

Phillips Avenue, Suite 220, Sioux Falls, South Dakota 57102.

Letitia J. Grishaw,

Chief, Environmental Defense Section, Environment and Natural Resources Division.

[FR Doc. 95-28012 Filed 11-13-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with Departmental policy, notice is hereby given that a proposed partial consent decree in *United States v. The S.W. Shattuck Chemical Company, Inc.*, Case No. 95-WY-1240, was lodged on October 31, 1995, with the United States District Court for the District of Colorado.

The proposed partial consent decree resolves claims of the United States against the defendant in *United States v. The S.W. Shattuck Chemical Company, Inc.*, brought under Section 107 of the comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 *et seq.*, as amended, for the recovery of past costs incurred by the United States at the Denver Radium Superfund Site-Operable Unit VIII ("Denver Radium-OU VIII Site") in Denver, Colorado. Under the terms of the proposed decree, the settling defendant will pay the United States \$2,402,278, plus interest after April 1, 1995, in settlement of the United States' past costs claims against the settling defendant.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed partial consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. The S.W. Shattuck Chemical Company, Inc.*, DOJ Ref. #90-11-2-741.

The proposed consent decree may be examined at the Office of the United States Attorney, 1961 Stout Street, 11th Floor, Denver, Colorado 80294; the Region 8 Office of the United States Environmental Protection Agency, 999 18th Street, Suite 500, Denver, Colorado 80202; and at the Consent Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, 202-624-0892. A copy of the proposed partial consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy, please refer to the case referenced above and enclose a

check in the amount of \$5.00 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-28013 Filed 11-13-95; 8:45 am]

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts; Folk and Traditional Arts Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Folk & Traditional Arts Advisory Panel (Folk Arts Organizations Section) to the National Council on the Arts will meet on December 5-8, 1995. The panel will meet from 8:30 a.m. to 6:30 p.m. on December 5; from 8:30 a.m. to 3:30 p.m. on December 6; from 8:30 a.m. to 6:30 p.m. on December 7; and from 8:30 a.m. to 3:30 p.m. on December 8. This meeting will be held in Room 716, at the Nancy Hanks Center, 1100 Pennsylvania Avenue NW., Washington, DC 20506.

This meeting is for the purpose of application evaluation, under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the Agency by grant applicants.

In accordance with the determination of the Chairman of June 22, 1995, these sessions will be closed to the public pursuant to subsection (c)(4), (6) and 9(B) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Yvonne Sabine, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5433.

Dated: November 7, 1995.

Yvonne M. Sabine,

Director, Council & Panel Operations, National Endowment for the Arts.

[FR Doc. 95-28061 Filed 11-13-95; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298]

Nebraska Public Power District, Cooper Nuclear Station; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an exemption from certain requirements of its regulations to Facility Operating License Number DPR-46. This license was issued to the Nebraska Public Power District (the licensee) for operation of the Cooper Nuclear Station (CNS) located in Nemaha County, Nebraska.

Environmental Assessment

Identification of the Proposed Action

The licensee requested, in its application dated May 13, 1994, an exemption from the pressure test requirements of Section III.D.2(b)(ii) of Appendix J, "Primary Reactor Containment Leakage Testing For Water-Cooled Power Reactors," to 10 CFR Part 50 (Appendix J to 10 CFR Part 50). The staff discussed the details of the proposed exemption with the licensee in a telephone conference call on September 28, 1995. The proposed exemption would allow the licensee to leak test the personnel air lock at CNS at a test pressure less than P_a , (the calculated peak containment internal pressure resulting from the containment design basis accident), under certain conditions. The reduced pressure test of the air lock would be conducted as the first of two tests during a restart from refueling or cold shutdown, prior to entry into an operational mode requiring containment leaktight integrity by the CNS Technical Specifications (TSs). As stated in CNS TS 4.7.A.2.f.5, for periodic leakage testing of the personnel air lock, P_a is 58 psig and the reduced test pressure is 3 psig.

This leakage test is part of the Type B tests required by Appendix J to 10 CFR Part 50 to verify containment integrity. Because an air lock allows entry into the containment and is part of the containment pressure boundary, excessive leakage through the air lock could compromise containment integrity. The air lock consists of an inner and outer door and the leakage test is performed by pressurizing the space between the doors.

The Need for the Proposed Action

Section III.D.2 of Appendix J to 10 CFR Part 50 specifies the required periodic retest schedule for Type B tests, including testing of air locks. Pursuant to Section III.D.2(b)(ii), licensees are required to leakage test air locks, opened during periods when containment integrity is not required by the TSs, at the end of such periods. This section applies to testing of air locks during restart from refueling or cold shutdown because the CNS TSs do not require containment integrity for either of these operational modes. This section states that the air lock test shall be performed at a pressure that is not less than P_a .

The proposed exemption is concerned with Section III.D.2(b)(ii); however, there are two other sections in Appendix J which have requirements on testing air locks. Section III.D.2(b)(i) requires an air lock test every 6 months at a test pressure of P_a and, as relevant here, Section III.D.2(b)(iii) requires a test every 3 days when the air lock is used during a period when containment integrity is required by the TSs. The latter section requires the test pressure to be P_a , or the test pressure specified in the TSs, which for CNS is stipulated as 3 psig in TS 4.7.A.2.f.5.

The licensee stated in its application that it currently tests the personnel air lock twice during the restart of the plant for power operation from refueling or cold shutdown: (1) Prior to the reactor being taken critical, or the reactor water temperature being above 100°C (212°F), and (2) after the last entry into containment for leak inspection during restart. The time between the two tests is about 24 to 48 hours, and the second test is at low reactor power prior to entry into the run mode, the full power mode of operation.

The first test is in accordance with Section III.D.2(b)(ii) and is performed at the conclusion of the period when containment integrity is not required by the TSs. This test is conducted prior to entry into an operational mode requiring containment integrity. The second test is in accordance with Section III.D.2(b)(iii) and is performed at 3-day intervals while the air lock is being used when containment integrity is required. As stated above, in accordance with this section, the second test could be conducted at a test pressure of 3 psig at CNS because this pressure is stated in TS 4.7.A.2.f.5.

However, because the licensee also performs the second test to meet the 6-month interval requirement in Section III.D.2(b)(i), the second test is conducted at P_a . If this second test is not necessary

to satisfy the 6-month interval test requirement, there is no requirement that the licensee conduct it at P_a .

When no maintenance or repairs have been performed on the air lock that could affect its sealing capability and the periodic 6-month test at P_a has been performed successfully, opening of the air lock during a plant shutdown or refueling outage is not a reason to expect it to leak in excess of the requirements. When the air lock is tested at a pressure less than P_a in preparation for restart from refueling or cold shutdown, under such conditions, and the air lock has been successfully tested at P_a within the previous six months, containment integrity is assured. If, however, maintenance or repairs have been performed on the air lock affecting its sealing capability since the last 6-month test, the first test prior to entering a condition which requires containment integrity must meet the test pressure requirements of Section III.D.2(b)(ii) and be conducted at a test pressure not less than P_a .

In testing the air lock at reduced pressure, a strongback (structural bracing) would not have to be installed on the inner air lock door. During the test, the space between the inner and outer doors is pressurized. The strongback is needed when the test pressure is P_a because the pressure exerted on the inner door during the test is in a direction opposite to the pressure on the inner door during an accident, and P_a is sufficiently high to damage the inner door during the test without the strongback. The reduced pressure test would be conducted at 3 psig, and the strongback would not be needed to protect the inner door during the test.

Installing a strongback, performing the test, and removing the strongback requires several hours during which access through the air lock is prohibited. The strongback is attached to the door inside containment where personnel would be exposed to radiation inside containment. The reduced pressure test could be conducted without the strongback and, thus, in a shorter time with less occupational exposure to CNS personnel involved with the test. Because the second test is conducted at P_a , not performing the first test at P_a will reduce the number of such tests using strongbacks and, therefore, will reduce the time involved in performing the tests and the magnitude of occupational exposure at CNS.

The licensee is, therefore, proposing to conduct the first test during restart at a test pressure of 3 psig, which is less than P_a , which is not presently allowed by Section III.D.2(b)(ii). The air lock leakage measured for the reduced test

pressure would be extrapolated to a value consistent with P_a , then that value would be compared to the acceptance criteria in Appendix J for Type B tests to confirm that containment integrity is verified. If containment integrity is verified, the measured air lock leakage is considered acceptable.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the licensee's request. The proposed exemption does not change the number of air lock tests to verify containment integrity upon plant restart, the manner in which the second test is conducted, the time when the tests would be conducted, nor the acceptance criteria for the tests. Thus, the assurance of containment integrity would be maintained at a level consistent with current Appendix J requirements. The proposed exemption would also not change other requirements in Appendix J for periodic testing of the air lock at P_a , and would not change the existing CNS safety limits, safety settings, power operations, or effluent limits. The proposed exemption would effectively replace the test pressure requirement in Section III.D.2(b)(ii) with that in Section III.D.2(b)(iii), in that the latter section allows for reduced pressure testing of air locks in accordance with plant TSs.

The change will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded that there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the requested

exemption. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar, but the proposed action would reduce occupational exposure at CNS.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the Cooper Nuclear Station, dated February 1973.

Agencies and Persons Consulted

In accordance with its stated policy, on October 19, 1995, the staff consulted with the Nebraska State official, Ms. Julia Schmidt, Division of Radiological Health, Nebraska Department of Health, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to this action, see the licensee's request for an exemption dated May 13, 1994, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW, Washington, DC, and at the local public document room located at the Auburn Public Library, 118 15th Street, Auburn, Nebraska 68305.

Dated at Rockville, Maryland, this 6th day of November 1995.

For the Nuclear Regulatory Commission.
James R. Hall,

Senior Project Manager, Project Directorate IV-1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 95-28028 Filed 11-13-95; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0062]

Request for Public Comments Regarding OMB Clearance Entitled Material and Workmanship

AGENCIES: Department of Defense (DOD),
General Services Administration (GSA),

and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance (9000-0062).

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning Material and Workmanship. This OMB clearance currently expires on March 31, 1996.

DATES: *Comment Due Date:* January 16, 1996.

ADDRESSES: Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, or obtaining a copy of the justification, should be submitted to: General Services Administration, FAR Secretariat (VRS), 18th & F Streets, NW, Room 4037, Washington, DC 20405. Please cite OMB Control No. 9000-0062, Material and Workmanship, in all correspondence.

FOR FURTHER INFORMATION CONTACT: Mr. Jack O'Neill, Office of Federal Acquisition Policy, GSA (202) 501-3856.

SUPPLEMENTARY INFORMATION:

A. Purpose

Under Federal contracts requiring that equipment (e.g., pumps, fans, generators, chillers, etc.) be installed in a project, the Government must determine that the equipment meets the contract requirements. Therefore, the contractor must submit sufficient data on the particular equipment to allow the Government to analyze the item.

The Government uses the submitted data to determine whether or not the equipment meets the contract requirements in the categories of performance, construction, and durability. This data is placed in the contract file and used during the inspection of the equipment when it arrives on the project and when it is made operable.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average .25 hours per completion, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 3,160; responses per respondent, 1.5; total annual responses, 4,740; preparation hours per response, .25; and total response burden hours, 1,185.

Dated: November 7, 1995.

Beverly Fayson,
FAR Secretariat.

[FR Doc. 95-28022 Filed 11-13-95; 8:45 am]

BILLING CODE 6820-EP-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-325 and 50-324]

Carolina Power & Light Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Carolina Power & Light Company (the licensee) to withdraw its June 17, 1994, application for proposed amendment to Facility Operating License Nos. 50-325 and 50-324 for the Brunswick Steam Electric Plant, Units 1 and 2, located in Brunswick County, North Carolina.

The proposed amendment would have removed the pressure-temperature curves and vessel surveillance capsule withdrawal schedule from the Technical Specifications.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on July 20, 1994 (59 FR 37065). However, by letter dated October 10, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 17, 1994, and the licensee's letter dated October 10, 1995, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555, and at the University of North Carolina at Wilmington, William Madison Randall Library, 601 S. College Road, Wilmington, North Carolina 28403-3297.

Dated at Rockville, Maryland, this 3rd day of November 1995.

For the Nuclear Regulatory Commission.

David C. Trimble,

Project Manager, Project Directorate II-1, Division of Reactor Projects II-1, Office of Nuclear Reactor Regulation.

[FR Doc. 95-28027 Filed 11-13-95; 8:45 am]

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