

Foundation (NSF) announces the following meeting.

Date and Time: October 21 and 22, 1996, 8:00 a.m.–6:00 p.m.

Place: Room 380, 4201 Wilson Boulevard, Arlington, Virginia 22230.

Type of Meeting: Part-Open.

Contact Person: Dr. Elvira Doman and Dr. Stacia Sower, Program Directors, Integrative Animal Biology, Division of Integrative Biology and Neuroscience, Room 685, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230. Telephone: (703) 306-1421.

Minutes: May be obtained from the contact persons listed above.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: Open Session: October 22, 2:00 p.m.–3:00 p.m.: Discussion with Dr. Mary Clutter, Assistant Director, Directorate for Biological Sciences. To discuss research trends and opportunities in biology.

Closed Session: October 21, 8:00 a.m.–6:00 p.m., October 22, 8:00 a.m.–2:00 p.m., 3:00 p.m.–6:00 p.m. To review and evaluate Integrative Animal Biology proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 30, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-25385 Filed 10-2-96; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel for Physiology and Behavior; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Name: Advisory Panel for Integrative Plant Biology.

Date and Time: October 23–25, 1996, 8:30 a.m. to 5:00 p.m.

Place: Room 370, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia.

Type of Meeting: Part-Open.

Contact Person: Dr. Hans J. Bohnert, Program Director, Integrative Plant Biology, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22203. Telephone: (703) 306-1422.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Integrative Plant Biology proposals as part of the selection process for awards. *Open Session:*

October 23, 1996, 3:30 to 4:30 pm—To discuss research trends and opportunities in Integrative Plant Biology. *Closed Session:* October 23, 1996, 8:30 am to 3:30 pm, 4:30 pm to 5:30 pm, October 24, 1996, 8:30 am to 5:30 pm and October 25, 1996, 8:30 am to 1:00 pm—To review and evaluate Integrative Plant Biology proposal as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: September 30, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-25386 Filed 10-2-96; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel for Physiology and Behavior; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following meeting.

Name: Advisory Panel for Physiology and Behavior (Ecological and Evolutionary Physiology).

Date and Time: October 28–30, 1996; 8:30 a.m.–5:00 p.m.

Place: National Science Foundation, Room 370, 4201 Wilson Blvd., Arlington, VA.

Type of Meeting: Part-Open.

Contact Person: Dr. John Andy Phillips, Program Director, Ecological and Evolutionary Physiology, Division of Integrative Biology and Neuroscience, Suite 685, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone: (703) 306-1421.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Minutes: May be obtained from the contact person listed above.

Agenda: Open Session: October 30, 1996; 10:00 a.m. to 11:00 a.m.—for a discussion re: Integrative Biology and Neuroscience on research trends and opportunities assessment procedures in Ecological and Evolutionary Physiology.

Closed Session: October 28 and 29, 8:30 a.m. to 5:00 p.m.; October 30, 8:00 a.m. to 10:00 a.m. and 11:00 a.m. to 5:00 p.m. To review and evaluate Ecological & Evolutionary Physiology proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: September 30, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-25387 Filed 10-2-96; 8:45 am]

BILLING CODE 7555-01-M

Membership of National Science Foundation's Senior Executive Service Performance Review Board

AGENCY: National Science Foundation.

ACTION: Announcement of Membership of the National Science Foundation's Senior Executive Service Performance Review Board.

SUMMARY: This announcement of the membership of the National Science Foundation's Senior Executive Service Performance Review Board is made in compliance with 5 U.S.C. 4314(c)(4).

ADDRESSES: Comments should be addressed to Director, Division of Human Resource Management, National Science Foundation, Room 315, 4201 Wilson Boulevard, Arlington, VA 22230.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Wilkinson, Jr. at the above address or (703) 306-1180.

SUPPLEMENTARY INFORMATION: The membership of the National Science Foundation's Senior Executive Service Performance Review Board is as follows:

Joseph Bordogna, Acting Deputy Director, Chairperson
Mary E. Clutter, Assistant Director for Biological Sciences
Linda P. Massaro, Director, Office of Information and Resource Management
Luther S. Williams, Assistant Director for Education and Human Resources

Dated: September 30, 1996.

John F. Wilkinson, Jr.,

Director, Division of Human Resource Management.

[FR Doc. 96-25380 Filed 10-2-96; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

Final Memorandum of Understanding Between the U.S. Nuclear Regulatory Commission and the State of Wisconsin

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice.

SUMMARY: This notice is to advise the public of the issuance of a Final Memorandum of Understanding (MOU) between the U.S. Nuclear Regulatory Commission (NRC) and the State of

Wisconsin. The MOU provides the basis for mutually agreeable procedures whereby the State of Wisconsin may utilize the NRC Emergency Response Data System (ERDS) to receive data during an emergency at a commercial nuclear power plant in Wisconsin. Public comments were addressed in conjunction with the MOU with the State of Michigan published in the Federal Register, Vol. 57, No. 28, February 11, 1992.

EFFECTIVE DATE: This MOU is effective August 9, 1996.

ADDRESSES: Copies of all NRC documents are available for public inspection and copying for a fee in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: John R. Jolicoeur or Eric Weinstein, Office for Analysis and Evaluation of Operational Data, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-6383 or (301) 415-7559.

This attached MOU is intended to formalize and define the manner in which the NRC will cooperate with the State of Wisconsin to provide data related to plant conditions during emergencies at commercial nuclear power plants in Wisconsin.

Dated at Rockville, Maryland, this 27th day of September, 1996.

For the Nuclear Regulatory Commission.
Edward L. Jordan,
Director, Office for Analysis and Evaluation of Operational Data.

Agreement Pertaining to the Emergency Response Data System between the State of Wisconsin and the U.S. Nuclear Regulatory Commission

I. Authority

The U.S. Nuclear Regulatory Commission (NRC) and the State of Wisconsin, herein after referred to as Wisconsin, enter into this Agreement under the authority of Section 274i of the Atomic Energy Act of 1954, as amended.

Wisconsin recognizes the Federal Government, primarily the NRC, as having the exclusive authority and responsibility to regulate the radiological and national security aspects of the construction and operation of nuclear production or utilization facilities, except for certain authority over air emissions granted to States by the Clean Air Act.

II. Background

A. The Atomic Energy Act of 1954, as amended, and the Energy

Reorganization Act of 1974, as amended, authorize the Nuclear Regulatory Commission (NRC) to license and regulate, among other activities, the manufacture, construction, and operation of utilization facilities (nuclear power plants) in order to assure common defense and security and to protect the public health and safety. Under these statutes, the NRC is the responsible agency regulating nuclear power plant safety.

B. NRC believes that its mission to protect the public health and safety can be served by a policy of cooperation with State governments and has formally adopted a policy statement on "Cooperation with States at Commercial Nuclear Power Plants and Other Nuclear Production or Utilization Facilities" (54 FR 7530, February 22, 1989). The policy statement provides that NRC will consider State proposals to enter into instruments of cooperation for certain programs when these programs have provisions to ensure close cooperation with NRC. This agreement is intended to be consistent with, and implement the provisions of the NRC's policy statement.

C. NRC fulfills its statutory mandate to regulate nuclear power plant safety by, among other things, responding to emergencies at licensee's facilities and monitoring the status and adequacy of the licensee's responses to emergency situations.

D. Wisconsin fulfills its statutory mandate to provide for preparedness, response, mitigation, and recovery in the event of an accident at a nuclear power plant through the "State of Wisconsin Radiological Incident Response Plan".

III. Scope

A. This Agreement defines the way in which NRC and Wisconsin will cooperate in planning and maintaining the capability to transfer reactor plant data via the Emergency Response Data System during emergencies at nuclear power plants in Wisconsin.

B. It is understood by the NRC and Wisconsin that ERDS data will only be transmitted by a licensee during emergencies classified at the Alert level or above, during scheduled tests, or during exercises when available.

C. Nothing in this Agreement is intended to restrict or expand the statutory authority of NRC, Wisconsin, or to affect or otherwise alter the terms of any agreement in effect under the authority of Section 274b of the Atomic Energy Act of 1954, as amended; nor is anything in this Agreement intended to restrict or expand the authority of

Wisconsin on matters not within the scope of this Agreement.

D. Nothing in this Agreement confers upon Wisconsin authority to (1) Interpret or modify NRC regulations and NRC requirements imposed on the licensee; (2) take enforcement actions; (3) issue confirmatory letters; (4) amend, modify, or revoke a license issued by NRC; or (5) direct or recommend nuclear power plant employees to take or not to take any action. Authority for all such actions is reserved exclusively to the NRC.

IV. NRC's General Responsibilities

Under this agreement, NRC is responsible for maintaining the Emergency Response Data System (ERDS). ERDS is a system designed to receive, store, and retransmit data from in-plant data systems at nuclear power plants during emergencies. The NRC will provide user access to ERDS data to one user terminal for Wisconsin during emergencies at nuclear power plants which have implemented an ERDS interface and for which any portion of the plant's 10-mile Emergency Planning Zone (EPZ) lies within Wisconsin. The NRC agrees to provide unique software already available to NRC (not commercially available) that was developed under NRC contract for configuring an ERDS workstation.

V. Wisconsin's General Responsibilities

A. Wisconsin will, in cooperation with the NRC, establish a capability to receive ERDS data. To this end, Wisconsin will provide the necessary computer hardware and commercially licensed software required for ERDS data transfer to users.

B. Wisconsin agrees not to use ERDS to access data from nuclear power plants for which a portion of the 10-mile Emergency Planning Zone does not fall within its State boundary.

C. For the purpose of minimizing the impact on plant operators, clarification of ERDS specific data will be pursued through the NRC.

VI. Implementation

Wisconsin and the NRC agree to work in concert to assure that the following communications and information exchange protocol regarding the NRC ERDS are followed.

A. Wisconsin and the NRC agree in good faith to make available to each other information within the intent and scope of this Agreement.

B. NRC and Wisconsin agree to meet as necessary to exchange information on matters of common concern pertinent to this Agreement. Unless otherwise agreed, such meetings will be held in

the NRC Operations Center. The affected utilities will be kept informed of pertinent information covered by this Agreement.

C. To preclude the premature public release of sensitive information, NRC and Wisconsin will protect sensitive information to the extent permitted by the Federal Freedom of Information Act, the State Freedom of Information Act, 10 CFR 2.790, and other applicable authority.

D. NRC will conduct periodic tests of licensee ERDS data links. A copy of the test schedule will be provided to Wisconsin by the NRC. Wisconsin may test its ability to access ERDS data during these scheduled tests, or may schedule independent tests of the State link with the NRC.

E. NRC will provide access to ERDS for emergency exercises with reactor units capable of transmitting exercise data to ERDS. For exercises in which the NRC is not participating, Wisconsin will coordinate with NRC in advance to ensure ERDS availability. NRC reserves the right to preempt ERDS use for any exercise in progress in the event of an actual event at any licensed nuclear power plant.

VII. Contacts

A. The principal senior management contacts for this Agreement will be the Director, Incident Response Division, Office for Analysis and Evaluation of Operational Data, and the Director, Bureau of Public Health, Division of Health, Department of Health and Family Services, State of Wisconsin. These individuals may designate appropriate staff representatives for the purpose of administering this Agreement.

B. Identification of these contacts is not intended to restrict communication between NRC and Wisconsin staff members on technical and other day-to-day activities.

VIII. Resolution of Disagreements

A. If disagreements arise about matters within the scope of this Agreement, NRC and Wisconsin will work together to resolve these differences.

B. Resolution of differences between the State and NRC staff over issues arising out of this Agreement will be the initial responsibility of the NRC Incident Response Division management.

C. Differences which cannot be resolved in accordance with Sections VII. A and VII. B will be reviewed and resolved by the Director, Office for Analysis and Evaluation of Operational Data.

D. The NRC's General Counsel has the final authority to provide legal interpretation of the Commission's regulations.

IX. Effective Date

This Agreement will take effect after it has been signed by both parties.

X. Duration

A formal review, not less than 1 year after the effective date, will be performed by the NRC to evaluate implementation of the Agreement and resolve any problems identified. This Agreement will be subject to periodic reviews and may be amended or modified upon written agreement by both parties, and may be terminated upon 30 days written notice by either party.

XI. Separability

If any provision(s) of this Agreement, or the application of any provision(s) to any person or circumstances is held invalid, the remainder of this Agreement and the application of such provisions to other persons or circumstances will not be affected.

For the U.S. Nuclear Regulatory Commission.

Dated: August 9, 1996.

James M. Taylor,
Executive Director for Operations.

For the State of Wisconsin.

Dated: August 9, 1996.

Kenneth Baldwin,
Director, Bureau of Public Health.

[FR Doc. 96-25342 Filed 10-2-96; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-309]

Maine Yankee Atomic Power Company Maine Yankee Atomic Power Station; Receipt of Petition for Director's Decision Under 10 CFR § 2.206

Notice is hereby given that by Petition dated August 19, 1996, Patrick M. Sears (Petitioner) has requested that the U. S. Nuclear Regulatory Commission (NRC) take action with regard to the Maine Yankee Atomic Power Station and all users of the RELAP computer code for emergency core cooling systems analyses. The Petitioner requests that the NRC fine Maine Yankee Atomic Power Company and Yankee Atomic Electric company (YAEC) if records have not been kept in accordance with YAEC's computer code quality assurance procedures, and that the NRC inspect all users of RELAP and fine those users not operating within required computer code verification procedures.

As the basis for his request, the Petitioner states: that the May 5, 1989, statement of Steve Nichols of Maine Yankee that RELAP5YA was "operable" and would be used for subsequent reloads was false; no computer code inspections were performed by the NRC before a 1992 inspection at YAEC by the Petitioner when he was an NRC employee and not again until 1995; the Petitioner was told not to do any more computer code inspections; RELAP is widely used; RELAP has been shown to have serious deficiencies; and the RELAP problem is not confined to the Maine Yankee Atomic Power Plant but is endemic to the industry as a whole.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the Office of Nuclear Reactor Regulation. A copy of the Petition is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the local public document room located at the Wiscasset Public Library, High Street, P. O. Box 367, Wiscasset, Maine 04578.

Dated at Rockville, Maryland, this 24th day of September 1996.

For the Nuclear Regulatory Commission.

William T. Russell,
*Director, Office of Nuclear Reactor
Regulation.*

[FR Doc. 96-25344 Filed 10-2-96; 8:45 am]

BILLING CODE 7590-01-P

Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses: Availability of NUREG

NRC is using Business Process Redesign (BPR) techniques to redesign its materials licensing process, as described in NUREG-1539, "Methodology and Findings of the NRC's Materials Licensing Process Redesign." A critical element of the new process is consolidating and updating numerous guidance documents into a single comprehensive repository called the Materials Electronic Library (MEL). Draft NUREG-1541, "Process and Design for Consolidating and Updating Materials Licensing Guidance," describes the approach and conceptual design of MEL.

Volume 1 of draft NUREG-1556, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," is the first program-specific guidance developed for the new process and may serve as a template for subsequent program-specific guidance. It is