

Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), any person other than the Licensee, adversely affected by this Order, may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

Dated at Rockville, Maryland, this 12th day of August 1996.

For the Nuclear Regulatory Commission,
James Lieberman,
Director, Office of Enforcement.
[FR Doc. 96-21039 Filed 8-16-96; 8:45 am]
BILLING CODE 7590-01-P

Westinghouse Electric Corporation; Receipt of Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given that by Petition dated May 30, 1996, Shannon T. Doyle (Petitioner) has requested that the NRC take immediate action with regard to Westinghouse Electric Corporation (Westinghouse). The Petitioner requests that the NRC institute a show cause proceeding pursuant to 10 CFR 2.202 and/or impose a civil penalty upon Westinghouse. As a basis for the request, the Petitioner asserts that Westinghouse has failed to correct the record and, through its counsel, has provided material false statements to a Department of Labor Administrative Law Judge (DOL ALJ) in a case arising under the Energy Reorganization Act

(ERA), 89-ERA-022. Specifically, the Petitioner asserts that Westinghouse has knowingly let remain the false impression of the ALJ that registration with the National Registry of Radiation Protection Technologists (NRRPT) is a requirement for the holding of the position of health physics technician in the nuclear power industry, and has falsely maintained that an NRRPT filing to the NRC establishes that a passing score on the registration test is required for the position of health physics technician.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the Office of Enforcement. With regard to the Petitioner's request that immediate action be taken, it should be noted that the NRC takes immediate action in situations where it appears that there is a significant threat to public health and safety that warrants some immediate action to protect the public. The allegations and information in the Petition do not involve a significant threat to public health and safety and the Petition does not present significant new information to indicate that such a threat exists. Therefore, the request for immediate action is denied. As provided by 10 CFR 2.206, action will be taken on the remaining portions of the Petition within a reasonable time.

A copy of the Petition is available for inspection at the Commission's Public Document Room at 2120 L Street, N.W., Washington, D.C. 20555.

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

For the Nuclear Regulatory Commission,
James Lieberman,
Director, Office of Enforcement.
[FR Doc. 96-21038 Filed 8-16-96; 8:45 am]
BILLING CODE 7590-01-P

POSTAL RATE COMMISSION

[Docket No. A96-22; Order No. 1130]

Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. 404(b)(5)

In the Matter of: Shiloh, Virginia 22549
(James R. Owens, Petitioner).

Issued August 13, 1996.

Before Commissioners: Edward J. Gleiman,
Chairman; H. Edward Quick, Jr., Vice-
Chairman; George W. Haley; W.H. "Trey"
LeBlanc III

Docket Number: A96-22
Name of Affected Post Office: Shiloh,
Virginia 22549
Name(s) of Petitioner(s): James R.
Owens

Type of Determination: Closing
Date of Filing of Appeal Papers:
August 8, 1996

*Categories of Issues Apparently
Raised:*

1. Effect on postal services [39 U.S.C. 404(b)(2)(C)].
2. Effect on the community [39 U.S.C. 404(b)(2)(A)].

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above. Or, the Commission may find that the Postal Service's determination disposes of one or more of those issues.

The Postal Reorganization Act requires that the Commission issue its decision within 120 days from the date this appeal was filed (39 U.S.C. § 404 (b)(5)). In the interest of expedition, in light of the 120-day decision schedule, the Commission may request the Postal Service to submit memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request and the Postal Service shall serve a copy of its memoranda on the petitioners. The Postal Service may incorporate by reference in its briefs or motions, any arguments presented in memoranda it previously filed in this docket. If necessary, the Commission also may ask petitioners or the Postal Service for more information.

The Commission Orders

(a) The Postal Service shall file the record in this appeal by August 23, 1996.

(b) The Secretary of the Postal Rate Commission shall publish this Notice and Order and Procedural Schedule in the Federal Register.

By the Commission,
Margaret P. Crenshaw,
Secretary.

Appendix

August 8, 1996 Filing of Appeal letter
August 13, 1996 Commission Notice and
Order of Filing of Appeal
September 3, 1996 Last day of filing of
petitions to intervene [see 39 CFR
3001.111(b)]
September 12, 1996 Petitioner's Participant
Statement or Initial Brief [see 39 CFR
3001.115(a) and (b)]
October 2, 1996 Postal Service's Answering
Brief [see 39 CFR 3001.115(c)]
October 17, 1996 Petitioner's Reply Brief
should Petitioner choose to file one [see
39 CFR 3001.115(d)]