

Safety Light Corporation; Bloomsburg, PA
Schott Glass Technologies; Duryea, PA
Sequoyah Fuels Corporation; Gore, OK
Shieldalloy Metallurgical Corporation;
Cambridge, OH
Shieldalloy Metallurgical Corporation;
Newfield, NJ
Texas Instruments, Inc.; Attleboro, MA
Watertown Arsenal/Mall; Watertown, MA
Watertown GSA; Watertown, MA
Westinghouse Electric Corporation; Waltz
Mill, PA
Whittaker Corporation; Greenville, PA
Wyman-Gordon Company; North Grafton,
MA

[FR Doc. 95-31298 Filed 12-26-95; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-412]

**Duquesne Light Co., Ohio Edison Co.,
The Cleveland Electric Illuminating
Co., The Toledo Edison Co., Beaver
Valley Power Station, Unit 2; Notice of
Withdrawal of Application for
Amendment to Facility Operating
License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request by Duquesne Light Company (the licensee) to withdraw its April 14, 1993, application for a proposed amendment to Facility Operating License No. NPF-73 for Beaver Valley Power Station, Unit 2 (BVPS-2), located in Beaver County, Pennsylvania.

The proposed amendment involved revision of Table Notation (10) of Table 4.3-1 of Technical Specification 4.3.1.1.1. The proposed revision would have added a footnote to Table Notation (10) that would have stated: "Complete verification of OPERABILITY of the manual reactor trip switch circuitry shall be performed prior to startup from the first shutdown to Mode 3 occurring after April 6, 1993."

The Commission has previously issued a Notice of Consideration of Issuance of Amendment in the Federal Register on April 27, 1993 (58 FR 25676). However, on December 23, 1993, the licensee submitted a letter to the NRC requesting withdrawal of the proposed change because the change was no longer required. BVPS-2 had entered Mode 3 on September 18, 1993, in preparation for its fourth refueling outage and had performed the required surveillance test on November 18, 1993.

For further details with respect to this action, see the application for amendment dated April 14, 1993, and the licensee's letter of December 23, 1993, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public

Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, 20555 and at the B. F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, Pennsylvania 15001.

Dated at Rockville, Maryland, 19th day of December 1995.

For the Nuclear Regulatory Commission,
Donald S. Brinkman,
*Senior Project Manager, Project Directorate
I-2, Division of Reactor Projects—I/II, Office
of Nuclear Reactor Regulation.*

[FR Doc. 95-31301 Filed 12-26-95; 8:45 am]

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[Docket Nos. 50-277 AND 50-278]

**Peco Energy Company, Public Service
Electric and Gas Company, Delmarva
Power and Light Company, Atlantic
City Electric Company, Peach Bottom
Atomic Power Station, Units 2 and 3;
Notice of Consideration of Issuance of
Amendment to Facility Operating
License, Proposed No Significant
Hazards Consideration Determination,
and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-44 and DPR-56, issued to the PECO Energy Company (PECO, the licensee), for operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom, PBAPS), located in York County, Pennsylvania.

The proposed amendment would revise the ventilation filter test program (VFTP) bypass and penetration leakage test acceptance criteria from less than 0.05 percent to less than 1.0 percent. The change corrects an administrative error that occurred during the development of the Peach Bottom Improved Technical Specifications which were issued as Amendments 210 and 214 to the Peach Bottom licenses on August 30, 1995.

The amendment is being proposed on an exigent basis in accordance with 10 CFR 50.91(a)(6). On December 11, 1995, the licensee determined that a change to the Peach Bottom Atomic Power Station Improved Technical Specifications, issued by Amendments 210 and 214 to the Unit 2 and Unit 3 licenses, respectively, was required. An administrative error contained in the Improved Technical Specification VFTP would result in the Engineered Safety Feature (ESF) filter ventilation systems being declared inoperable upon implementation of Improved Technical Specifications. Implementation of the Improved Technical Specifications is scheduled for January 11, 1996. Because

these ESF filter ventilation systems are common to both Units and because the ESF filter ventilation systems cannot be maintained operable in accordance with the administrative error in the VFTP, a shutdown of both Units would be required. Therefore, the licensee has requested approval of the proposed amendment in advance of the implementation of the Improved Technical Specifications in order to eliminate the unnecessary hardship associated with shutting down both units.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) The proposed changes do not involve a significant increase in the probability or consequences of an accident previously evaluated because the changes are purely administrative and do not involve any physical changes to plant SSC [systems, structures and components]. These proposed changes do not impact initiators of analyzed events, and will not increase the probability of occurrence of an accident previously evaluated. These proposed changes do not impact the assumed mitigation of accidents or transient events. Therefore, these changes will not involve a significant increase in the probability or consequences of an accident previously evaluated.

(2) The proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated because the changes will not involve a physical alteration of the plant (no new or different type of equipment will be installed) or changes in methods governing normal plant operation. The changes do not allow plant operation in any mode that is not already evaluated in the safety analysis. Therefore, these changes will not create the

possibility of a new or different kind of accident from any accident previously evaluated.

(3) The proposed changes do not involve a significant reduction in a margin of safety because they are purely administrative and will not involve any technical changes. Generic Letter 83-13 (GL 83-13), "Clarification of Surveillance Requirements for HEPA [high efficiency particulate air] Filters and Charcoal Adsorber Units in Standard Technical Specifications on ESF Cleanup Systems," was reviewed for guidance. GL 83-13 based in-place penetration and bypass leakage testing acceptance criteria in part on the NRC staff assumptions used in its safety evaluation reports (SERs) for the ESF atmospheric cleanup systems. GL 83-13 stated, "0.05% value applicable when a HEPA filter or charcoal adsorber efficiency of 99% is assumed, or 1% when a HEPA filter or charcoal adsorber efficiency of 95% or less is assumed in the NRC staff's safety evaluation." In the original SER for PBAPS dated August 11, 1972, the NRC staff assumed a 90% halogen removal efficiency for the elemental and particulate forms of iodine, and 70% for the organic forms of iodine in the HEPA filters and charcoal adsorbers of the Standby Gas Treatment System (SGTS). The SER for Amendments 10/7 dated June 25, 1975 was issued to resolve an issue raised by a December 10, 1974, letter from the NRC proposing model TS [technical specifications] for PBAPS Control Room Air Treatment Systems and SGTS. The June 25, 1975, SER documented the acceptability of values of less than 1% penetration and bypass leakage which is still in place in the existing TS Bases. No SERs assumed HEPA filter or charcoal adsorber efficiency of 99%. Therefore, GL 83-13 recommends acceptance of less than 1% penetration and bypass leakage. Therefore, maintaining the current requirements for penetration and bypass leakage does not involve a reduction in the margin of safety. Also, because the change is administrative in nature, no question of safety is involved. Therefore, the change does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would

result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the Federal Register a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this Federal Register notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By January 25, 1996, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available 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 Government Publications Section, State Library of Pennsylvania, (Regional Depository) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request

and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John F. Stolz, Director, Project Directorate I-2: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to J. W. Durham, Sr., Esquire, Sr. V.P. and General Counsel, PECO Energy Company, 2301 Market Street, Philadelphia, Pennsylvania 19101, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing

Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated December 19, 1995, 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 Government Publications Section, State Library of Pennsylvania, (Regional Depository) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 21st day of December, 1995.

For the Nuclear Regulatory Commission.
Joseph W. Shea,

*Project Manager, Project Directorate I-2,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

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POSTAL RATE COMMISSION

[Order No. 1097; Docket No. MC96-1]

Notice of Filing of Request for Establishment of an Experimental First-Class and Priority Mail Small Parcel Automation Rate Category

Issued December 20, 1995.

Before Commissioners: Edward J. Gleiman, Chairman; W.H. "Trey" LeBlanc III, Vice Chairman; George W. Haley, H. Edward Quick, Jr.; Experimental First-Class and Priority Mail Small Parcel Automation Rate Category, 1995.

Notice is hereby given that on December 19, 1995, the U.S. Postal Service filed a request with the Postal Rate Commission pursuant to 3623 of the Postal Reorganization Act, 39 U.S.C. 101 et seq., for a recommended decision on proposed changes in the Domestic Mail Classification Schedule (DMCS). The proposed revisions also include proposed new rates. The request includes attachments supported by the testimony of four witnesses and four library references. It is on file in the Commission Docket Room and is available for inspection during the Commission's regular business hours.

Experimental Nature of the Proposed Change

The Postal Service indicates that it is requesting new, experimental small parcel automation rate categories within First Class and Priority Mail.

Description of Request

The Postal Service requests the establishment of discounted rate categories within Priority Mail and First-Class Mail for bulk quantities of small parcels that are prebarcoded and otherwise compatible with processing on sorting machines equipped with barcode scanners. The proposed service would be available to all Priority and First-Class Mail pieces which: (1) Are entered at one of the designated test sites;¹ (2) are presented in mailings of 50 or more pieces; (3) bear a barcode as prescribed by the Postal Service; (4) meet machinability specifications prescribed by the Postal Service; (5) bear a label placed on the surface of the parcel with the largest measured area; (6) meet address readability specifications as prescribed by the Postal Service; and (7) are presented for mailing in a manner which does not require cancellation. The Postal Service proposes a rate discount of four cents per piece for mailings that would qualify for inclusion in the proposed categories.

The request of the Postal Service proposes that the experimental First-Class and Priority Mail Small Parcel Automation Rate Categories be in effect for two years. The Postal Service states a belief that this period of effectiveness will allow mailers sufficient time to adjust their mailing practices to use the classification, and provide adequate time for the Service to aggregate and fully analyze data collected under the experiment. If the data generated in the experiment are determined to support a request for a permanent mail classification change, the Postal Service anticipates that such a filing would be made sufficiently in advance of the termination date that service at the experimental sites would not be interrupted.

Motion for Waiver of Certain Filing Requirements

The Postal Service's request was also accompanied by a motion for waiver of compliance with certain requirements of section 64(h) of the rules of practice [39 CFR 3001.64(h)], which specify rate-related information to be included in classification requests that would affect rates and fees. Specifically, the Postal Service seeks waiver of compliance with subsections (d) (in part), (f)(2), (f)(3), (h), (j), (l)(1) (in part), and (l)(2) of section

¹ The Postal Service states that there are currently three locations which have equipment appropriate for processing the proposed parcel categories: the Southeastern Pennsylvania Processing and Distribution Center, the Philadelphia, Pennsylvania Airport Mail Facility, and the St. Petersburg, Florida Sectional Center Facility.