

10. Continue to push research on ways to achieve continuous monitoring of dust levels;

11. Include surface miners in periodic x-rays offered to underground coal miners; and

12. Further review the program required by 30 CFR part 90 that allows miners with signs of black lung to transfer into low-dust jobs.

Initial review of the final report by MSHA indicates that the Agency can adopt some of the recommendations quickly through administrative changes; however, some recommendations that require research or rulemaking may take a year or more to implement. The Agency plans to begin work immediately.

Dated: November 20, 1996.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 96-30120 Filed 11-25-96; 8:45 am]

BILLING CODE 4510-43-P

NUCLEAR REGULATORY COMMISSION

Correction to Order Approving Transfer of Licenses for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation

On November 4, 1996 (61 FR 56714), the Federal Register published the Baltimore Gas and Electric Company; (Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation); Order Approving Transfer of Licenses for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation. On page 56714, under Section IV, the date by which a hearing request may be filed was inadvertently omitted. Section IV, paragraph 1 should read as follows:

By December 4, 1996, any person adversely affected by this Order may file a request for a hearing with respect to issuance of the Order. Any person requesting a hearing shall set forth with particularity how such person's interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

Dated at Rockville, Maryland, this 20th day of November 1996.

For the Nuclear Regulatory Commission.

S. Singh Bajwa,

Acting Director, Project Directorate I-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96-30150 Filed 11-25-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-443]

North Atlantic Energy Service Corporation; Notice of Consideration of Approval of Application Regarding the Formation of a Holding Company

Notice is hereby given that the United States Nuclear Regulatory Commission (the Commission) is considering approval under 10 CFR 50.80, by issuance of an Order, of the application regarding the proposed creation of a holding company by Great Bay Power Corporation, holder of a 12.1324 percent interest in the Seabrook Station, Unit No. 1 (Seabrook) as authorized by the facility operating license. By letter dated May 8, 1996, North Atlantic Energy Services Corporation, the operator of Seabrook and authorized agent for the eleven joint owners of Seabrook, informed the Commission that a corporate restructuring of Great Bay has been proposed that will result in the creation of a holding company under the name Great Bay Holdings Corporation of which Great Bay would become a wholly-owned subsidiary. Additional information related to this restructuring was submitted by the firm of Shaw, Pittman, Potts & Trowbridge, counsel to Great Bay, by letter dated October 18, 1996. Following the restructuring, Great Bay would remain holder of its license for Seabrook with respect to its ownership interest in the facility. Under the restructuring, the owners of Great Bay's common stock will become the owners of common stock of the holding company on a share-by-share basis. According to the proposed plan, there will be no significant adverse change in ownership, management, or sources of funds for operation, maintenance, or decommissioning of Seabrook due to the corporate restructuring.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of control of a license after notice to interested persons. Such approval is contingent upon the Commission's determination that the holder of the license following the transfer is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

For further details with respect to this proposed action, see the North Atlantic letter dated May 8, 1996, and the Shaw, Pittman letter dated October 18, 1996, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington DC, and at the local public document room

located at Exeter Public Library, Founders Park, Exeter, NH 03833.

Dated at Rockville, Maryland, this 18th day of November 1996.

For the Nuclear Regulatory Commission.

Albert W. De Agazio,

Senior Project Manager, Project Directorate I-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96-30152 Filed 11-25-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 72-2 (50-280/281)]

Notice of Issuance of Amendment to Materials License SNM-2501; Virginia Electric & Power Company, Surry Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment 9 to Materials License SNM-2501 held by Virginia Electric and Power Company (VA Power) for the receipt, possession, transfer, and storage of spent fuel at the Surry ISFSI, located in Surry County, Virginia. The amendment is effective as of the date of issuance.

By application dated March 23, 1994, VA Power requested to amend its ISFSI license to authorize use of the TN-32 cask. This amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

In accordance with 10 CFR 72.46(b)(2), a determination has been made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

The Commission has determined that the issuance of the amendment will not result in any significant environmental impact and that, pursuant to 10 CFR 51.22(c)(11), an environmental assessment need not be prepared in connection with issuance of the amendment.

Documents related to this action are available for public inspection at the Commission's Public Document Room located at the Gelman Building, 2120 L

Street, NW, Washington, DC 20555, and at the Local Public Document Room at the Swem Library, the College of William and Mary, Williamsburg, VA 23185.

Dated at Rockville, Maryland, this 7th day of November 1996.

For the Nuclear Regulatory Commission.
Charles J. Haughney,

*Acting Director, Spent Fuel Project Office,
Office of Nuclear Material Safety and
Safeguards.*

[FR Doc. 96-30153 Filed 11-25-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-305]

**Wisconsin Public Service Corporation,
Wisconsin Power & Light Co., Madison
Gas & Electric Co. (Kewaunee Nuclear
Power Plant); Exemption**

I

The Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company (the licensee), are the holders of Facility Operating License No. DPR-43 which authorizes operation of the Kewaunee Nuclear Power Plant (KNPP). The license provides, among other things, that it is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now and hereafter in effect.

The facility consists of a pressurized water reactor located at the licensee's site in Kewaunee County, Wisconsin.

II

The Code of Federal Regulations, paragraph I.D.3, "Calculation of Reflood Rate for Pressurized Water Reactors [PWRs]," of Appendix K to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR) requires that the refilling of the reactor vessel and the time and rate of reflooding of the core be calculated by an acceptable model that considers the thermal and hydraulic characteristics of the core and of the reactor system. In particular, paragraph I.D.3 requires, in part, that, "The ratio of the total fluid flow at the core exit plane to the total flow at the core inlet plane (carryover fraction) shall be used to determine the core exit flow and shall be determined in accordance with applicable experimental data." The purpose of this requirement is to assure that the core exit flow during the post-loss-of-coolant accident (LOCA) refill/reflood phase is determined using a model that accounts for appropriate experimental data.

Paragraph I.D.5, "Refill and Reflood Heat Transfer for Pressurized Water

Reactors," of Appendix K to 10 CFR Part 50 requires that: (1) for reflood rates of 1 inch per second or higher, the reflood heat transfer coefficients be based on applicable experimental data for unblocked cores, and (2) for reflood rates less than 1 inch per second during refill and reflood, heat transfer calculations be based on the assumption that cooling is only by steam.

By letter dated July 23, 1996, the licensee requested an exemption from the requirements of 10 CFR Part 50, Appendix K, paragraphs I.D.3 and I.D.5, as they apply to an evaluation model (EM) for the LOCA analysis for two-loop Westinghouse plants such as Kewaunee (WCAP-10924-P, Revision 1, Volume 1, Addendum 4).

The specific provision of paragraph I.D.3 from which the licensee requested an exemption, is the calculation of core exit flow based on carryover fraction. The licensee stated that the prescriptions for this calculation given in paragraph I.D.3 were based on data for a bottom-flooding configuration design. The Kewaunee design relies on upper plenum injection (UPI) for the ECCS injection during the reflood phase of a large-break LOCA. UPI is not a "lower flooding design;" its ECCS flow patterns, flow magnitudes, core cooling mechanisms, and, in fact, the meanings and impacts of the terms "inlet" and "exit" are different than those of bottom flooding plants. The EM is described in WCAP 10924-P, Revision 1, "Westinghouse Large-Break LOCA Best-Estimate Methodology, Volume 1: Model Description and Validation, Addendum 4: Model Revisions," dated August 1990, which was generically approved in a staff SER dated February 8, 1991. The EM determines core flow, including flow "exiting" the core, flow "entering" the core, and flow within the core and elsewhere within the reactor coolant system (RCS) in accordance with applicable experimental data. The data are different than that referenced in paragraph I.D.3, however, they were found acceptable because they are specifically applicable to UPI designs. Because of the differences between UPI design considerations and those for bottom flooding designs mentioned above, the "carryover fraction" as defined in paragraph I.D.3 is not calculated in the approved EM and would not have the same technical significance if it were. The licensee, therefore, concludes that, in using the approved UPI model for Kewaunee, it will not comply with paragraph I.D.3. The staff SER of February 8, 1991, finds that the WCAP-10924-P EM contains an empirically verified model, more directly applicable to top flooding

situations, to calculate core exit flow, which satisfies the technical purpose of the Appendix K, paragraph I.D.3 requirement to determine the core exit flow, but does not comply with the letter of the requirement.

In more detail, the intent of the Appendix K, paragraph I.D.3, requirement is to assure that the calculation of core exit flow is performed using an EM which has been verified against appropriate experimental data for LOCA accident analyses. The Westinghouse COBRA/TRAC code (WCOBRA/TRAC) consists of: (1) Westinghouse Large-Break LOCA Best Estimate Methodology, Volume 1: Model Description and Validation, WCAP-10924-P-A, Rev. 1, and Addenda 1, 2, and 3, December 1988, and (2) a Westinghouse Large-Break LOCA Best-Estimate Methodology, Volume 2: Application to Two-Loop PWRs Equipped with Upper Plenum Injection, WCAP-10924-P-A, Rev. 2, December 1988.

To assess WCOBRA/TRAC's capability for predicting the correct thermal-hydraulic behavior for upper plenum injection situations, WCOBRA/TRAC has been compared to the Japanese Cylindrical Core Test Facility data which models the interaction effects of upper plenum injection in a large scale test facility. WCOBRA/TRAC predicts the thermal-hydraulic effects of the upper plenum injection such that the carryover of steam and water into the hot legs is more realistically calculated.

The staff finds that the exemption from the paragraph I.D.3 requirement is acceptable because the licensee has provided an acceptable method to satisfy the underlying purpose of the requirement that appropriately models heat transfer mechanisms in UPI designs, and application of the regulation is not necessary to achieve the underlying purpose of the rule.

Paragraph I.D.5, dealing with refill and reflood heat transfer for PWRs, provides heat transfer prescriptions for refill, reflood with a flooding rate of less than 1 inch per second, and reflood with a flooding rate of more than 1 inch per second for bottom-flooding PWRs. The purpose of the paragraph is to assure that heat transfer in the core is appropriately calculated in the refill and reflood phases of post-LOCA recovery.

Paragraph I.D.5.a requires that "New correlations or modifications to the FLECHT [full length emergency cooling heat transfer] heat transfer correlations are acceptable only after they are demonstrated to be conservative, by comparison with FLECHT data, for a range of parameters consistent with the