

contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner

promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John F. Stolz: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Mark J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW., Washington, DC 20005-3502, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1) (i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated May 31, 1996, which is available for public 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 Salem Free Public Library, 112 West Broadway, Salem, New Jersey.

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

For the Nuclear Regulatory Commission.
Leonard N. Olshan,
Senior Project Manager, Project Directorate I-2, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96-15261 Filed 6-14-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket Nos. 50-247 and 50-286]

Consolidated Edison Company of New York; Indian Point Nuclear Generating Units 2 and 3; Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition dated May 18, 1995, by Ms. Connie Hogarth (Petition for action under 10 CFR 2.206). The Petition pertains to Indian Point Nuclear Generating Units 2 and 3.

In the Petition, the Petitioner requested that the operating licenses for Indian Point Units 2 and 3 be

suspended until the licensees have completed the actions requested by Generic Letter 95-03. The Petitioner also requested that the U.S. Nuclear Regulatory Commission hold a public meeting in the vicinity of the plant to explain its response to this request.

The Director, Office of Nuclear Reactor Regulation, has determined to deny the Petition. The reasons for this denial are explained in the "Director's Decision Pursuant to 10 CFR 2.206" (DD-96-06), the complete text of which follows this notice, and is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, D.C.

A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 10th day of June 1996.

For the Nuclear Regulatory Commission.
William T. Russell,
Director, Office of Nuclear Reactor Regulation.

ATTACHMENT TO ISSUANCE OF DIRECTOR'S DECISION UNDER 10 CFR 2.206-96-06

Director's Decision Under 10 CFR 2.206

I. Introduction

On May 18, 1995, Ms. Connie Hogarth (Petitioner) filed a Petition with the U.S. Nuclear Regulatory Commission (NRC) pursuant to 10 CFR 2.206. The Petitioner requested that the operating licenses for Indian Point Nuclear Generating Units 2 and 3 be suspended until the licensees have completed the actions requested by Generic Letter (GL) 95-03, "Circumferential Cracking of Steam Generator Tubes." The Petitioner also requested that the NRC hold a public meeting to explain its response to the suspension request.

The Petitioner stated that the impetus for GL 95-03 was the discovery at the Maine Yankee plant of steam generator tube cracks that had previously gone undetected due to inadequate inspection procedures. The Petitioner also stated that while GL 95-03 calls for comprehensive examination of steam generator tubes, it appears to allow licensees to postpone their evaluations until the next scheduled inspection.

On June 16, 1995, I informed the Petitioner that the Petition had been

referred to my office for preparation of a Director's Decision. I informed the Petitioner that her request for immediate suspension of the operating licenses of Indian Point Nuclear Generating Units 2 and 3 was denied because the continued operation of these units posed no undue risk to public health and safety. I further informed the Petitioner that her request for a public meeting to explain the denial of her request for license suspension was denied, primarily because the NRC assessment of risk associated with steam generator tube rupture events has already been articulated in public documents.

II. Discussion

The Petitioner requested that the operating licenses for Indian Point Nuclear Generating Units 2 and 3 be suspended until the licensees have completed the actions required by GL 95-03. The Petitioner's request appears to be based on her belief that without the immediate completion of the requested actions of GL 95-03, the steam generators in Indian Point Nuclear Generating Units 2 and 3 could be susceptible to one or more steam generator tube ruptures brought about by existing circumferential cracks.

Generic Letter 95-03 was issued on April 28, 1995, after Maine Yankee shut down due to primary-to-secondary leakage through theretofore undetected circumferential steam generator tube cracks. The generic letter was intended to alert licensees to the importance of performing steam generator inspections with equipment capable of detecting degeneration to which the steam generator tubes are susceptible. GL-95-03 requested three actions of licensees of pressurized water reactors. It requested (1) that they evaluate their operating experience to determine whether or not they could have a circumferential cracking problem, (2) that based on this evaluation they develop a safety assessment justifying continued operation until the next scheduled steam generator tube inspection, and (3) that they develop a plan for inspecting for circumferential cracking during the next steam generator tube inspection.

Stress corrosion cracking of the Indian Point Unit 2 steam generator tubes was first detected during the 1993 refueling outage. During the 1995 refueling outage Unit 2 conducted a steam generator inspection as required by their technical specifications; this inspection included a complete examination of all areas deemed most susceptible to circumferential cracking. This inspection, which used enhanced techniques and eddy current probes

sensitive to indications of circumferential cracking, identified 114 tubes with potential circumferential crack indications; however, these may actually have been closely spaced axial indications. Since the licensee could not conclusively determine that these 114 tubes did not contain indications of circumferential cracks the worst case was assumed, that is, that the indications were in fact circumferential. The indications were logged as circumferential and all of these tubes were removed from service before the unit was restarted. All of the logged circumferential indications were deep within the tubesheet. The fact that the indications were all within the tubesheet is significant since, if a circumferential failure were to occur at this location, the structural strength lent to the tubes by the tubesheet would reduce the amount of primary-to-secondary leakage. The licensee for Indian Point Unit 2 will continue to use inspection techniques capable of detecting circumferentially oriented tube degradation.

Because pitting corrosion had caused deterioration of the Indian Point Unit 3 steam generators, they were replaced in 1989 with steam generators designed and fabricated to reduce the possibility of corrosion-related problems; specifically, the new generators have tubes made of thermally treated Alloy 690. Four other nuclear plants in the United States have thermally treated Alloy 690 tubes and to date neither Indian Point Unit 3 nor any of the other four units have experienced tube cracks.

Circumferential cracking of steam generator tubes is accompanied by other forms of tube degradation that are readily detected by bobbin coil inspections. Since the bobbin coil inspections at Indian Point 3 have detected no service induced tube degradation, the staff has concluded that Indian Point 3 does not have a circumferential tube cracking problem. Indian Point 3 has not yet experienced steam generator tube degradation; nevertheless, the licensee has committed to performing an augmented inspection for indications of circumferential cracking during the next scheduled steam generator inspection. Unit 3 is currently operating and this inspection is required by May 1997.

The requirements placed on licensees to ensure steam generator tube integrity go beyond the requested actions of GL-95-03. Steam generator tube degradation is dealt with through a combination of inservice inspection, tube plugging and repair criteria, primary-to-secondary leak rate monitoring, and water chemistry

analysis. In addition to the steam generator inspections required by their technical specifications, both Indian Point Nuclear Generating Units 2 and 3 are required to monitor primary-to-secondary leakage to ensure that, in the event that steam generator tubes begin to leak, operators will be able to bring the plant to a depressurized condition before a tube ruptures. In addition, both units are required to implement secondary water chemistry management programs that are designed to minimize steam generator tube corrosion.

The layers of protection that licensees are required to implement make multiple steam generator tube ruptures unlikely events. The NRC issued the results of its study of the risk and potential consequences of a range of steam generator tube rupture events in NUREG-0844, "NRC Integrated Program for the Resolution of Unresolved Safety Issues A-3, A-4, and A-5 Regarding Steam Generator Tube Integrity" dated September 1988. The staff estimated the risk contribution due to the potential for multiple steam generator tube ruptures. A combination of circumstances is required to produce such failures, specifically: (1) A main steam line break or other loss of secondary system integrity, (2) the existence of a large number of tubes susceptible to rupture in a particular steam generator, (3) the failure of operators to take action to avoid high differential pressure, and (4) the actual simultaneous rupture of a large number of tubes. In the NUREG-0844 assessment, the staff concluded that the probability of simultaneous multiple tube failure was small (approximately 10^{-5}), and the risk resulting from releases during steam generator tube ruptures with loss of secondary system integrity was also small.

III. Conclusion

Based on the facts that (1) adequate steam generator tube inspections have been performed at both Indian Point Nuclear Generating Units 2 and 3, (2) Unit 2 steam generator tubes that showed signs of circumferential cracking have been removed from service, (3) Unit 3 steam generator tubes show no sign of service induced corrosion, (4) Items (1), (2), and (3) above collectively constitute an acceptable response to the requested actions of GL-95-03 for both units, (5) operational limits are placed on primary to secondary leakage, (6) the risk of multiple steam generator tube rupture events is small, and (7) the NRC assessment of risk associated with steam generator tube rupture events has already been articulated in public

documents (NUREG-0844 and GL 95-03), I have concluded that neither the suspension of the licenses of Indian Point Nuclear Generating Units 2 and 3 nor the holding of a public meeting to explain this decision is warranted.

The Petitioner's request for action pursuant to 10 CFR 2.206 is denied. As provided in 10 CFR 2.206(c), a copy of the Decision will be filed with the Secretary of the Commission for the Commission's review. This Decision will constitute the final action of the Commission 25 days after issuance unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 10th day of June 1996.

For the Nuclear Regulatory Commission,
William T. Russell,
Director, Office of Nuclear Reactor Regulation.

[FR Doc. 96-15262 Filed 6-14-96; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Proposed Collection; Comment Request Review of a Revised Information Collection RI 30-2, RI 30-44

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Public Law 104-13, May 22, 1995), this notice announces that the Office of Personnel Management will be submitting to the Office of Management and Budget a request for clearance of a revised information collection. RI 30-2, Annuitant's Report of Earned Income, is used annually to determine if disability retirees under age 60 have earned income which will result in the termination of their annuity benefits. Beginning with the 1995 information collection, only annuitants who have qualifying earned income are required to respond. RI 30-44, Annuitant's Report of Income-Followup, is sent to annuitants whose returned RI 30-2 forms are unusable or damaged.

We estimate 21,000 RI 30-2 forms and 260 RI 30-44 forms are completed annually. The RI 30-2 takes approximately 35 minutes to complete for an estimated annual burden of 12,250 hours. The RI 30-44 takes approximately 5 minutes to complete for an estimated annual burden of 22 hours. The total annual estimated burden is 12,272 hours.

For copies of this proposal, contact Jim Farron on (202) 418-3208, or E-mail to jmfarron@mail.opm.gov

DATES: Comments on this proposal should be received by August 16, 1996.

ADDRESSES: Send or deliver comments to—Victor C. Roy, Chief, Eligibility Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW., Room 2342, Washington, DC 20415.

FOR INFORMATION REGARDING

ADMINISTRATIVE COORDINATION CONTACT: Mary Beth Smith-Toomey, Management Services Division, (202) 606-0623.

U.S. Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 96-15215 Filed 6-14-96; 8:45 am]

BILLING CODE 6325-01-M

January 1996 Pay Adjustments

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: The rates of basic pay and locality payments for certain categories of Federal employees were adjusted in January 1996, as authorized by the President. This notice documents those pay adjustments for the public record.

FOR FURTHER INFORMATION CONTACT: Brenda Roberts, Office of Compensation Policy, Human Resources Systems Service, Office of Personnel Management, (202) 606-2858 or FAX (202) 606-4264.

SUPPLEMENTARY INFORMATION: On August 31, 1995, the President issued an alternative plan under the authority of 5 U.S.C. 5303 and 5304a. The alternative plan set forth the January 1996 pay adjustments for General Schedule (GS) employees, including a 2-percent adjustment in GS rates of basic pay and various adjustments in locality payments in the 48 contiguous States and the District of Columbia.

On December 28, 1995, the President signed Executive Order 12984 (61 FR 237). This order implemented increases in rates of basic pay for various categories of Federal employees effective on the first day of the first applicable pay period beginning on or after January 1, 1996. The 1996 General Schedule, reflecting the 2-percent general increase approved by the President, was published in Schedule 1 of Executive Order 12984.

Executive Order 12984 also included the percentage amounts of the 1996 locality payments as established by the President's alternative plan of August 31, 1995. (See section 5 and schedule 9

of Executive Order 12984 (61 FR 246).) The publication of this notice satisfies the requirement in section 5(b) of Executive Order 12984 that OPM publish appropriate notice of the 1996 locality payments in the Federal Register.

Locality payments are authorized for General Schedule employees under 5 U.S.C. 5304 and 5304a. They apply in the 48 contiguous States and the District of Columbia. In 1996, there are 27 separate locality pay areas with locality payments ranging from 4.13 to 9.40 percent. These 1996 locality pay percentages, which replaced the lower locality pay percentages that were applicable in 1995, became effective on the first day of the first applicable pay period beginning on or after January 1, 1996. An employee's locality-adjusted annual rate of pay is computed by increasing his or her scheduled annual rate of basic pay (as defined in 5 U.S.C. 5302 (8) and 5 CFR 531.602) by the applicable locality pay percentage. (See 5 CFR 531.604 and 531.605.)

On December 8, 1995, the Director of the Office of Personnel Management (OPM), on behalf of the President's Pay Agent, extended the 1996 locality-based comparability payments to the same Governmentwide and single-agency categories of non-GS employees that were authorized to receive the 1995 locality payments. The Governmentwide categories include members of the Senior Executive Service, the Foreign Service, and the Senior Foreign Service; employees in senior-level (SL) and scientific or professional (ST) positions; administrative law judges; and Contract Appeals Board members.

Schedule 4 of Executive Order 12984 reflected a decision by the President to increase the rates of basic pay for members of the Senior Executive Service by 2 percent at levels ES-1 through ES-5. The rate for ES-6 remains unchanged, since it cannot exceed the rate for level IV of the Executive Schedule, which remains unchanged. (Public Law 104-52, November 19, 1995, provided that there would be no increase in the rates of basic pay for the Executive Schedule. See Schedule 5 of Executive Order 12984.)

Although not specifically addressed in Executive Order 12984, rates of basic pay for certain other Governmentwide categories of employees were also adjusted in January 1996. The minimum rate of basic pay for senior-level (SL) and scientific or professional (ST) positions increased by 2 percent (to \$83,160) because it is calculated as a percentage of the minimum rate of basic pay for GS-15 of the General Schedule.