3) The requested exemption will not endanger the common defense and security.

The common defense and security are in no way compromised by this proposed exemption since approval of the exemption would in no way alter the plant in any physical manner.

In addition, the licensee must show that at least one of the special circumstances, as defined in 10 CFR 50.12(a)(2), is present. One of the special circumstances that a licensee may show to exist is that the application of the regulation in the particular circumstances is not necessary to achieve the underlying purposes of the rule. The purposes of the rule, as stated in section I of 10 CFR part 50, appendix J, are to ensure that: 1) leakage through the primary reactor containment and systems and components penetrating containment shall not exceed allowable values, and 2) periodic surveillance of reactor containment penetrations and isolation valves is performed so that proper maintenance and repairs are made. The licensee presented the following discussion to show that the requirement to perform the third Type A leakage rate test during the September 1995 RFO is not necessary to achieve the underlying purpose of the rule.

Type A tests are intended to measure the primary reactor containment overall integrated leakage rate after the containment has been completed and is ready for operation, and at periodic intervals. The performance of a periodic ILRT (Type A) and local penetration tests (Type B and C) during containment life provides a current assessment of potential leakage from the containment during accident conditions. The periodic tests are performed at a pressure sufficiently high to provide an accurate measurement of the leakage rate. This pressure is at least 50 percent of design accident pressure for the Type A tests and at least design accident pressure for the Type B and C tests.

Application of the regulation is not necessary to achieve the underlying purpose of the rule because:

(1) Prior testing has verified the ability of the reactor containment to maintain leakage below the limits set forth in the Technical Specifications and the regulation:

(2) Type B & C testing, which detects the majority of containment leakage, will continue to be performed as required;

(3) The availability of the seal water and penetration pressurization systems provides added confidence that leakage would be maintained below the limits in the unlikely event of a LOCA; and

(4) There is no significant impact on risk to the public associated with extending the period of time between successive Type A tests on Unit 1 by approximately 18 months.

IV

Section III.D.1.(a) of appendix J to 10 CFR part 50 states that a set of three Type A leakage rate tests shall be performed at approximately equal intervals during each 10-year inservice inspection period.

The licensee proposes an exemption to this section which would provide a one-time interval extension for the Type A test of approximately 18 months.

The Commission has determined that, pursuant to 10 CFR 50.12(a)(1), this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determined, for the reasons discussed below, that special circumstances, as provided in 10 CFR 50.12(a)(2)(ii), are present justifying the exemption; namely, that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule.

The underlying purpose of the requirement to perform Type A containment leakage rate tests at intervals during the 10-year inservice inspection period, is to ensure that any potential leakage pathways through the containment boundary are identified within a time span that prevents significant degradation from commencing or continuing without the knowledge of the licensee. The staff has reviewed the basis and supporting information provided by the licensee in the exemption request and considers that the licensee has a good record of ensuring a leak-tight containment. The one Type A test that did not pass was shown to be due to a leaking valve. The licensee took aggressive and appropriate corrective action that resulted in a final as-left leakage rate that was significantly below the maximum allowable value. Therefore, the containment was shown to be leak tight, the licensee demonstrated that it has an effective

corrective action program and the results of the Type A test were confirmatory of the Type B and Type C tests rather than providing information that would otherwise not have been available. The licensee has stated that the visual containment inspection will be performed during the September 1995 RFO although it is only required by 10 CFR part 50, appendix J, to be performed in conjunction with Type A tests. The staff considers that these inspections, though limited in scope, provide an important added level of confidence in the continued structural integrity of the containment boundary.

The staff has also made use of the information in a draft staff report, NUREG-1493, which provides the technical justification for the present Appendix J rulemaking effort which also includes a 10-year test interval for Type A tests. The ILRT, or Type A test, measures overall containment leakage. However, operating experience with all types of containments used in this country demonstrates that essentially all containment leakage can be detected by LLRT (Type B and Type C). According to results given in NUREG-1493, out of 180 ILRT reports covering 110 individual reactors and approximately 770 years of operating history, only five ILRT failures were found which local leakage rate testing could not detect. This is 3 percent of all failures. This study agrees with previous staff studies which show that Type B and Type C testing detect a very large percentage of containment leaks. The Zion Station, Unit 1, experience has also been consistent with these results.

The Nuclear Management and Resources Council (NUMARC), now the Nuclear Energy Institute (NEI), collected and provided the staff with summaries of data to assist in the 10 CFR part 50, appendix J, rulemaking effort. The NEI collected results of 144 ILRTs from 33 units of which 23 ILRTs exceeded 1.0L_a. Of these, only nine were not due to Type B or C leakage penalties. The NEI data also added another perspective. The NEI data show that in about one-third of the cases exceeding allowable leakage, the as-found leakage was less than 2L_a; in one case the leakage was found to be approximately 2L_a; in one case the as-found leakage was less than 3L_a; one case approached 10L_a; and in one case the leakage was found to be approximately 21L_a. For about half of the failed ILRTs, the as-found leakage was not qualified. These data show that, for those ILRTs for which the leakage was quantified, the leakage values are small when compared to the leakage value at which the risk to the public starts to increase over the value of risk

corresponding to L_a (approximately 200L_a, as discussed in NUREG-1493). Therefore, based on these considerations, it is unlikely that an extension of 18 months for the performance of the appendix J, type A tests at Zion would result in significant degradation of the overall containment integrity. Thus, the application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule.

Based on generic and plant-specific data, the staff finds the licensee's proposed one-time exemption to permit a schedular extension of one cycle for the performance of the 10 CFR part 50, appendix J, type A test, provided that the visual containment inspection is performed, to be acceptable.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this exemption will not have a significant impact on the human environment (60 FR 34305).

This exemption is effective upon issuance and shall expire at the completion of the Type A test scheduled to be performed during the March 1997 refueling outage.

Dated at Rockville, Maryland this 12th day of July 1995.

For the Nuclear Regulatory Commission.

Jack W. Roe,

*Director, Division of Reactor Projects—III/IV,
Office of Nuclear Reactor Regulation.*

[FR Doc. 95-17564 Filed 7-17-95; 8:45 am]

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OFFICE OF MANAGEMENT AND BUDGET

Updated Statistical Definitions of Metropolitan Areas (MAs)

AGENCY: Statistical Policy Office, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB).

ACTION: Updated statistical definitions of Metropolitan Areas as of June 30, 1995.

SUMMARY: Under the authority of the Paperwork Reduction Act of 1980 (44 U.S.C. 3504) and 31 U.S.C. 1104(d) and E.O. No. 10253 (June 11, 1951), the Office of Management and Budget (OMB) defines Metropolitan Areas (MAs) for statistical purposes in accordance with a set of standards published in the **Federal Register** (55 FR 12154-12160, March 30, 1990).

On June 30, 1995, OMB updated the MA definitions in OMB Bulletin No. 95-04. Two new Metropolitan Statistical Areas (MSAs) were defined

based on the standards and the 1992 and 1994 official population estimates. Flagstaff, Arizona-Utah MSA (FIPS Code 2620) was defined as of June 30, 1995, comprising Coconino County, Arizona and Kane County, Utah. Grand Junction, Colorado MSA (FIPS Code 2995) was defined as of June 30, 1995, comprising Mesa County, Colorado. A new central city was defined in the Hickory-Morganton NC MSA (FIPS Code 3290). Lenoir, North Carolina is the additional central city and the title for the MSA becomes Hickory-Morganton-Lenoir, NC MSA.

The complete announcement presenting all MA definitions can be obtained through the National Technical Information Service (NTIS) by calling (703) 487-4650 and ordering Accession Number PB95-208880.

For further information on the statistical uses of MA definitions please call Maria E. Gonzalez (202-395-7313). For information concerning the use of MA definitions in a particular Federal agency program, please contact the sponsoring agency directly.

Sally Katzen,

Administrator, Office of Information and Regulatory Affairs.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Identification of Priority Practices; Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for written submissions from the public on practices that should be considered with respect to the identification of priority practices pursuant to section 310 of the Trade Act of 1974, as amended (Super 301).

SUMMARY: Section 310 of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2420), requires the United States Trade Representative (USTR) to review United States trade expansion priorities and to identify priority foreign country practices, the elimination of which is likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent. USTR is requesting written submissions from the public concerning foreign countries' practices that should be considered by the USTR for this purpose.

DATES: Submissions must be received on or before 12:00 noon on Friday, August 4, 1995.