

## NATIONAL TRANSPORTATION SAFETY BOARD

### Public Hearing

The National Transportation Safety Board will convene a public hearing beginning at 9 a.m., local time on Monday, September 13, 1999, at the Ambassador West, Wyndham Grand Heritage Hotel, 1300 North State Parkway, Chicago, Illinois concerning the *Investigation of the Collision and Derailment of Amtrak Train No. 59, the City of New Orleans, with an East Bound Tractor Semi-trailer Truck at Railroad/Highway Grade Crossing, near Bourbonnais, Illinois, on March 15, 1999*. For more information, contact James S. Dunn, NTSB Office of Highway Safety at (202) 314-6436 or Terry N. Williams, NTSB Office of Public Affairs at (202) 314-6100.

Dated: September 1, 1999.

**Rhonda Underwood,**

*Federal Register Liaison Officer.*

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BILLING CODE 7533-01-M

## NATIONAL WOMEN'S BUSINESS COUNCIL

### Sunshine Act Notice

**AGENCY:** National Women's Business Council.

**ACTION:** Notice of Meeting.

**SUMMARY:** In accordance with the Women's Business Ownership Act, Public Law 105-135 as amended, the National Women's Business Council (NWBC) announces a forthcoming Council meeting and joint meeting of the NWBC and Interagency Committee on Women's Business Enterprise. The meetings will cover action items worked on by the National Women's Business Council and the Interagency Committee on Women's Business Enterprise included by not limited to procurement, access to capital and training.

**DATES:** September 23, 1999.

**ADDRESSES:** Council Meeting & Joint Meeting. The White House/Old Executive Office Building/(17th & Penn. Entrance), Washington, DC. Council Meeting, S-476, 9 a.m. to 10 a.m., Joint Meeting, Indian Treaty Room, 10 a.m. to 12 p.m.

**Note:** No admittance without prior official clearance. Please have a photo ID.

**STATUS:** Open to the public.

**CONTACT:** National Women's Business Council, 409 Third Street, SW., 8th Floor, Washington, DC 20024, (202) 205-3850.

**Note:** Please call by September 13, 1999.

**Gilda Presley,**

*Administrative Officer,*

*National Women's Business Council.*

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BILLING CODE 6820-AR-M

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-295 and 50-304]

### Commonwealth Edison Company; (Zion Nuclear Power Station, Units 1 and 2); Exemption

#### I.

Commonwealth Edison Company (ComEd or the licensee) is the holder of Facility Operating License Nos. DPR-39 and DPR-48, which authorize the licensee to possess the Zion Nuclear Power Station (ZNPS). The license states, among other things, that the facility is subject to all the rules, regulations, and orders of the US Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect. The facility consists of two pressurized-water reactors located at the ComEd site on the west shore of Lake Michigan about 40 miles north of Chicago, Illinois, in the extreme eastern portion of the city of Zion, Illinois (Lake County). The facility is permanently shut down and defueled, and the licensee is no longer authorized to operate or place fuel in the reactor.

#### II.

Section 50.12(a) of 10 CFR, "Specific exemption," states that.\* \* \*

The Commission may, upon application by any interested person, or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are: (1) Authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present.

Section 50.12(a)(2)(ii) of 10 CFR states that special circumstances are present when "Application of the regulation in the particular circumstances 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 sections 50.47(b) and 50.47(c)(2) is to ensure that there is reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency, to establish

plume exposure and ingestion pathway emergency planning zones for nuclear power plants, and to ensure that licensees maintain effective offsite and onsite emergency plans.

By letter dated April 13, 1999, ComEd requested an exemption from certain provisions of 10 CFR 50.47(b) and 10 CFR 50.47(c)(2) on the basis that the permanently shutdown and defueled condition of the ZNPS had substantially reduced the risk to public health and safety. In addition, the licensee submitted a proposed Defueled Station Emergency Plan (DSEP) for NRC's approval. The DSEP proposed to discontinue offsite emergency planning activities and to reduce the scope of onsite emergency planning. Thus, exemptions from certain provisions of 10 CFR 50.47(b) and 50.47(c)(2) are required to implement the proposed DSEP to maintain compliance with the regulation.

By letter dated April 13, 1999, and supplemental letters dated July 8, July 19, and August 30, 1999, the licensee also submitted an analysis of the radiological consequences of a postulated event, an analysis to determine the maximum Zircaloy cladding temperature in the spent fuel pool (SFP) with the fuel exposed to an air environment, and an analysis to determine the potential upper limit radiation fields at the exclusion area boundary.

#### III.

The licensee stated that special circumstances exist at ZNPS because of the station's permanently shutdown and defueled condition. The standards in 10 CFR 50.47(b) and the requirements in 10 CFR 50.47(c)(2) were developed taking into consideration the risks associated with operation of a nuclear power reactor at its licensed full-power level. The risks include the potential for an accident with offsite radiological dose consequences. There are no design basis accidents or other credible events for ZNPS that would result in a radiological dose beyond the exclusion area boundary that would exceed the Environmental Protection Agency's (EPA) Protective Action Guidelines (PAGs). Therefore, the application of all of the standards in 10 CFR 50.47(b) and the requirements of 10 CFR 50.47(c)(2) are not necessary to achieve the underlying purpose of those rules.

The licensee analyzed the heatup characteristics of the spent fuel from a beyond design basis event that results in the complete loss of spent fuel pool (SFP) water, when cooling depends on the natural circulation of air through the spent fuel racks. The licensee presented