

Appling County Public Library, 301 City Hall Drive, Baxley, Georgia.

Dated at Rockville, Maryland, this 9th day of July 1996.

For the Nuclear Regulatory Commission.

Kahtan N. Jabbour,

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

[FR Doc. 96-17939 Filed 7-12-96; 8:45 am]

BILLING CODE 7590-01-P

### **Correction to Director's Decision Under 10 CFR 2.206**

On June 17, 1996 (61 FR 30643), notice of issuance of Director's Decision DD-96-06 under 10 CFR 2.206 was published, concerning Indian Point Nuclear Generating Units 2 and 3. However, reference to one of the licensees, the Power Authority of the State of New York, was inadvertently omitted from the heading on page 30643.

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

For the Nuclear Regulatory Commission.

William T. Russell,

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 96-17937 Filed 7-12-96; 8:45 am]

BILLING CODE 7590-01-P

### **[Docket No. 50-335]**

### **Florida Power and Light Company, St. Lucie Plant, Units No. 1 and 2; Receipt of Petition for Director's Decision Under 10 CFR 2.206**

Notice is hereby given that by letter dated June 12, 1996, Thomas J. Saporito, Jr., for himself and on behalf of the National Litigation Consultants (Petitioners) requested that the Nuclear Regulatory Commission (Commission) take action with regard to operations at the Florida Power and Light Company's (licensee's) St. Lucie Plant, Units No. 1 and 2 pursuant to 10 CFR 2.206.

The Petitioners request that the Commission (1) issue a confirmatory order requiring that the licensee not operate St. Lucie Plant, Unit No. 1, above 50 percent of its power level capacity, (2) require the licensee to specifically identify the "root cause" for the premature failure of the steam generator tubing, and (3) require the licensee to specifically state what corrective measures will be implemented to prevent recurrence of steam generator tube failures in all the steam generators in Unit 1 and Unit 2.

As basis for the requests, the Petitioners assert that (1) the licensee's

Unit 1 steam generator tubes have degraded to the extent that more than 2,500 of the tubes have been plugged, (2) the licensee has not identified the root cause for the premature failure of the steam generator tubing, (3) the licensee will most likely experience similar tube ruptures on other steam generators at the station, and (4) the licensee's "FSAR's [Final Safety Analysis Reports] and the NRC's CFR's [Code of Federal Regulations] require that the integrity of the primary systems on Unit 1 and Unit 2 not be breached."

The Petition is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The Petition has been referred to the Director of the Office of Nuclear Reactor Regulation. As provided by Section 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of the Petition is available for 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 Indian River Junior College Library, 3209 Virginia Avenue, Fort Pierce, Florida.

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

For the Nuclear Regulatory Commission.

William T. Russell,

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 96-17941 Filed 7-12-96; 8:45 am]

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### **[Docket No. 040-08724]**

### **Issuance of Director's Decision Under 10 CFR 2.206**

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance of Director's Decision Under 10 CFR 2.206.

#### **I. Introduction**

Notice is hereby given that the Director, Office of Nuclear Material Safety and Safeguards, has issued a decision concerning a Petition dated January 6, 1989, submitted by Dr. Klaus R. Romer, on behalf of McGean-Rohco, Inc.

By letter dated January 6, 1989, Dr. Klaus R. Romer, on behalf of McGean-Rohco, Inc. (Petitioner or McGean), requested that the U.S. Nuclear Regulatory Commission (NRC) take action pursuant to 10 CFR 2.206 with respect to Chemetron Corporation (Chemetron), an NRC licensee. McGean requested that NRC exercise its enforcement powers to compel

Chemetron, at the time a subsidiary of Allegheny International, Inc. (Allegheny), to immediately commence decontamination of its facilities at 2910 Harvard Avenue, Cuyahoga Heights, Ohio, (the Harvard Avenue site) under the terms agreed to by Allegheny in its Confirmation of Commitment dated November 14, 1988. The Petitioner also requested the NRC to impose sanctions upon Chemetron for its failure to carry out the decontamination of the Harvard Avenue site. McGean alleged the following bases for its requests:

(1) On November 14, 1988, Chemetron committed to begin decontamination of the Harvard Avenue site immediately and complete the job by March 17, 1989;

(2) The NRC had stated that the March completion deadline would be relaxed only if Chemetron made a compelling showing of diligent efforts to clean up the site and good cause;

(3) Chemetron's letter to the NRC of December 12, 1988, which requests an extension of the deadline for good cause, fails to make a compelling showing of good cause; and

(4) Chemetron has not made a good faith effort to decontaminate the site.

On March 22, 1989, the Director of the Office of Nuclear Material Safety and Safeguards, formally acknowledged receipt of the Petition and informed Petitioner that its request was being treated pursuant to 10 CFR 2.206 of the NRC's regulations. A notice of the receipt of the Petition was published in the Federal Register notice on March 28, 1989 (54 FR 12698). In the March 22, 1989, letter, the Director denied the Petitioner's request for immediate relief because NRC considered that Chemetron's actions demonstrated minimally sufficient progress towards decontamination. However, the Director deferred a decision on the remainder of the Petition.

#### **II. Background**

In 1965, pursuant to 10 CFR Part 40, the Atomic Energy Commission issued Source Material License No. SUB-852 to Chemetron, which through its McGean Unit of the Inorganic Chemical Division, manufactured catalysts containing depleted uranium. These operations were carried out between 1965 and 1972 in facilities located at the Harvard Avenue site. By February 1972, manufacture of the catalysts had been terminated, and in December 1973, the License was amended to authorize storage only for the remaining depleted uranium. No activities involving source material, other than decontamination, have been conducted at the site since the termination of the catalyst production by Chemetron in 1972.