

responsibility of the owners will include funding for any emergency situations that might arise at STP.

The proposed action is in accordance with the licensee's application dated August 23, 1996, as supplemented by letters dated October 1 and 15, 1996, for approval of transfer of licenses and conforming amendments.

Need for the Proposed Action

The proposed action is needed to enable HL&P to transfer operating authority to an operating company as discussed above. HL&P has submitted that this will enable it to enhance the already high level of public safety, operational efficiency, and cost-effective operations at STP.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that there will be no physical or operational changes to STP. The technical qualifications of the new operating company to carry out its responsibilities under the Operating Licenses for STP, as amended, will be equivalent to the present technical qualifications of HL&P. The operating company will assume responsibility for, and control over, operation and maintenance of the facility. The present plant organization, the oversight organizations, and the engineering and support organizations will be transferred essentially intact from HL&P to the new operating company. The technical qualifications of the proposed operating company organization, therefore, will be at least equivalent to those of the existing organization.

The Commission has evaluated the environmental impact of the proposed action and has determined that the probability or consequences of accidents would not be increased and that post-accident radiological releases would not be greater than previously determined. Further, the Commission has determined that the proposed action would not affect routine radiological plant effluents and would not increase occupational radiological exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action would not affect nonradiological plant effluents and would have no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological

environmental impacts associated with the proposed action.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternative with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the requested action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are identical.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the "Final Environmental Statement related to the operation of South Texas Project, Units 1 and 2," dated August 1986.

Agencies and Persons Contacted

In accordance with its stated policy, on October 17, 1996, the staff consulted with the Texas State official, Arthur C. Tate, of the Bureau of Radiation Control, Texas Department of Health, 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 action.

For further details with respect to the proposed action, see the licensee's letter dated August 23, 1996, as supplemented by letters dated October 1 and 15, 1996, which are 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 Wharton County Junior College, J. M. Hodges Learning Center, 911 Boling Highway, Wharton, Texas 77488.

Dated at Rockville, Maryland, this 8th day of November 1996.

For the Nuclear Regulatory Commission.

Thomas W. Alexion,

*Project Manager, Project Directorate IV-1,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.*

[FR Doc. 96-29460 Filed 11-15-96; 8:45 am]

BILLING CODE 7590-01-P

All Nuclear Power Plants; 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 March 5, 1996, by Mr. C. Morris. The Petition pertains to all operating nuclear power plants.

In the Petition, the Petitioner requested that the operating licenses of all nuclear power plants be suspended within 90 days and remain suspended until such time as the licensees of those plants discovered the reason for what the Petitioner asserts are repeated errors in the undervoltage relay (UVR) setpoints (SPs) and electrical distribution system (EDS) designs and provided convincing evidence that these deficiencies had finally been corrected. Since the Petitioner had requested action within 90 days, the request was treated as a request for immediate relief. The Petitioner also requested that the aforementioned evidence be reviewed by a competent third party, in addition to the staff of the U.S. Nuclear Regulatory Commission (NRC), and that if the NRC concludes that plants may safely operate with UVRs that cannot be properly set for long periods, the NRC should reach these conclusions by way of a public meeting.

The Director of the Office of Nuclear Reactor Regulation has denied the Petition. The reasons for this denial are explained in the "Director's Decision Under 10 CFR 2.206" (DD-96-12), 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, DC.

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 issuance unless the Commission, on its own motion, institutes review of the decision in that time.

Dated at Rockville, Maryland, this 26th day of September 1996.

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

Director's Decision Under 10 CFR 2.206

I. Introduction

On March 5, 1996, Mr. Charles Morris (Petitioner) filed a Petition with the Executive Director for Operations pursuant to Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR 2.206). The Petitioner requested that the operating licenses of all nuclear power plants be suspended within 90 days and remain suspended until such time as those plants have (1) discovered the reason for what the Petitioner asserts are repeated errors in the undervoltage relay (UVR) setpoints (SPs) and electrical distribution system (EDS) designs and (2) provided convincing evidence that these deficiencies have finally been corrected. Since the Petitioner had requested action within 90 days, the request was treated as a request for immediate relief. The Petitioner also requested that the aforementioned evidence be reviewed by a competent third party, in addition to the Nuclear Regulatory Commission (NRC) staff, and that if the NRC concludes that plants may safely operate with UVRs that cannot be properly set for long periods of time, the NRC should reach these conclusions by way of a public meeting.

On April 17, 1996, the Petitioner was informed that the request for the suspension of all nuclear power plant licenses within 90 days for the purposes of remedying repeated errors in UVR SPs and EDS designs was denied because licensees have, to a large degree, already addressed the issues which the Petitioner had raised. Also the Petitioner was informed that the request was being evaluated pursuant to 10 CFR 2.206 of the NRC's regulations and that a decision, as provided by 10 CFR 2.206, would be made on the request within a reasonable time.

On the basis of my review of the issues raised by the Petitioner as discussed below, I have concluded that no substantial health and safety issues have been raised that would require the initiation of the action requested by the Petitioner.

II. Discussion

In his Petition, the Petitioner stated his concern that the "enduring and widespread nature of the electrical distribution system (EDS) an undervoltage rely (UVR) setpoint (SP) errors (e.g., incorrect UVR and thermal overload setpoints) was recognized by neither the licensees nor the NRC staff,"

and was not included in NRC Information Notice (IN) 93-99, "Undervoltage Relay and Thermal Overload Setpoint Problems."

IN 93-99 did, in fact, inform all holders of operating licenses or construction permits of the widespread nature of the setpoint errors by listing approximately 40 licensees with incorrectly set UVRs or thermal overload (TOL) protective devices. The identification of these problems was not inadvertent, but was the result of concerted NRC staff attention to these issues. As was indicated to the Petitioner in an April 17, 1996, letter acknowledging receipt of his March 5, 1996, 10 CFR 2.206 Petition, the Petitioner himself recognized that Electrical Distribution System Functional Inspections (EDSFIs) were highlighting these issues and that licensees were conducting self-initiated design basis reviews (possibly in anticipation of pending EDSFIs) to identify problems and were undertaking corrective actions.

In his March 5, 1996, Petition, the Petitioner listed seven specific reasons that he believed caused repeated EDS and UVR deficiencies. The following is a description of each concern accompanied by the NRC staff's response:

1. The Petitioner stated that NRC Branch Technical Position PSB-1, "Adequacy of Station Electric Distribution System Voltages," contained in NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," which requires a degraded voltage relay with a long delay and a loss of power relay with a short delay, is inadequate because it does not recognize the complexity of the matter. Except for the arbitrary time delays associated with the UVRs, no recognition has been made of voltage dynamics and time dependence. Signal bandwidths, responses of tap changing transformers, and UVR time delays have been overlooked and should be considered.

Response

NRC Branch Technical Position PSB-1 does not recommend that licensees arbitrarily select time delays for UVRs. On the contrary, PSB-1 states that "the selection of undervoltage and time delay setpoints shall be determined from an analysis of the voltage requirements of the Class 1E loads at all onsite system distributions levels." Further, it states that "Tap settings selected should be based on an analysis of the voltage at the terminals of the Class 1E loads. The analyses performed to determine

minimum operating voltages should typically consider maximum unit steady state and transient loads * * *". Additionally, "the first time delay should be of a duration that established the existence of a sustained degraded voltage condition (i.e., something longer than a motor starting transient)" and "the second time delay should be of a limited duration such that the permanently connected Class 1E loads will not be damaged."

Therefore, the staff concludes the NRC Branch Technical Position PSB-1 is adequate as it addresses those topics which the Petitioner believes are neglected by the Branch Technical Position.

2. The Petitioner asserted that UVR tolerances are statistical in nature and not, as the staff and design engineers often regard them, limits to the errors in the relay setpoints. This is a significant problem which may not be solved if previous approaches are utilized and decision analysis is not applied to study the consequences of attempting to prevent the occasional loss of the most vulnerable safety load at the expense of transferring a complete division to another power source with attendant problems.

Response

Regulatory Guide 1.105, "Instrument Setpoints for Safety-Related Systems," states that ISA-S67.04-1982, "Setpoints for Nuclear Safety-Related Instrumentation Used in Nuclear Power Plants," establishes NRC staff guidance for ensuring that instrument setpoints in safety-related systems are initially within and remain within the technical specification limits. Section 4.3.1 of ISA-S67.04 states that instrument accuracies (uncertainties, errors or tolerances) may be combined in one of five ways: algebraically, square root of the sum of the squares, statistically, probabilistically, or combinations of the first four. Justification is to be provided for the method used.

Regulatory Guide 1.105 expands upon this point:

Paragraph 4.3 of the standard specifies the methods for combining uncertainties in determining a trip setpoint and its allowable values. Typically, the NRC staff has accepted 95% as a probability limit for errors. That is, of the observed distribution of values for a particular error component in the empirical data base, 95% of the data points will be bounded by the value selected. If the data base follows a normal distribution, this corresponds to an error distribution approximately equal to a "two sigma" value.

Although the use of "two sigma" values (value equal to twice the standard deviation of the errors) does

not completely ensure that the measured parameter will not exceed the safety analysis limit without accompanying protective action, the probability of all the individual error occurring simultaneously at this extreme, non-conservative, random values is very low. Therefore, the regulatory guide and the industry standard together support a credible, statistical approach for establishing setpoints that considers such things as sample size of error values, random versus non-random errors, and independence of errors.

The preparatory training for EDSFI team members also did not overlook the statistical nature of the UVR tolerances. In Section 4.8.2 of the EDSFI training textbook, a discussion of instrumentation setpoint problems was provided with a sample application of ISA-S67.04 to degraded voltage relays. This methodology was also discussed in the course itself. Using this knowledge EDFSI's were conducted and findings were written covering improper degraded voltage relay setpoints. As a result, licensees then followed this action with event notification and other activities as described in Information Notice 93-99.

Additionally, in response to a request from Region III pertaining to an unanalyzed degraded voltage concern at Perry Nuclear Power Plant, the Electrical Engineering Branch (EELB) of NRR in an April 13, 1992, memo provided inspectors in NRC Regional Offices with guidance for establishing an adequate setpoint for the degrade voltage relays by way of reference to Section 4.8.2 of the EDSFI training course manual and Regulatory Guide 1.105. Furthermore, the staff informed all holders of operating licenses about a statistical approach for establishment of UVR setpoints when 91-29, "Deficiencies Identified During Electrical Distribution Functional Inspections," made reference to ISA-S67-04-1982 for useful guidance in determination of setpoints.

The staff therefore has regarded the UVR setpoint determinations as statistical in nature.

3. The Petitioner stated that although General Design Criterion (GDC) 17, "Electric power systems," requires all EDS to be testable, only parts are tested because plants cannot conveniently be placed in a condition where actual loads can be placed on the EDS and measured.

Response

The staff has already been aware that in certain situations it is not practical nor safe to test each and every component in the exact way it is used.

General Design Criterion 18, "Inspection and testing of electrical power system," states that "systems shall be designed with a capability to test periodically * * * the operability of the systems as a whole and, under conditions as close to design as practical * * *." Regulatory Guide 1.118, "Periodic Testing of Electric Power and Protection Systems," Revision 2, endorses, IEEE Std 338-1977, "Criteria for the Periodic Testing of Nuclear Power Generating Station Safety Systems," which states that "the test program of each system shall be designed to provide for interference with related operational channels, systems, or equipment." It further states that "wherever possible, tests shall be accomplished under actual or simulated operating conditions, including sequence of operations, for example, diesel load sequencing," but also

Where it is not practicable to initiate the protective action, the system shall be designed such that * * * Designs * * * shall be justified on the basis that there is no practical system design that would permit operation of the actuated equipment without adversely affecting the safety or operability of the plant, and that the probability of failure of actuated equipment not tested during plant operation is acceptably low, and that the actuated equipment can be routinely tested when the plant is shut down.

It is the staff's goal to have all components of the EDS periodically tested in a manner that is both reasonable and practical. Various practical test methods such as the use of miniflow paths, overlap testing, simulated loads, etc. have been found acceptable by the staff.

NRC Temporary Instruction 2515/107 (which provided guidance for performing EDFSI's) required the EDSFI teams to "verify that the surveillance and test procedures are adequate to demonstrate the functionality of the equipment or system being tested or the design assumptions being verified."

Therefore, as shown above, testing of the EDS is evaluated in terms of satisfying NRC requirements (GDC-17 and GDC-18) utilizing the guidance provided by Regulatory Guide 1.118 for a reasonable and practical approach (in lieu of testing each system as a whole), and tests are properly implemented in the manner described above.

4. The Petitioner pointed out that load nameplate ratings are used in voltage analyses even when common knowledge shows that most loads are operated at a fraction of their ratings. Furthermore, worst-case ambient temperatures are used to select motor protection time delays even though few loads, if any, see those conditions

except during a loss-of-coolant accident when the motor protection is bypassed. Additionally, UVR output delays are treated as known quantities, when the protection of loads by time delays and inverse time over current relays is a crude mitigating approach. As a related matter, the Petitioner objects to the inconsistent use of significant figures to represent EDS and UVR SP parameters.

Response

The aforementioned temporary institution (TI) for the EDFSI's stated that the inspectors should verify that values for mechanical loads used for electrical calculations are based on actual system operating points during both normal and accident conditions. The staff expects licensees to perform accurate, conservative, and bounding calculations involving worst-case estimates for parameters such as ambient temperatures and loads. The licensees' analyses are reviewed by the staff utilizing engineering judgment and applicable industry guidance to ensure that reasonable, yet adequately safe solutions are provided.

It is true that, occasionally, designs proposed by licensees do involve basic approaches (such as inverse time delay relays) and that some calculations performed by licensees involve the use of ultra-precise numerical values. What the staff does require is that the designs utilized by licensees meet applicable NRC regulations and that adequate protection of public health and safety is ensured.

The staff, therefore, concludes that component characteristics are treated and utilized properly in calculations that support EDS and UVR designs.

5. The Petitioner believed that when licensees have discovered that UVR SPs are set too low, the typical response has been to raise the setpoints. This, in turn, reduces the safety advantage of providing UVRs for the EDS due to more frequent and unnecessary UVR actuations accompanied by possible undesirable power systems transfers.

Response

In a letter dated August 8, 1979, addressed to all power reactor licensees regarding the adequacy of station electric distribution systems voltages, the staff stated that:

Protection of safety loads from undervoltage conditions must be designed to provide the required protection without causing voltages in excess of maximum voltage ratings of safety loads and without causing spurious separations of safety buses from offsite power. Moreover,

Voltage-time settings for undervoltage relays shall be selected so as to avoid spurious separation of safety buses from offsite power during plant startup, normal operation and shutdown due to startup and/or operation of electric loads.

NRC Branch Technical Position PSB-1 states that:

* * * improper (sic) voltage protection logic can itself cause adverse effects on the Class 1E systems and equipment such as * * * spurious separation of Class 1E systems from offsite power due to normal motor starting transients.

Additionally, in IN 95-37, "Inadequate Offsite Power System Voltages during Design-Basis Events," the staff informed power reactor licensees that although raising UVR setpoints ensures that adequate voltages exist at equipment input terminals, the higher setpoints also increase the potential for separation from the offsite power system during design-basis events over the range of normally anticipated offsite grid voltages.

In a more specific example, a February 23, 1995, staff safety evaluation of the degraded voltage design for the Edwin I. Hatch Nuclear Plant, determined that combination of automatic and manual actions was an acceptable alternative approach to meet the branch technical position in lieu of raising the degraded voltage setpoints which could lead to unwanted plant trips. That safety evaluation and the above staff guidance provide evidence that the staff has considered avoidance of spurious bus trips as one objective to be considered when selecting an adequate setpoint of UVRs.

The staff, therefore, has repeatedly and in detail both considered the detrimental effects of raising the UVR setpoints and communicated its concerns to licensees.

6. The Petitioner stated that in IN 95-05, "Undervoltage Protection Relay Settings Out of Tolerance Due to Test Equipment Harmonics," the staff discovered the peak reading voltmeters calibrated for root-mean-square (RMS) are affected by the proportions of harmonics in the AC bus voltages and in the calibrators used to set the UVRs. Additionally, the harmonics affect the UVR responses by changing their setpoints when the harmonic content of the bus voltage changes.

Response

IN 95-05 discusses three occurrences, reported by licensees, where harmonics in the output voltage of the power supplies used during testing and calibration of UVRs resulted in the relay setpoints being out of tolerance. The setpoint errors were also affected by the

use of digital voltmeters which do not respond to the harmonic content of the test input voltage as do the UVRs. The purpose of the IN was to inform all operating power plant licensees that harmonics in the voltage inputs (test source voltage or normal bus voltage) to the UVRs impact the actual operating points of those relays, as the Petitioner believes, and to instruct the licensees to take appropriate action (i.e., install filters, adjust setpoints, select proper test equipment, etc.) to ensure that UVR setpoints are adequate.

The staff, therefore, has addressed this concern and brought it to the attention of licensees who are taking appropriate action as discussed above.

7. The Petitioner concluded that impedances and inrush currents to motors and other loads are not known to the precision with which the staff and the licensees' engineers have been trying to set UVRs. Both groups must recognize that their task may be impossible and that their attempts to do so have increased the risk of a nuclear accident.

Response

Branch Technical Position PSB-1 states that voltage analyses (including effects of impedances and inrush currents) should be performed with analytical techniques and assumptions verified by actual measurement. It also states that, in general, test results should not be more than 3% lower than the analytical results. This level of precision has been determined to be acceptable based on engineering judgment.

Furthermore, as stated in the response to the Petitioner's fourth concern, even though licensee propose solutions involving different equipment and unique, precise calculations (which should be supported by actual test data as mentioned above), staff reviews are conducted utilizing both guidance from Branch Technical Position PSB-1 and engineering judgment to ensure that all applicable regulations are met and that adequate protection of public health and safety is ensured. This approach provides reasonable assurance that the level of risk of a nuclear accident is not increased and remains acceptable.

Choosing a setpoint above an analytical limit based on minimum voltage requirements and below nominal voltage ranges while accounting for instrumentation errors and analytical inaccuracies is often a challenge which leads licensees to use more precise equipment and more precise calculations. It is concerns such as these that have led the staff to consider alternative approaches to its position on degraded voltage protection on a plant-

specific basis as noted above in the staff's response to the Petitioner's fifth concern.

Therefore, although the staff has concluded that the task is not impossible, it has recognized alternative approaches that address degraded voltage concerns without increasing the risk of an accident.

To continue the discussion, identification of problems with UVRs and EDSs was not inadvertent. The NRC staff had undertaken more global measures to ensure that concerns such as those raised by the Petitioner were addressed satisfactorily. Because previous NRC inspection teams had observed that the required functional capabilities of certain safety-related systems (including EDSs) were compromised due to a lack of proper engineering support and the introduction of various design deficiencies, EDFSI's were scheduled to be conducted for all operating plants beginning with pilot inspections in 1989. NRC Temporary Instruction (TI) 2515/107 was issued on October 19, 1990, to be made part of the NRC Inspection Manual. That TI stated that calculations to establish protective relay setpoints had not been initially performed or were not updated to reflect setpoint changes and plant modifications. These failures constituted some of the deficiencies that had been encountered by previous inspection teams. The TI stated, with regard to those concerns voiced by the Petitioner, that the forthcoming inspections should verify:

- That ratings and setpoints have been correctly chosen and controlled for protective and control relays and circuit breakers to assure proper coordination, protection, required automatic action, and annunciation.

- The adequacy of the load study, voltage profiles, voltage drop calculations, motor starting study, load shedding, engineered safety features (ESF) bus load sequencing and overload trip settings for ESF loads including consideration of steady-state and accident-transient loads and consideration of acceleration of the loads during degraded voltage conditions that may occur during various modes of plant operation and accident mitigation scenarios.

- The adequacy of short circuit calculations, design of protective relay logic and relay setting calculations, grounding calculations and schemes, and protective device coordination studies.

- That setpoints for overcurrent protective relays are correctly chosen (1) to assure proper breaker coordination

between different voltage levels; (2) to prevent exceeding the vendor-specified thermal limits on motors, containment electrical penetrations and cable insulation systems; (3) to allow starting of electrical equipment under degraded voltage conditions; and (4) to provide adequate pre-trip alarms, when applicable.

- The adequacy of setpoints and time delays for other protective relays for attributes such as undervoltage, underfrequency, reverse power, ground faults, differential current, thermal overload and phase synchronization to assure functionality of the EDS.

- That mechanical loads, such as pump horsepower, correspond to actual system operating points during normal and accident conditions and have been correctly translated to electrical loads and incorporated in the electrical load list as appropriate.

- That surveillance and test procedures are adequate to demonstrate the functionality of the equipment or system being tested or the design assumptions being verified.

NRC inspectors (including NRC contractors) assigned to the EDSFI teams attended a week-long course (held in September and December 1990) to enhance their knowledge of EDSs, the TI and related requirements. Using the guidance provided by the TI and the EDSFI training course, the EDSFI teams then conducted inspections of the EDSs through early 1994 at most operating nuclear power plants. As a result, numerous deficiencies were identified and documented in plant-specific EDSFI inspection reports, and corrective actions were taken. Those corrective actions were subsequently evaluated, found acceptable by the staff and documented in follow-up inspection reports. Many of these deficiencies and corrective actions were listed in IN 93-99 and include incorrect UVR relay and thermal overload setpoints caused by design errors, as well as other points raised by the Petitioner.

In summary, as stated in my April 17, 1996, letter, I believe the NRC staff recognized the existence of repeated errors and widespread EDS design deficiencies, including those associated with UVR SPs, took appropriate actions (conducted EDSFIs, identified deficiencies, required corrective actions) based on those observations, and made all licenses aware of typical design deficiencies encountered during EDSFIs and licensees' self-initiated efforts by issuing INs such as IN 91-29, "Deficiencies Identified During Electrical Distribution System Functional Inspections," its supplements, and IN 93-99.

Additionally, the staff has continued to inform power reactor licensees of other design deficiencies when they are encountered (e.g., IN 95-37 which discusses UVR setpoints in relationship to inadequate offsite power system voltages during design-basis events) and will continue to do so in the future when necessary. Such action by the staff is appropriate to address repeated errors in UVR setpoints and EDS designs and to provide reasonable assurance of adequate protection of public health and safety.

III. Conclusion

The institution of proceedings pursuant to 10 CFR 2.206 is appropriate only if substantial health and safety issues have been raised. See *Consolidated Edison Co. of New York* (Indian Point Units 1, 2, and 3) CLI-75-8, 2 NRC 173, 175 (1975) and *Washington Public Power Supply System* (WPPSS Nuclear Project No. 2) DD-84-7, 19 NRC 899, 924 (1984). This is the standard that has been applied to the concerns raised by the Petitioner to determine whether the action requested by the Petitioner, or enforcement action, is warranted.

On the basis of the preceding assessment, I have concluded that no substantial health and safety issues have been raised by the Petitioner that would warrant the action requested by the Petitioner. I further conclude that the Petitioner's concerns have been adequately addressed by the staff and that there is no need for a third party review. Additionally, with regard to plants with UVRs that cannot be properly set, the staff has shown in plant-specific evaluations, such as described above, that other alternative designs are acceptable.

The Petitioner's request for action pursuant to 10 CFR 2.206 is denied. As provided for 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. The decision will constitute the final action of the Commission 25 days after issuance unless the Commission, on its own motion, institutes review of the decision in that time.

Dated at Rockville, Maryland, this 26 day of September, 1996.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 96-29459 Filed 11-15-96; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Budget Analysis Branch; Sequestration Update Report

AGENCY: Office of Management and Budget—Budget Analysis Branch.

ACTION: Notice of transmittal of final sequestration report to the President and Congress.

SUMMARY: Pursuant to Section 254(b) of the Balanced Budget and Emergency Control Act of 1985, as amended, the Office of Management and Budget hereby reports that it has submitted its Final Sequestration Report to the President, the Speaker of the House of Representatives, and the President of the Senate.

FOR FURTHER INFORMATION CONTACT: Ellen Balis, Budget Analysis Branch—202/395-4574.

Dated: November 13, 1996.

John B. Arthur,

Associate Director for Administration.

[FR Doc. 96-29599 Filed 11-14-96; 2:30 pm]

BILLING CODE 3110-01-P

POSTAL SERVICE

Board of Governors; Amendment to Closed Sunshine Act Meeting Agenda

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 61 FR 54245, October 17, 1996, and 61 FR 56576, November 1, 1996.

PREVIOUSLY ANNOUNCED DATE OF MEETING: November 4, 1996.

CHANGE: Addition of the following item to the closed meeting agenda:

1. Consideration of Exercising the Board's Reserved Approval Authority With Respect to Performance of a Prototype for the Tray Management Systems.

CONTACT PERSON FOR MORE INFORMATION: Thomas J. Koerber, (202) 268-4800.

At its meeting on November 4, 1996, the Board of Governors of the United States Postal Service voted unanimously to add to the agenda, "consideration of exercising the Board's reserved approval authority with respect to performance of a prototype for the tray management systems," and that discussion on the item was closed to the public pursuant to section 552b(c)(9)(B) of title 5, United States Code; and § 7.3(i) of title 39, Code of Federal Regulations, and that no earlier announcement was possible.

In accordance with section 552b(f)(1) of title 5, United States Code, and § 7.6(a) of title 39, Code of Federal