

information, are violations of 10 CFR 30.10 and have raised serious doubt as to whether he can be relied upon to comply with NRC requirements.

Consequently, I lack the requisite reasonable assurance that licensed activities can be conducted in compliance with the Commission's requirements and that the health and safety of the public will be protected if Mr. Osorio were permitted at this time to be involved in NRC-licensed activities. Therefore, the public health, safety and interest require that Mr. Osorio be prohibited from any involvement in NRC-licensed activities for a period of five years, and, if he is currently involved with another licensee in NRC-licensed activities, he must, following the effective date of this Order, cease such activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. Additionally, Mr. Osorio is required to notify the NRC of his first employment involving NRC-licensed activities within a period of five years following the five-year prohibition period.

IV

Accordingly, pursuant to sections 81, 161b, 161i, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, and 10 CFR 30.10, *it is hereby ordered that:*

A. For a period of five years from the effective date of this Order, Jesus N. Osorio is prohibited from engaging in, or exercising control over individuals engaged in NRC-licensed activities. NRC-licensed activities are those activities which are conducted pursuant to a specific or general license issued by the NRC, including, but not limited to, those activities of Agreement State licensees conducted pursuant to the authority granted by 10 CFR 150.20. This prohibition includes, but is not limited to: (1) Using licensed materials or conducting licensed activities in any capacity within the jurisdiction of the NRC; and (2) supervising, directing, or serving as Radiation Safety Officer for any licensed activities conducted within the jurisdiction of the NRC.

B. At least five days prior to the first time that Jesus N. Osorio engages in, or exercises control over, NRC-licensed activities within a period of five years following the five-year prohibition in Section IV.A above, a, he shall notify the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, of the name, address, and telephone number of the NRC or Agreement State licensee and

the location where the licensed activities will be performed. The notice shall be accompanied by a statement, under oath or affirmation, that Jesus N. Osorio understands NRC requirements, that is committed to compliance with NRC requirements, and that provides a basis as to why the Commission should have confidence that he will now comply with applicable NRC requirements.

The Director, Office of Enforcement, may, in writing, relax or rescind any of the above conditions upon demonstration by Mr. Osorio of good cause.

V

In accordance with 10 CFR 2.202, Jesus N. Osorio must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission Washington, D.C. 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and shall set forth the matters of fact and law on which Mr. Osorio or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attn: Chief, Docketing and Service Section, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region II, Suite 2900, 101 Marietta Street, Atlanta, GA 30323, and to Jesus N. Osorio, if the answer or hearing request is by a person other than Jesus N. Osorio. If a person other than Jesus N. Osorio requests a hearing, that person shall set forth with particularity the manner in which his or her 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 Jesus N. Osorio, or another 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 Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received.

Dated at Rockville, Maryland, this 16th day of July 1996.

For the Nuclear Regulatory Commission.

Hugh L. Thompson, Jr.,

Deputy Executive Director for Nuclear Materials Safety, Safeguards and Operations Support.

[FR Doc. 96-18493 Filed 7-19-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket Nos. 50-369 and 50-370]

Duke Power Company; McGuire Nuclear Station, Unit Nos. 1 and 2 Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-9 and NPF-17, issued to Duke Power Company (the licensee), for operation of the McGuire Nuclear Station, Units 1 and 2, located in Mecklenburg, North Carolina.

Environmental Assessment

Identification of the Proposed Action

By letter dated March 4, 1996, Duke Power Company (DPC) submitted a proposal for amendments to the Facility Operating Licenses that would allow the McGuire Units 1 and 2 Containment Airborne Particulate Radiation Monitors (CAPRMs, 1/2 EMF38(L)) to be reclassified in the Final Safety Analysis Report (FSAR) as non-seismic Category I. During a DPC engineering review of the seismic classification of these CAPRMs, it was determined that these monitors are not seismic Category I. Furthermore, DPC had documents that showed that these monitors are not required nor were they ever intended to be seismically qualified. Also, in a DPC letter to the NRC dated March 25, 1981, DPC further stipulated that the CAPRMs were not safety related. However, none

of this information was reflected in the McGuire FSAR.

By letter dated March 4, 1996, the licensee stated that the matter involved an unreviewed safety question and requested amendments to its Facility Operating Licenses including proposed changes to the FSAR, which would clarify that the CAPRMs are not designed to remain functional following a safe shutdown earthquake (SSE). Further, the licensee has proposed an alternative to Position C.6 of Regulatory Guide (RG) 1.45, "Reactor Coolant Pressure Boundary Leakage Detection Systems," by showing that adequate instrumentation and procedures will be available to assess conditions inside containment following a seismic event comparable to an SSE and that, accordingly, the seismic qualification requirement for the CAPRMs may be deleted from the FSAR.

The Need for the Proposed Action

The proposed action is needed so that the appropriate seismic qualification for the CAPRMs can be reflected in the FSAR.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed revisions to the FSAR. The proposed revisions would permit the Containment Airborne Particulate Radiation Monitors (1/2 EMF38(L)) at McGuire Units 1 and 2 to be classified as non-seismic Category I. The safety considerations associated with this re-classification have been evaluated by the NRC staff. The staff has concluded that the licensee has demonstrated an acceptable alternative to Position C.6 of RG 1.45 by showing that adequate instrumentation and procedures will be available to assess conditions inside containment following a seismic event comparable to an SSE. The proposed changes have no adverse effect on the probability of any accident. No changes are being made in the types or amounts of any radiological effluents that may be released offsite. There is no significant increase in the allowable individual or cumulative occupational radiation exposure.

Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed amendments.

With regard to potential nonradiological impacts, the proposed action involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact.

Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. The principal alternative to this action would be to deny the requested amendments. Such action would not reduce the environmental impacts of plant operations.

Alternative Use of Resources

This action does not involve the use of resources not previously considered in the "Final Environmental Statement Related to the Operation of McGuire Nuclear Station Units 1 and 2," dated April 1976.

Agencies and Persons Consulted

In accordance with its stated policy, on July 8, 1996, the NRC staff consulted with the North Carolina State official, Mr. J. James of the Division of Radiation Protection, Department of Environmental, Health and Natural Resources, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed license amendments.

For further details with respect to this action, see the licensee's letter dated March 4, 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 J. Murrey Atkins Library, University of North Carolina at Charlotte (UNCC Station), Charlotte, North Carolina.

Dated at Rockville, Maryland, this 3rd day of July 1996.

For the Nuclear Regulatory Commission,
Victor Nerses,
*Project Manager, Project Directorate II-2,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

[FR Doc. 96-18492 Filed 7-19-96; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

SES Performance Review Board

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: Notice is hereby given of the membership of the OPM SES Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Mark D. Reinhold, Office of Human Resources and EEO, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415, (202) 606-1882.

SUPPLEMENTARY INFORMATION: Section 4314(c) (1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES performance review boards. The board reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive.

OFFICE OF PERSONNEL MANAGEMENT.

James B. King,

Director.

Following are the regular members of the SES Performance Review Board for the Office of Personnel Management:

Lorraine Green, Deputy Director
Janice Lachance, Chief of Staff
William E. Flynn, III, Associate Director,
Retirement and Insurance Service
Mary Lou Lindholm, Associate Director,
Employment Service
Allan Heuerman, Associate Director,
Human Resources Systems Service
Carol Okin, Associate Director, Office of
Merit Systems Oversight and
Effectiveness

Rose Gwin, Director, Office of Human Resources and EEO

[FR Doc. 96-18516 Filed 7-19-96; 8:45 am]

BILLING CODE 6325-01-M

PRESIDENTIAL ADVISORY COMMITTEE ON GULF WAR VETERANS' ILLNESSES

Meeting

AGENCY: Presidential Advisory Committee on Gulf War Veterans' Illnesses.

ACTION: Notice of open meeting.

SUMMARY: This notice is hereby given to announce an open meeting of a panel of the Presidential Advisory Committee on Gulf War Veterans' Illnesses. The panel