

characterization; (2) adequately describes the decommissioning activities; (3) provides acceptable radiological controls to protect workers and the public; (4) provides an adequate plan for conducting a final survey; and (5) provides an acceptable decommissioning cost estimate. By authorizing Chemetron to proceed, NRC staff is confident that Chemetron can safely and successfully complete the remediation within the one-year schedule proposed. In the NRC review of the Harvard Avenue remediation plan, NRC staff considered the radiological controls that Chemetron would use during the remediation and the health and safety impacts of the proposed onsite disposal cell. Accordingly, NRC has now received adequate assurance from the Licensee that it has produced a final remediation plan that will lead to the ultimate decontamination of the Harvard Avenue site by the end of 1997.

In accordance with Commission policy, the Petitioner's request to impose sanctions was not granted as requested. On April 10, 1992, the Commission approved the "Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites." The Action Plan discussed the imposition of civil penalties for sites listed in NRC's Site Decommissioning Management Plan (SDMP). (Chemetron's Harvard Avenue site is one of the SDMP listed sites.) The Action Plan provides that civil penalties should be limited to two situations. Specifically, the Action Plan provides that "the NRC will consider civil penalties where (1) the licensee or responsible party fails to comply with an order compelling payment into an escrow account; or (2) the licensee or responsible party fails to comply with a requirement or an order compelling cleanup when there is already sufficient decommissioning funding."

The clear intent of the Action Plan is to take into account the financial impact of a civil penalty on achieving decommissioning. In the staff's view, for schedular violations, the test should be the reasonableness of the Licensee's efforts to achieve decommissioning in a timely manner. It is not the intent of NRC staff to impose civil penalties where such penalties adversely affect the financial ability of the Licensee to properly complete decommissioning.

On May 11, 1994, NRC staff issued a Notice of Violation and Proposed Civil Penalty of \$10,000 to Chemetron for submitting an incomplete remediation plan on the date established for the plan submittal set under a License Condition (i.e., October 1, 1993). The base civil

penalty of \$5,000 was escalated because NRC identified the violation and because of the Licensee's limited corrective action. The civil penalty reflected the poor progress that had been made at that time by the Licensee in the decommissioning. The NRC deferred imposition of the civil penalty until a final waste disposal option for both the Harvard Avenue site and Chemetron's Bert Avenue site is approved, to ensure that sufficient funds have been set aside to carry out the decommissioning.

As set forth above, based on the Commission's guidance in the Action Plan, NRC has not imposed sanctions as requested by the Petitioner. However, NRC staff has taken appropriate enforcement actions where the Licensee did not achieve decommissioning milestones set out in the License.

Based on the above, the NRC staff has taken appropriate actions to ensure the decontamination of the Harvard Avenue site. The most significant actions include the issuance of a License Amendment (dated May 25, 1993) and two Orders (dated May 5, 1992, and October 26, 1993) to establish schedules for the submittal of documents key to the Harvard Avenue site remediation and the issuance of a License Amendment on June 7, 1996, authorizing Chemetron to proceed with the remediation. Further, based on a review of the Licensee's actions regarding this decontamination effort, the NRC staff has concluded that the Licensee has made adequate progress towards this end. Therefore, for all practical purposes the Petitioner's request to compel the remediation of the Harvard Avenue site has been granted to the extent that this is required by the License Amendments of May 25, 1993, and June 7, 1996, and the Orders of May 5, 1992, and October 26, 1993. However, NRC staff does not consider that the imposition of sanctions, beyond those proposed on May 11, 1994, is needed to compel completion of the Harvard Avenue site remediation. Therefore, we are denying the Petitioner's request to impose further sanctions. Finally, the staff has concluded that no additional NRC actions are warranted concerning these requests. Should Chemetron fail to meet its one-year schedule for decontamination of the Harvard Avenue site, NRC staff will take appropriate action at that time.

#### IV. Conclusion

For the reasons discussed above, Petitioner's request that NRC compel Chemetron to commence action to decontaminate the Harvard Avenue site has been granted to the extent this is

required by the License Amendments of May 25, 1993, and June 7, 1996, and the Orders dated May 5, 1992, and October 26, 1993. However, to the extent these actions were not taken in the time originally specified by Petitioner, the request is denied. Petitioner's second request that NRC impose sanctions against Chemetron for failing to comply with its November 14, 1988, Confirmation of Commitment to decontaminate the Harvard Avenue site, as requested by the Petitioner, has been denied. Further, no substantial public health and safety concerns currently exist that warrant additional NRC action concerning these requests.

As provided by 10 CFR 2.206(c), a copy of this Decision will be filed with the Secretary of the Commission for the Commission's review. The Decision will become a final action of the Commission twenty-five (25) days after issuance unless the Commission on its own motion institutes review of the Decision within that time.

Dated at Rockville, Maryland, this 3rd day of July 1996.

For the Nuclear Regulatory Commission.  
Carl J. Paperiello,  
*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 96-17936 Filed 7-12-96; 8:45 am]

BILLING CODE 7590-01-P

#### **Chemical, Galvanic, or Other Reactions in Spent Fuel Storage and Transportation Casks; Issued**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of issuance.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) has issued Bulletin 96-04 to notify all holders of operating licenses or construction permits for nuclear power reactors; all holders of, and applicants for, certificates of compliance for storage/transportation casks for commercial spent fuel; all vendors of storage/transportation casks for commercial spent fuel; and all registered users of transportation casks for commercial spent fuel, about the potential for chemical, galvanic, or other reactions among the materials of a spent fuel storage or transportation cask, its contents, and the environments the cask may encounter during use, that may produce adverse conditions in cask loading, unloading and handling operations or degrade the performance and integrity of the cask. However, action is only requested from licensees with independent spent fuel storage installations, vendors of spent fuel storage and transportation casks, and

holders of certificates of compliance for spent fuel storage and transportation casks ("action addressees"). Action addressees are requested to evaluate the susceptibility of spent fuel storage and transportation cask designs to chemical, galvanic, or other reactions, and evaluate the effects of such reactions on the ability of the cask to maintain the structural integrity and retrievability of the spent fuel; action addressees are required to also submit a written response. This bulletin is available in the NRC Public Document Room under accession number 9607020241.

**DATES:** The bulletin was issued on July 5, 1996.

**ADDRESSES:** Not applicable.

**FOR FURTHER INFORMATION CONTACT:** Marissa G. Bailey at (301) 415-8531.

**SUPPLEMENTARY INFORMATION:** This bulletin is an information request made pursuant to 10 CFR 2.204, 10 CFR 71.39, and 10 CFR 72.44(b)(3). The objective of the actions requested in this bulletin is to verify that licensees are in compliance with existing NRC rules and regulations pertaining to the appropriateness and adequacy of the design of spent fuel storage and transportation casks including, and without limitation, 10 CFR 71.43(d), 72.122(h), 72.122(l), 72.236(c), 72.236(f), 72.236(g), 72.40(a)(5), 72.212(b)(9), 72.236(h), 72.234(b), and 72.146(b). The staff is not establishing a new position for such compliance in this bulletin.

Dated at Rockville, Maryland, this 8th day of July, 1996.

For the Nuclear Regulatory Commission.  
David B. Matthews,  
*Acting Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96-17938 Filed 7-12-96; 8:45 am]

**BILLING CODE 7590-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Privacy Act of 1974; Publication of Notices of Systems of Records and a Proposed New Routine Use

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice; publication of notices of the eight Governmentwide systems of records managed by the Office of Personnel Management, adding a note of explanation to one system of records, deleting an existing routine use and proposing a routine use for one system of records.

**SUMMARY:** This notice provides an accurate and complete text with

administrative changes of the Office of Personnel Management's notices for its eight Governmentwide systems of records. This notice also adds a note of explanation to one of the routine uses to one Governmentwide system, deletes one routine use, and adds one routine use to a system of records. This action effects the administrative changes that have occurred in the Office's reorganization and makes readily available in one issue of the Federal Register an accurate and complete text of the Office notices most widely used by individuals and by agency Privacy Act officers.

**DATES:** The notice with the administrative (non-substantive) changes are effective on July 15, 1996. The proposed routine use will become effective, without further notice, on September 13, 1996, unless comments dictate otherwise.

**ADDRESSES:** Written comments may be sent or delivered to: Assistant Director for Workforce Information, Room 7439, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.

**FOR FURTHER INFORMATION CONTACT:** John Sanet, Privacy Act Advisor, Office of Workforce Information (202) 606-1955.

**SUPPLEMENTARY INFORMATION:** The Office of Personnel Management (the Office) last published its Governmentwide systems notices in 1992. To be in conformance with the recent reorganization of the Office, internal changes in the designation of the systems managers and location of records have occurred that are reflected in this publication. In addition one routine use was deleted and one routine use is proposed to a particular system of records. In addition, a note of explanation is added to one routine use for OPM/GOVT-1.

A brief description of the major changes follows:

OPM/GOVT-1. A note has been added to routine use "j" allowing the home addresses of bargaining unit employees to be disclosed to recognized labor organizations that are legally required to represent them from OPM's internal payroll system of records.

The note explains that home addresses contained in OPM/GOVT-1 or in any other system of records administered by OPM may not be disclosed to labor organizations under any circumstances.

In addition, volunteers, grantees, and contract employees on whom an agency is maintaining employment records may also be covered by this system.

OPM/GOVT-3, Records of Adverse Actions, Performance Based Reduction

in Grade and Removal Actions, and Terminations of Probationers. Routine Use "o" has been deleted as no longer necessary and a proposed new routine use is offered to allow records within this system to be made available to specified agencies (Federal, State, or county, municipal, or other publicly recognized charitable or income security, administrative agency like an unemployment compensation agency) when necessary to adjudicate a claim under the retirement, insurance, unemployment, or health benefits program, or to conduct an analytical study or audit of such programs. Presently, an identical routine use exists in the OPM/GOVT-1 system of records. This proposed routine use will enable agencies to disclose relevant information from the OPM/GOVT-3 system for the same purpose.

OPM/GOVT-6, Personnel Research and Test Validation Records. Administrative changes are made reflecting the title of the system manager and the system location for these records due to OPM's reorganization are incorporated in this notice.

OPM/GOVT-7, Applicant Race, Sex, National Origin, and Disability Status Records. Administrative changes reflecting the title of the system location and system location for these records due to OPM's reorganization are incorporated in this notice.

OPM/GOVT-9, File on Position Classification Appeals, Job Grading Appeals, and Retained Grade or Pay Appeals. An administrative change reflecting the identification of the system manager is incorporated in this notice.

The system report, as required by 5 U.S.C. 552a(r), has been submitted to the Committee on Governmental Affairs of the United States Senate, the Committee on Government Reform and Oversight of the House of Representatives, and the Office of Management and Budget.

Following is a complete text of these eight Office of Personnel Management systems of records.

Office of Personnel Management,  
Lorraine A. Green,  
*Deputy Director.*

#### OPM/GOVT-1

##### SYSTEM NAME:

General Personnel Records.

##### SYSTEM LOCATION:

Records on current Federal employees are located at the Office and with Personnel Officers or other designated offices of the local installation of the department or agency that currently