

DEPARTMENT OF LABOR**Occupational Safety and Health Administration****Advisory Committee on Construction Safety and Health; Notice of Open Meeting by Teleconference**

Notice is hereby given that the Advisory Committee on Construction Safety and Health (ACCSH), established under section 107(e)(1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will hold an open full committee meeting by teleconference on December 18, 1996, at the Frances Perkins Building, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N3437A and B, Washington, DC. The teleconference meeting will begin at 1:00 p.m. and end at approximately 3:00 p.m.

The purpose of ACCSH is to provide continuing advice and recommendations to the Occupational Safety and Health Administration (OSHA) on matters relating to safety and health in construction employment. OSHA is seeking advice and recommendations of ACCSH on how to evaluate the practical application of OSHA's construction safety and health standards to the residential construction industry. Accordingly, the teleconference meeting will explore ways ACCSH can assist OSHA, such as through the utilization of an ACCSH workgroup or outside consultants. Due to scheduling difficulties, OSHA is unable to wait until the regularly scheduled meeting of ACCSH in March 1997 to request assistance. For the same reason, OSHA is unable to provide the usual 15-day advance notice of this teleconference meeting. However, a discussion of the teleconference meeting will take place at the March 1997 ACCSH meeting.

Anyone who wishes to make an oral presentation should notify the Division of Consumer Affairs before the meeting. The request, which can be in writing or by phone, should state the amount of time desired, the capacity in which the person will appear and a brief outline of the content of the presentation. Persons who request the opportunity to address the Advisory Committee may be allowed to speak, as time permits, at the discretion of the chairman of the Advisory Committee. Individuals with disabilities who wish to attend the meeting should contact Tom Hall, at the phone number listed below, if special accommodations are needed.

For additional information contact: Tom Hall, Division of Consumer Affairs, Room N3647, Telephone 202-219-8615, at the Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Washington, DC, 20210. An official record of the teleconference meeting will be available for public inspection at the OSHA Docket Office, Room N2625, Telephone 202-219-7894.

Signed at Washington, DC, this 5th day of December 1996.

Joseph A. Dear,

Assistant Secretary of Labor.

[FR Doc. 96-31453 Filed 12-9-96; 8:45 am]

BILLING CODE 4510-26-M

LEGAL SERVICES CORPORATION**Sunshine Act Meeting of the Board of Directors Operations and Regulations Committee***Correction*

In the meeting notice published on Dec. 6, 1996, page 64767, please make the following corrections to the agenda:

In items 3-12, replace "draft interim" with "draft final" wherever it appears.

In item 13, replace "proposed revisions" with "draft final revisions"

Dated: December 6, 1996.

Suzanne B. Glasow,

Senior Counsel for Operations & Regulations.

[FR Doc. 96-31484 Filed 12-6-96; 2:40 pm]

BILLING CODE 7050-01-M

NUCLEAR REGULATORY COMMISSION**Agency Information Collection Activities: Proposed Collection; Comment Request**

AGENCY: U. S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

SUMMARY: The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* Reactor Operator and Senior Reactor Operator Licensing Training and Requalification Programs.

2. *Current OMB approval number:* 3150-0101.

3. *How often the collection is required:* As needed per facility; generally once or less per year.

4. *Who is required or asked to report:* All reactor licensees and applicants for an operating license at power and non-power reactors.

5. *The number of annual respondents:* 75 for power reactors and 30 for non-power reactors annually.

6. *The number of hours needed annually to complete the requirement or request:* 27,882 hours annually for power reactor licensees and 124 hours annually for non-power reactor licensees.

7. *Abstract:* The NRC requests copies of initial and requalification training material and examinations from reactor licensees/applicants. The training material is used by the NRC staff to develop operator and senior operator licensing and requalification examinations. The initial examinations are reviewed, modified, and approved by the NRC staff for use in licensing operators and senior operators; the requalification examinations are inspected to verify regulatory compliance.

Submit, by February 10, 1997, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. Members of the public who are in the Washington, DC area can access this document via modem on the Public Document Room Bulletin Board (NRC's Advanced Copy Document Library), NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608. Additional assistance in locating the document is available from the NRC

Public Document Room, nationally at 1-800-397-4209, or within the Washington, DC area at 202-634-3273.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC, 20555-0001, by telephone at (301) 415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

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

For the Nuclear Regulatory Commission.
Gerald F. Cranford,

Designated Senior Official for Information Resources Management.

[FR Doc. 96-31322 Filed 12-9-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket Nos. STN 50-454, STN 50-455]

**Commonwealth Edison Company
(Byron Station, Units 1 and 2);
Exemption**

I.

Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. NPF-37 and NPF-66, which authorize operation of Byron Station, Units 1 and 2, respectively. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The facility consists of two pressurized-water reactors located at the licensee's site in Ogle County, Illinois.

II.

In its letter dated March 14, 1996, the licensee requested an exemption from the Commission's regulations. Title 10 of the *Code of Federal Regulations*, Part 50, Section 60 (10 CFR 50.60), "Acceptance Criteria for Fracture Prevention Measures for Lightwater Nuclear Power Reactors for Normal Operation," states that all lightwater nuclear power reactors must meet the fracture toughness and material surveillance program requirements for the reactor coolant pressure boundary as set forth in Appendices G and H to 10 CFR Part 50. Appendix G to 10 CFR Part 50 defines pressure/temperature (P/T) limits during any condition of normal operation, including anticipated operational occurrences and system hydrostatic tests to which the pressure boundary may be subjected over its service lifetime. It is specified in 10 CFR 50.60(b) that alternatives to the described requirements in Appendices G and H to 10 CFR Part 50 may be used

when an exemption is granted by the Commission under 10 CFR 50.12.

To prevent low-temperature overpressure transients that would produce pressure excursions exceeding the P/T limits of Appendix G to 10 CFR Part 50 while the reactor is operating at low temperatures, the licensee installed a low-temperature overpressure protection (LTOP) system. The system includes pressure-relieving devices called power-operated relief valves (PORVs). The PORVs are set at a pressure low enough so that if an LTOP transient occurred, the mitigation system would prevent the pressure in the reactor vessel from exceeding the P/T limits of Appendix G to 10 CFR Part 50. To prevent the PORVs from lifting as a result of normal operating pressure surges (e.g., starting reactor coolant pumps, and shifting operating charging pumps) with the reactor coolant system in a solid water condition, the operating pressure must be maintained below the PORV setpoint. Applying LTOP instrument uncertainties as required by WCAP-14040, Revision 1, results in an LTOP setpoint that would have resulted in an operating window between the LTOP setpoint and the minimum pressure required for reactor coolant pump seals, which is too small to permit continued operation.

The licensee has requested the use of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code) Case N-514, "Low Temperature Overpressure Protection," which allows exceeding the safety limits of 10 CFR Part 50, Appendix G, by 10 percent. ASME Code Case N-514, the proposed alternate methodology, is consistent with guidelines developed by the ASME Working Group on Operating Plant Criteria to define pressure limits during LTOP events that avoid certain unnecessary operational restrictions, provide adequate margins against failure of the reactor pressure vessel, and reduce the potential for unnecessary activation of pressure-relieving devices used for LTOP. ASME Code Case N-514 has been approved by the ASME Code Committee. The content of this code case has been incorporated into Appendix G of Section XI of the ASME Code and published in the 1993 Addenda to Section XI.

III.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with

the common defense and security, and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule."

The underlying purpose of 10 CFR Part 50, Appendix G, is to establish fracture toughness requirements for ferritic materials of pressure-retaining components of the reactor coolant pressure boundary to provide adequate margins of safety during any condition of normal operation, including anticipated operational occurrences, to which the pressure boundary may be subjected over its service lifetime. Section IV.A.2 of this appendix requires that the reactor vessel be operated with P/T limits at least as conservative as those obtained by following the methods of analysis and the required margins of safety of Appendix G of the ASME Code.

Appendix G of Section XI of the ASME Code requires that the P/T limits be calculated (a) using a safety factor of two on the principal membrane (pressure) stresses, (b) assuming a flaw at the surface with a depth of one-quarter (1/4) of the vessel wall thickness and a length of six (6) times its depth, and (c) using a conservative fracture toughness curve that is based on the lower bound of static, dynamic, and crack arrest fracture toughness tests on material similar to the Byron reactor vessel material.

In determining the setpoint for LTOP events, the licensee proposed to use safety margins based on an alternate methodology consistent with the ASME Code Case N-514 guidelines. The ASME Code Case N-514 allows determination of the setpoint for LTOP events such that the maximum pressure in the vessel would not exceed 110 percent of the P/T limits of the existing ASME Code, Section XI, Appendix G. This approach results in a safety factor of 1.8 on the principal membrane stresses. All other factors, including assumed flaw size and fracture toughness, remain the same. Although this methodology would reduce the safety factor on the principal membrane stresses, the proposed criteria will provide adequate margins of safety to the reactor vessel during LTOP transients and, thus, will satisfy the underlying purpose of 10 CFR 50.60 for fracture toughness requirements. Further, by relieving the operational restrictions, the potential for undesirable lifting of the PORV would