Museum Services Act. It moves the administration of library programs from the Department of Education to the Institute of Museum and Library Services.

DATES: The action is effective September 30, 1996.

FOR FURTHER INFORMATION CONTACT: Mamie Bittner, mbittner@ims.fed.us, Director of Legislative and Public Affairs, 1100 Pennsylvania Ave., NW., Washington, DC 20506.

Dated: January 24, 1997.

Diane B. Frankel,

Director.

[FR Doc. 97–2668 Filed 2–3–97; 8:45 am]

BILLING CODE 7036–01–M

NATIONAL TRANSPORTATION SAFETY BOARD

Sunshine Act Meeting

TIME: 9:30 a.m., Tuesday, February 11, 1997.

PLACE: The Board Room, 5th Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE DISCUSSED:

6804 Aviation Accident Report: Continental Airlines Flight 1943, Douglas DC–9–32, Wheels-Up Landing at Houston, Texas, February 19, 1996.

NEWS MEDIA CONTACT: Telephone: (202) 314–6100.

FOR MORE INFORMATION CONTACT: Bea Hardesty, (202) 314–6065.

Dated: January 31, 1997.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 97–2850 Filed 1–31–97; 1:11 pm]

BILLING CODE 7533–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–286]

Power Authority of the State of New York (Indian Point Nuclear Generating Unit No. 3); Amendment to Exemption

I

The Power Authority of the State of New York (the licensee) is the holder of Facility Operating License No. DPR–64, which authorizes operation of the Indian Point Nuclear Generating Unit No. 3 (IP3). The license provides that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor at the licensee's site located in Westchester County, New York.

II

By letter dated October 1, 1996, as supplemented December 5, 1996, the licensee requested an amendment to the Technical Specifications (TSs) and an amendment to an existing exemption issued on February 19, 1993. The TS and existing exemption allow the licensee to conduct Type C containment isolation valve leak tests (Type C tests or LLRTs) at intervals up to 30 months as opposed to the 2-year interval specified by 10 CFR Part 50, Appendix J, Paragraph III.D.3. The requested amendments to the TS and to this exemption would allow a one-time extension of 4½ months to the Type C test interval.

The TS and the existing exemption allow the licensee to operate with a 24-month fuel cycle. Due to a lengthy outage period, the current fuel cycle has been extended by several months. The amendments to the TS and to the exemption would allow the licensee to complete the current fuel cycle without another outage. The next refueling outage is scheduled to begin in April 1997.

III

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present any undue risk to public health and safety, and are consistent with the common defense and security and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), ''Application of the regulation in the particular circumstance would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. * * *''

The underlying purpose of the requirement to perform Type C tests at intervals not to exceed 2 years is to ensure that any potential leakage pathways through the containment boundary are identified within a time span that is short enough to detect significant degradation and long enough to allow the tests to be conducted during scheduled refueling outages. This interval was originally published in Appendix J when refueling cycles were conducted at approximately annual intervals and has not been changed to reflect 2-year operating cycles; therefore, the staff issued Generic Letter 91–04, ''Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle.'' This generic letter provides guidance to licensees on how to prepare requests for TS amendments and exemptions that are needed to accommodate a 24-month cycle. Enclosure 3 to Generic Letter 91–04 noted that two issues should be addressed when justifying the extended Type C test interval: (1) a possible reduction in the combined leakage limit for Type B and Type C leakage tests, and (2) the basis for concluding that the containment leakage rate would be maintained within the acceptable limits with an extended test interval. The licensee's letters of July 17, 1992, and December 23, 1992, in which it applied for the existing exemption, addressed both of these issues. The licensee's letter of December 5, 1996, addressed both issues in light of the 4½ month extension.

The first issue is a reduction in the combined containment penetration and isolation valve leakage rate limit for Type B and Type C tests that increases the margin to the maximum allowable leakage rate. The maximum allowable leakage rate, which is referred to as L_a, is specified in the facility's TS. The acceptance criterion for Type B and C tests is that the combined leakage rate shall be less than 0.60 L_a. This constitutes a margin of 0.40 L_a (40 percent of L_a). Enclosure 3 to Generic Letter 91–04 states that in order to justify an exemption to the Appendix J requirements and extend Type C test intervals up to 30 months, licensees should either (1) use leakage test data to demonstrate that the margin of 0.40 L_a will not be reduced as a result of the test interval increase or (2) propose an acceptance criterion limit of less than 0.60 L_a as a TS change. The licensee has proposed an acceptance criterion limit of 0.50 L_a for IP3. This constitutes a 25 percent increase in margin (40 percent to 50 percent). The staff has reviewed the proposed reduction in the combined leakage rate limit to 0. 50 L_a and finds it is consistent with the recommendations of Enclosure 3 to Generic Letter 91–04 and is, therefore, acceptable. A one-time extension of the test interval by 4½ months does not change the staff's determination in this matter.

The second issue is the basis for concluding that containment leakage will be maintained within acceptable limits with an extended test interval. At the time of issuance of the existing amendment, ten LLRTs had been performed during the lifetime of IP3.