

items, 56 temporary items). Electronic data, documentation, and paper and electronic outputs associated with the Regional Office Administered Program database, an electronic system used for payments related to grant programs, such as the national school lunch program. Also included are records relating to the web site that pertains to these programs. Proposed for permanent retention are selected paper outputs, including claims summaries and earnings and payments reports.

2. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-7, 7 items, 7 temporary items). Inputs, master files, outputs, and documentation associated with an electronic system used to manage testing of samples at laboratories. Also included are electronic copies of records created using electronic mail and word processing.

3. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-8, 7 items, 7 temporary items). Inputs, master files, outputs, and documentation associated with an electronic system used to test for antibiotic residues at slaughter establishments. Electronic copies of records created using electronic mail and word processing are also included.

4. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-9, 7 items, 7 temporary items). Inputs, master files, outputs, and documentation associated with an electronic system containing information on microbiological, chemical, and pathological analyses of domestic and imported meat, poultry, and processed products. Electronic copies of records created using electronic mail and word processing are also included.

5. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-13, 7 items, 7 temporary items). Inputs, master files, outputs, and documentation associated with an electronic system containing data used to alert agency managers that a facility may warrant investigation. Electronic copies of records created using electronic mail and word processing are also included.

6. Department of Agriculture, Food Safety and Inspection Service (N1-462-04-15, 7 items, 7 temporary items). Inputs, master files, outputs, and documentation associated with an electronic system containing information concerning reviews of businesses engaged in the transportation, storage, and distribution of meat and poultry products after they leave Federally-inspected establishments. Electronic copies of

records created using electronic mail and word processing are also included.

7. Department of the Army, Agency-wide (N1-AU-04-6, 2 items, 2 temporary items). Records of the Army Family Building Program which is used to meet the educational needs of Army spouses and family members. Included are plans, surveys, reviews, training materials, reports, and related records. Also included are electronic copies of records created using electronic mail and word processing.

8. Department of Transportation, Federal Highway Administration (N1-406-04-4, 1 item, 1 temporary item). Reference files consisting of copies of news clippings, journal and magazine articles, academic papers, newsletters, brochures, press releases, memorandums, correspondence, and other items. Records relate to the history of the agency and its predecessor, the Bureau of Public Roads. Before disposal, records will be offered for donation to a non-Federal archival institution.

9. Department of the Treasury, Financial Management Service (N1-425-04-3, 5 items, 5 temporary items). Inputs, outputs, system documentation, and master files of the Surety Information Management System. This system supports qualification reviews of companies proposing to do surety bonding business with the Federal Government.

10. Dayton Aviation Heritage Commission, Agency-wide (N1-220-04-10, 16 items, 9 temporary items). Committee working files, photographs that lack captions, financial management files, budget files, contract files, administrative records, and reference files. Also included are electronic copies of records created using electronic mail and word processing. Proposed for permanent retention are recordkeeping copies of Commission meeting files, including agendas, minutes, and reports, policy files, cooperative agreements and institutional relations files, project subject files, publicity materials, reports, and photographs of flight activities.

11. Environmental Protection Agency, Office of Enforcement and Compliance Assurance (N1-412-04-10, 2 items, 2 temporary items). Records relating to the environmental impact of non-governmental activities, including tourism, on Antarctica. Also included are electronic copies of documents created using electronic mail and word processing.

12. Environmental Protection Agency, Office of Environmental Information (N1-412-04-11, 8 items, 5 temporary items). Electronic and paper inputs and

software programs associated with the Toxic Chemical Release Inventory, which contains information on toxic chemical releases and other waste management activities. Also included are the trade secret claims tracking system and electronic copies of records created using word processing and electronic mail. Proposed for permanent retention are recordkeeping copies of trade secret claims, the electronic data contained in the Toxic Chemical Release Inventory, and the associated documentation.

Dated: August 16, 2004.

**Michael J. Kurtz,**

*Assistant Archivist for Records Services—  
Washington, DC.*

[FR Doc. 04-19222 Filed 8-20-04; 8:45 am]

**BILLING CODE 7515-01-P**

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## **NUCLEAR REGULATORY COMMISSION**

### **Notice of Availability of Model Application Concerning Technical Specifications Improvement Regarding Revision to the Control Rod Scram Time Testing Frequency in STS 3.1.4, “Control Rod Scram Times” for General Electric Boiling Water Reactors Using the Consolidated Line Item Improvement Process**

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the staff of the Nuclear Regulatory Commission (NRC) has prepared a model safety evaluation (SE), a model no significant hazards consideration (NSHC) determination, and a model license amendment application relating to a change in the Technical Specifications (TS) to extend the interval for the surveillance requirement (SR) in Standard Technical Specifications (STS) 3.1.4, “Control Rod Scram Times.” The purpose of these models is to permit the NRC to efficiently process amendments that propose to incorporate this change into plant-specific TS. Licensees of nuclear power reactors to which the models apply may request amendments utilizing the model application.

**DATES:** The NRC staff issued a **Federal Register** Notice (69 FR 30339) on May 27, 2004, which proposed a model SE and a model NSHC determination related to changing plant TS to extend the control rod scram time testing interval from “120 days cumulative operation in MODE 1” to “200 days cumulative operation in MODE 1.” The

NRC staff hereby announces that the enclosed model SE and NSHC determination may be referenced in plant-specific applications. The NRC staff has posted a model application on the NRC web site to assist licensees in using the consolidated line item improvement process (CLIP) to incorporate this change. The NRC staff can most efficiently consider applications based upon the model application if the application is submitted within a year of this **Federal Register** Notice.

**FOR FURTHER INFORMATION CONTACT:** Bhalchandra Vaidya, Mail Stop: O-7D1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-3308, or William Reckley at (301) 415-1323.

**SUPPLEMENTARY INFORMATION:**

**Background**

Regulatory Issue Summary 2000-06, "Consolidated Line Item Improvement Process for Adopting Standard Technical Specifications Changes for Power Reactors," was issued on March 20, 2000. The CLIP is intended to improve the efficiency of NRC licensing processes. This is accomplished by processing proposed changes to the STS in a manner that supports subsequent license amendment applications. The CLIP includes an opportunity for the public to comment on proposed changes to the STS following a preliminary assessment by the NRC staff and finding that the change will likely be offered for adoption by licensees. The CLIP directs the NRC staff to evaluate any comments received for a proposed change to the STS and to either reconsider the change or to proceed with announcing the availability of the change for proposed adoption by licensees. Those licensees opting to apply for the subject change to TS are responsible for reviewing the staff's evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. Each amendment application made in response to the notice of availability will be processed and noticed in accordance with applicable rules and NRC procedures.

This notice involves changes to plant TS to extend the control rod scram time testing interval from "120 days cumulative operation in MODE 1" to "200 days cumulative operation in MODE 1." This proposed change was proposed for incorporation into the STS by the industry's TS Task Force as TSTF-460, "Control Rod Scram Time Testing Frequency."

**Applicability**

This proposed change to extend the surveillance interval for control rod scram time testing is applicable to boiling water reactors (BWRs).

The CLIP does not prevent licensees from requesting an alternative approach or proposing the changes without referencing the model SE and the NSHC. Variations from the approach recommended in this notice may, however, require additional review by the NRC staff and may increase the time and resources needed for the review.

**Public Notices**

In a notice in the **Federal Register** dated May 27, 2004 (69 FR 30339), the NRC staff requested comment on the use of the CLIP for proposed changes to extend the control rod scram time testing interval as proposed in TSTF-460.

TSTF-460, as well as the NRC staff's SE and model application, may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records are accessible electronically from the ADAMS Public Library component on the NRC Web site, (the Electronic Reading Room).

The NRC staff received no formal comments from the request published in the **Federal Register**. Several editorial changes were identified to the staff and are reflected in the model safety evaluation included in this notice.

To efficiently process the incoming license amendment applications, the NRC staff requests each licensee applying for the changes addressed by TSTF-460 using the CLIP to address the plant-specific information identified in the model SE. Namely, each licensee submitting amendments to extend the surveillance frequency should demonstrate the reliability of the control rod insertion system based on historical control rod scram time test data, and by the more restrictive acceptance criterion for the number of slow rods allowed during at-power surveillance testing.

**Model Safety Evaluation**

*U.S. Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Consolidated Line Item Improvement*

Technical Specification Task Force (TSTF) Change Traveler TSTF-460, "Control Rod Scram Time Testing Frequency"

**1.0 Introduction**

By application dated [Date], [Licensee] (the licensee) requested

changes to the Technical Specifications (TS) for [facility]. The proposed changes would revise TS testing frequency for the surveillance requirement (SR) in TS 3.1.4, "Control Rod Scram Times."

These changes are based on TS Task Force (TSTF) change traveler TSTF-460 (Revision 0) that has been approved generically for the boiling water reactor (BWR) Standard TS, NUREG-1433 (BWR/4) and NUREG-1434 (BWR/6) by revising the frequency of SR 3.1.4.2, control rod scram time testing, from "120 days cumulative operation in MODE 1" to "200 days cumulative operation in MODE 1." A notice announcing the availability of this proposed TS change using the consolidated line item improvement process was published in the **Federal Register** on [DATE] (XX FR XXXXXX).

**2.0 Regulatory Evaluation**

The TS governing the control rod scram time surveillance is intended to assure proper function of control rod insertion. Following each refueling outage, all control rod scram times are verified. In addition, periodically during power operation, a representative sample of control rods is selected to be inserted to verify the insertion speed. A representative sample is defined as a sample containing at least 10 percent of the total number of control rods. The current TS stipulates that no more than 20 percent of the control rods in this representative sample can be "slow" during the post outage testing. With more than 20 percent of the sample declared to be "slow" per the criteria in Table 3.1.4-1, additional control rods are tested until this 20 percent criterion (e.g., 20 percent of the entire sample size) is satisfied, or until the total number of "slow" control rods (throughout the core, from all surveillances) exceeds the Limiting Condition for Operation limit. For planned testing, the control rods selected for the sample should be different for each test. The acceptance criterion for at-power surveillance testing has been redefined from 20 percent to 7.5 percent. This tightened acceptance criterion for at-power surveillance aligns with the TS 3.1.4 requirement for the total control rods allowed to have scram times exceeding the specified limit.

The proposed change does not affect any current operability requirements and the test frequency being revised is not specified in regulations. As a result, no regulatory requirements or criteria are affected.

### 3.0 Technical Evaluation

#### 3.1 Statement of Proposed Changes

NUREG-1433, SR 3.1.4.2 states, "Verify, for a representative sample, each tested control rod scram time is within the limits of Table 3.1.4-1 with reactor steam dome pressure  $\geq$ [800] psig." NUREG-1434, SR 3.1.4.2 states, "Verify, for a representative sample, each tested control rod scram time is within the limits of Table 3.1.4-1 with reactor steam dome pressure  $\geq$ [950] psig." Both SRs have a frequency of "120 days cumulative operation in MODE 1." The proposed change revises the frequency to "200 days cumulative operation in MODE 1." The Bases are revised to reference the new frequency and to reduce the percentage of the tested rods which can be "slow" from 20 percent to 7.5 percent.

#### 3.2 Evaluation of Proposed Change

The control rod insertion time test results at [Plant Name] have shown the control rod scram rates to be highly reliable. During the most recent [XXX] years of operation, out of [XXX] control rod insertion tests, only [XXX] control rods have been slower than the insertion time limit. The extensive historical database substantiates the claim of high reliability of the [Plant Name] control rod drive system. The current TS requires that 10 percent of the [XXX] control rods, or [XXX] rods, be tested via sampling every 120 cumulative days of operation in Mode 1.

The current TS states that the acceptance criteria have been met if 20 percent or fewer of the sample control rods that are tested are found to be slow. The acceptance criterion has been re-defined for at-power surveillance testing from 20 percent to 7.5 percent when the surveillance period is extended to 200 cumulative days of operation in Mode 1. This tightened acceptance criterion for at-power surveillance aligns with the TS 3.1.4 requirement for the total control rods allowed to have scram times exceeding the specified limit.

The licensee will incorporate the revised acceptance criterion value of 7.5 percent into the TS Bases in accordance with their Bases Control Program and as a condition of this license amendment.<sup>1</sup>

The NRC staff considers the extended surveillance interval to be justified by

the demonstrated reliability of the control rod insertion system, based on historical control rod scram time test data, and by the more restrictive acceptance criterion for the number of slow rods allowed during at-power surveillance testing. The NRC staff finds the proposed TS change acceptable.

#### 4.0 State Consultation

In accordance with the Commission's regulations, the [State] State official was notified of the proposed issuance of the amendments. The State official had [choose one: (1) No comments, or (2) the following comments—with subsequent disposition by the staff].

#### 5.0 Environmental Consideration

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (XX FR XXXXX). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 6.0 Conclusion

The Commission has concluded, based on the considerations discussed above, that: (1) There is reasonable assurance that the health and safety of the public will not be endangered by the operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

#### Model Proposed No Significant Hazards Consideration Determination

*Description of Amendment Request:* The proposed amendment changes the Technical Specification (TS) testing frequency for the surveillance requirement (SR) in TS 3.1.4, "Control Rod Scram Times." The proposed

change revises the test frequency of SR 3.1.4.2, control rod scram time testing, from "120 days cumulative operation in MODE 1" to "200 days cumulative operation in Mode 1."

*Basis for proposed no significant hazards consideration determination:* As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

1. *Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?*

Response: No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The frequency of surveillance testing is not an initiator of any accident previously evaluated. The frequency of surveillance testing does not affect the ability to mitigate any accident previously evaluated, as the tested component is still required to be operable. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. *Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?*

Response: No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The proposed change does not result in any new or different modes of plant operation. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. *Does the proposed change involve a significant reduction in a margin of safety?*

Response: No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The proposed change continues to test the control rod scram time to ensure the assumptions in the safety analysis are protected. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, the proposed change presents no significant hazards consideration under the standards set

<sup>1</sup> Conditioning of the license amendment is accomplished by including wording similar to the following in the implementation language (typically included as item 3) in the Amendment of Facility Operating License: This license amendment is effective as of its date of issuance and shall be implemented within [XX] days from the date of issuance. The licensee shall incorporate during the next periodic update into the TS Bases Section the changes described in its application dated [Date].

forth in 10 CFR 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

Dated at Rockville, Maryland, this 16th day of August 2004.

For the Nuclear Regulatory Commission.

**William D. Reckley,**

*Chief (Acting), Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 04-19203 Filed 8-20-04; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of OPM decisions granting authority to make appointments under Schedules A, B and C in the excepted service as required by 5 CFR 6.6 and 213.103(b).

**FOR FURTHER INFORMATION CONTACT:** Ms. Cathy Penn, Center for Leadership and Executive Resources Policy, Division for Strategic Human Resources Policy, 202-606-2671.

**SUPPLEMENTARY INFORMATION:** Appearing in the listing below are the individual authorities established under Schedule C between July 1, 2004, and July 31, 2004. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 is published each year.

### Schedule A

*U.S. Department of Health and Human Services*

HHS may use this Schedule A Authority under 5 CFR 213.3102(i)(3) for positions that directly respond to declared public health emergencies. HHS may use this hiring authority only when the urgency of filling positions prohibits examining through the competitive process. HHS will apply veterans preference using procedures in 5 CFR 302. Appointments under this Schedule A authority will be temporary and may not exceed the service limits in 5 CFR 213.104 or the duration of the emergency, which ever occurs first. Effective July 9, 2004.

### Schedule B

No Schedule B appointments for July 2004.

### Schedule C

The following Schedule C appointments were approved for July 2004:

Executive Office of the President  
Section 213.3303 Office of Science and Technology Policy

TSGS60033 Confidential Assistant to Chief of Staff and General Counsel. Effective July 02, 2004

TSGS60034 Assistant to the Director for Communications and Public Relations to the Chief of Staff and General Counsel. Effective July 02, 2004

Section 213.3304 Department of State  
DSGS60778 Foreign Affairs Officer to the Assistant Secretary for Near Eastern and South Asian Affairs. Effective July 02, 2004

DSGS60773 Special Assistant to the Assistant Secretary, Bureau of Verification and Compliance. Effective July 08, 2004

DSGS60779 Foreign Affairs Officer to the Assistant Secretary for Western Hemispheric Affairs. Effective July 08, 2004

DSGS60781 Public Affairs Specialist to the Assistant Secretary for Public Affairs. Effective July 08, 2004

DSGS60782 Special Assistant to the Assistant Secretary for African Affairs. Effective July 26, 2004

Section 213.3305 Department of the Treasury

DYGS00423 Special Assistant to the Secretary to the Chief of Staff. Effective July 02, 2004

DYGS00433 Director of Public and Legislative Affairs to the Director, Community Development Financial Institutions. Effective July 22, 2004

Section 213.3306 Department of the Defense

DDGS16821 Speechwriter to the Principal Deputy Assistant Secretary of Defense for Public Affairs. Effective July 16, 2004

DDGS16823 Public Affairs Specialist to the Deputy Assistant Secretary of Defense (Strategic Communications Planning). Effective July 16, 2004

DDGS16827 Staff Assistant to the Special Assistant to the Secretary of Defense for White House Liaison. Effective July 16, 2004

DDGS16829 Defense Fellow to the Special Assistant to the Secretary of Defense for White House Liaison. Effective July 26, 2004

DDGS16830 Personal and Confidential Assistant to the Assistant Secretary of Defense (Special Operations/Low Intensity Conflict). Effective July 28, 2004

DDGS16826 Special Assistant to the Principal Deputy Assistant Secretary

of Defense (Legal Affairs). Effective July 30, 2004

DDGS16828 Protocol Officer to the Special Assistant to the Secretary of Defense for Protocol. Effective July 30, 2004

Section 213.3307 Department of the Army

DWGS60008 Special Assistant to the Assistant Secretary of the Army (Installations and Environment). Effective July 02, 2004

Section 213.3310 Department of Justice

DJGS00029 Special Assistant to the Chairman, Foreign Claims Settlement Commission. Effective July 27, 2004

Section 213.3311 Department of Homeland Security

DMGS00245 Executive Assistant to the Executive Secretary. Effective July 02, 2004

DMGS00248 Senior Advisor to the Assistant Secretary for Infrastructure Protection. Effective July 08, 2004

DMGS00250 Public Outreach Specialist to the Director of Special Projects. Effective July 08, 2004

DMGS00249 Press Assistant to the Deputy Assistant Secretary for Public Affairs. Effective July 12, 2004

DMGS00247 Senior Editor and Correspondence Analyst to the Executive Secretary. Effective July 16, 2004

DMGS00252 Confidential Assistant to the Under Secretary for Information Analysis and Infrastructure Protection. Effective July 16, 2004

DMGS00258 Advance Representative to the Director of Scheduling and Advance. Effective July 16, 2004

DMGS00261 Writer Editor (Speechwriter) to the Director of Speechwriting. Effective July 26, 2004

DMGS00254 Executive Assistant to the Assistant Secretary for Plans, Programs and Budgets. Effective July 27, 2004

DMGS00253 Assistant Director of Legislative Affairs for Secretarial Offices to the Director of Legislative Affairs for Secretarial Offices. Effective July 29, 2004

Section 213.3312 Department of the Interior

DIGS61022 Deputy Press Secretary to the Director, Office of Communications. Effective July 26, 2004

DIGS61020 Speechwriter to the Director, Office of Communications. Effective July 27, 2004

Section 213.3313 Department of Agriculture

DAGS60111 Confidential Assistant to the Under Secretary for Marketing and