

(PUBLIC MEETING) (Contact: Bill Borchardt, 301-415-1257)
1:30 p.m. Briefing by DOE and NRC on Regulatory Oversight of DOE Nuclear Facilities (Public Meeting) (Contact: John Austin, 301-415-7275)

Week of September 22—Tentative

There are no meetings scheduled for the week of September 22.

Week of September 29—Tentative

There are no meetings scheduled for the week of September 29.

THE SCHEDULE FOR COMMISSION MEETINGS IS SUBJECT TO CHANGE ON SHORT NOTICE. TO VERIFY THE STATUS OF MEETINGS CALL (RECORDING)—(301) 415-1292. CONTACT PERSON FOR MORE INFORMATION: Bill Hill (301) 415-1661.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>

This notice is distributed by mail to several hundred subscribers: if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary. Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661).

In addition, distribution of this meeting notice over the internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to wmh@nrc.gov or dkw@nrc.gov.

Dated: September 5, 1997.

William M. Hill, Jr.,

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 97-23993 Filed 9-5-97; 3:00 pm]

BILLING CODE 7590-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-213]

Connecticut Yankee Atomic Power Company; Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a Director's Decision concerning a Petition dated March 11, 1997, filed by Ms. Rosemary Bassilakis pursuant to Title 10 of the *Code of Federal Regulations* Section 2.206 (10 CFR 2.206) on behalf of the Citizens Awareness Network and the Nuclear Information and Resource Service (Petitioners). The petition requests that, on the basis of the repeated failures of the radiation

protection program at the plant, the NRC (1) commence enforcement action against the Connecticut Yankee Atomic Power Company (CY) by means of a large civil penalty to ensure compliance with safety-based radiological control routines, (2) modify CY's license for the Haddam Neck plant pursuant to 10 CFR 2.202 to prohibit any decommissioning activity, which would include decontamination or dismantling, until CY manages to conduct routine maintenance at the facility without any contamination events for at least 6 months, and (3) place the Haddam Neck plant on the NRC Watch List.

The Director, Office of Nuclear Reactor Regulation, has determined that the Petition should be deferred in part and denied in part for the reasons stated in the "Director's Decision Under 10 CFR 2.206" (DD-97-19), the complete text of which follows this notice and is available for public inspection at the Commission's Public Document Room at 2120 L Street, NW., Washington, DC, and at the Local Public Document Room for the Haddam Neck Plant at the Russell Library, 123 Broad Street, Middletown, Connecticut.

A copy of this decision has been filed with the Secretary of the Commission for the Commission's review. As provided by 10 CFR 2.206(c), this decision will become final action of the Commission 25 days after issuance unless the Commission, on its own motion, institutes a review of the decision within that time.

Dated at Rockville, Maryland, this 3rd day of September 1997.

For The Nuclear Regulatory Commission.
Samuel J. Collins,
Director, Office of Nuclear Reactor Regulation.

Nuclear Regulatory Commission

[Docket No. 50-213 (10 CFR 2.206)]

In the Matter of Connecticut Yankee Atomic Power Company, (Haddam Neck Plant)

Partial Director's Decision Under 10 CFR 2.206

I. Introduction

On March 11, 1997, Ms. Rosemary Bassilakis submitted a petition pursuant to Title 10 of the *Code of Federal Regulations* Section 2.206 (10 CFR 2.206) on behalf of the Citizens Awareness Network and the Nuclear Information and Resource Service (Petitioners) requesting that the NRC (1) commence enforcement action against the Connecticut Yankee Atomic Power Company (CY) by means of a large civil penalty to assure compliance with safety-based radiological control

routines, (2) modify CY's license for the Haddam Neck plant, pursuant to 10 CFR 2.202, to prohibit any decommissioning activity, which would include decontamination or dismantling, until CY manages to conduct routine maintenance at the facility without any contamination events occurring for at least 6 months, and (3) place the Haddam Neck plant on the NRC Watch List.

In support of their requests, the Petitioners claimed that of particular concern was Northeast Utilities' inability to maintain proper radiological controls at the Connecticut Yankee (Haddam Neck) nuclear reactor. The Petitioners quoted an NRC press release describing continuing problems at the Haddam Neck facility, and stated that in their view the facility's management was making empty verbal assurances to the NRC that contamination problems were being properly controlled. The Petitioners also alleged that the NRC Confirmatory Action Letter (CAL) of March 4, 1997, discussing radiological controls at the Haddam Neck plant, is clearly insufficient.

II. Background

The NRC staff shares the Petitioners' concerns regarding the failures of the Haddam Neck radiological controls program and has detailed these concerns in Inspection Reports 50-213/96-12 (December 19, 1996) and 50-213/97-02 (March 21, 1997), and in the aforementioned CAL (discussed in more detail below). In summary, these failures resulted in the unplanned exposure of two individuals, longstanding discrepancies in the calibration of several radiation monitors that are used to monitor and control radiological effluent releases, and the inadequate control of radioactive material that resulted in the undetected release of contaminated equipment to a non-licensed vendor.

In response, the NRC has taken comprehensive and significant actions to resolve its concerns in the area of radiological controls, including the aforementioned CAL, a required licensee response to the findings in Inspection Reports 96-12 and 97-02, a management meeting with the former CY management held at the NRC Region I office, and a second management meeting with the new CY management held on May 28, 1997, in the NRC Region I offices on these same issues. This second management meeting gave NRC regional and headquarters staff an opportunity to meet the new Haddam Neck management and confirm their commitment to resolve the above problems. The meetings were open to

public observation. As indicated by the CAL, another meeting between the Region I Administrator and CY management will be held before any NRC determination that the issues noted in the CAL have been resolved. Meanwhile, under the CAL, the licensee has agreed not to perform any radiological work except that required to maintain the plant in a safe configuration.

The CAL identifies four significant activities to which the licensee has committed to bring its management and implementation of radiation control programs up to a standard acceptable to the NRC, as follows:

(1) Identify, in writing, specific compensatory measures that CY will put in place to ensure sufficient management control and oversight of ongoing or planned activities that require radiological controls.

(2) Hire an independent assessor to assess the quality and performance of the CY radiological control programs and their implementation.

(3) By May 30, 1997, on the basis of the results of the independent assessment, (a) identify problems, determine root causes, and develop broad-based and specific corrective actions; (b) identify performance measures that may be used to determine the effectiveness of radiological control programs; and (c) submit a plan and schedule to the Regional Administrator, NRC Region I, for implementing improvements in the radiological control programs.

(4) Before eliminating any interim compensatory measures (as committed to in the response to Item 1, above), meet with the Region I Administrator to describe program implementation and performance improvements achieved or planned.

With regard to CAL Item 1, above, the licensee has identified and implemented compensatory measures (a) by limiting work in radiologically controlled areas to only work that is considered necessary, (b) requiring specific radiation work permits (RWP) for more limited ranges of radiological work, and (c) placing additional controls on work requiring a specific RWP. CY also hired an independent assessor, Millennium Services Incorporated, to perform the required assessments, therefore completing CAL Item 2. The licensee has most recently submitted a response in accordance with CAL Item 3, regarding improvements to its radiation protection program.

The primary objective of the licensee's Radiation Protection Improvement Plan is to institute near

and long-term permanent improvements to the site Radiation Protection Program by establishing processes to:

- Identify problems, root causes, improvement items/initiatives and associated corrective actions using site programs and processes;
- Establish responsibility for corrective action implementation;
- Prioritize and implement corrective actions using a logic scheme based on potential risk and/or critical facility decommissioning milestones (e.g. reactor coolant system decontamination, major component removal);
- Track, trend and report corrective action implementation using site programs and processes;
- Verify corrective action adequacy and completeness in addressing the initial improvement initiative through monitoring and feedback;
- Verify that completion of one or more identified corrective actions resolves the identified root cause; and
- Document problem resolution, from identification through corrective action closure, using site programs and process.

The licensee has scheduled completion of its Plan to occur by the end of 1997.

A meeting with the Regional Administrator (CAL Item 4) is expected to occur before the end of 1997.

III. Discussion of Petitioners' Requests

The first request was for a large civil penalty to assure compliance with safety-based radiological control routines.

The NRC is currently considering enforcement action in regard to failed radiation program controls at the Haddam Neck plant. Therefore, this request is deferred pending a decision on NRC action in this area.¹ After the NRC resolves these issues, you will be informed through a future Director's Decision.

The Petitioners also requested that the NRC impose a 6-month moratorium on any decommissioning activities at Haddam Neck until the licensee demonstrated its competence in avoiding contamination events while conducting necessary maintenance. This request is denied for the following reasons. Although contamination events

may occur in the future, there is no reason to believe, based on previous semiannual environmental reports and annual exposure reports of plant workers, that 10 CFR Part 20 dose limits will be exceeded at the Haddam Neck plant. Additionally, an NRC Senior Resident Inspector is currently on site to monitor and inspect the licensee's day-to-day performance. Furthermore, the CAL addresses the radiation protection program at Haddam Neck by focusing on the needed improvements in the licensee's radiation control program and by ensuring NRC approval before any of the interim measures in Item 1 of the CAL are withdrawn.

The Petitioner's third request was that the NRC place Haddam Neck on the NRC Watch List. As a general policy, an operating plant is placed on the Watch List when a licensee's performance warrants NRC monitoring beyond that normally required by the NRC inspection program. In this case, the Haddam Neck plant is permanently shut down and will not be returning to operation. Additionally, the NRC's inspection program has led to several actions being taken to respond to the deficiencies identified at Haddam Neck. As described above, these actions include the confirmatory action letter, meetings with licensee management to emphasize NRC expectations, a requirement to improve the radiation protection program, and retention of an onsite senior inspector to monitor licensee performance. The NRC believes that, under these circumstances, the actions taken adequately protect public health and safety and that the current inspection program can appropriately monitor licensee performance. Therefore, this request is denied.

III. Decision

For the reasons stated above, the Petition is deferred in part and denied in part. The decision and the documents cited in the decision are available for public inspection and copying in the Commission's Public Document Room, the Gelman Building, 2210 L Street NW., Washington, DC.

In accordance with 10 CFR 2.206(c), a copy of the decision will be filed with the Secretary of the Commission for the Commission's review. 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 a review of the decision within that time.

Dated at Rockville, Maryland, this 3rd day of September 1997.

¹ In a letter dated May 12, 1997, the NRC proposed a \$650,000 civil penalty against CY (EA-96-001 et al.) for violations found during inspections conducted between November 21, 1995, and November 22, 1996; the licensee paid the civil penalty on June 11, 1997. Although the violations on which this civil penalty were based do not involve radiological controls, the May 12 action clearly demonstrates the NRC's resolve to impose significant civil penalties on a licensee when appropriate.

For the Nuclear Regulatory Commission.
Samuel J. Collins,
*Director, Office of Nuclear Reactor
Regulation.*
[FR Doc. 97-23821 Filed 9-8-97; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Privacy Act of 1974, As Amended; Revisions to Existing System of Records

AGENCY: Nuclear Regulatory
Commission.

ACTION: Proposed revisions to an
existing system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended (Privacy Act), the Nuclear Regulatory Commission (NRC) is issuing public notice of its intent to modify an existing system of records (system), NRC-21, "Payroll Accounting Records—NRC," to add four new routine uses and update other sections of the system notice.

EFFECTIVE DATE: The revised system of records will become effective without further notice on October 9, 1997, unless comments received on or before that date cause a contrary decision. If changes are made based on NRC's review of comments received, NRC will publish a new final notice.

ADDRESSES: Send comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Section. Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 am and 4:15 pm Federal workdays. Copies of comments may be examined, or copied for a fee, at the NRC Public Document Room at 2120 L Street, NW., Lower Level, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jona L. Souder, Freedom of Information/Local Public Document Room Branch, Office of Information Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-7170.

SUPPLEMENTARY INFORMATION: The NRC is proposing to amend the system notice for NRC-21, "Payroll Accounting Records—NRC," to add three new routine use disclosures pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Act). NRC will disclose data from NRC-21 to the Office of Child Support Enforcement (OCSE), Administration for Children and Families, Department of Health and Human Services (DHHS) for use in its Federal Parent Locator System

(FPLS) and Federal Tax Offset System, DHHS/OCSE No. 09-90-0074, last published in the **Federal Register** on July 25, 1996 (61 FR 38754).

FPLS is a computerized network through which States may request location information from Federal and State agencies to find non-custodial parents and/or their employers for purposes of establishing paternity and securing support. Effective October 1, 1997, the FPLS will be enlarged to include the National Directory of New Hires, a database containing information on employees commencing employment, quarterly wage data on private and public sector employees, and information on unemployment compensation benefits.

Effective October 1, 1998, the FPLS will be expanded to include a Federal Case Registry. The Federal Case Registry will contain abstracts on all participants involved in child support enforcement cases. When the Federal Case Registry is instituted, its files will be matched on an ongoing basis against the files in the National Directory of New Hires to determine if an employee is a participant in a child support case anywhere in the country. If the FPLS identifies a person as being a participant in a State child support case, that State will be notified of the participant's current employer. State requests to the FPLS for location information will also continue to be processed after October 1, 1998.

The data to be disclosed by NRC to the FPLS includes employees names, social security numbers, home addresses, wage amounts, reporting periods, and employers names and addresses. Names and social security numbers submitted by NRC to the FPLS will be disclosed by the Office of Child Support Enforcement to the Social Security Administration for verification to ensure that the social security number provided is correct.

The data disclosed by NRC to the FPLS will also be disclosed by the Office of Child Support Enforcement to the Secretary of the Treasury for use in verifying claims for the advance payment of the earned income tax credit or to verify a claim of employment on a tax return.

A new routine use permitting disclosures to the National Archives and Records Administration and the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906 is also being added to the system notice at this time.

In addition, NRC is updating the following sections of the system notice: System Location; Authority for

Maintenance of the System; Policies and Practices for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System; System Manager(s) and Address; Notification Procedure; Record Access Procedure; Contesting Record Procedure; and Record Source Categories.

A report on the proposed revisions to this system of records, required by 5 U.S.C. 552a(r) and the Office of Management and Budget (OMB) Circular No. A-130, Appendix I, "Federal Agency Responsibilities for Maintaining Records About Individuals," is being sent to the Committee on Governmental Affairs of the U.S. Senate, the Committee on Government Reform and Oversight of the U.S. House of Representatives, and OMB.

Accordingly, the NRC proposes to amend NRC-21 in its entirety to read as follows:

NRC-21

SYSTEM NAME:

Payroll Accounting Records—NRC.

SYSTEM LOCATION:

Primary system—Division of Accounting and Finance, Office of the Controller, NRC, 11545 Rockville Pike, Rockville, Maryland.

Duplicate systems—Duplicate systems exist, in whole or in part, at the locations listed in Addendum I, Parts 1 and 2.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former NRC employees, special Government Employees, and consultants.

CATEGORIES OF RECORDS IN THE SYSTEM:

Pay, leave, and allowance histories, which includes, but is not limited to, individuals' names and social security numbers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996; 5 U.S.C. 6334 (1994); 31 U.S.C. 716, 1104, 1108, 1114, 3325, 3511, 3512, 3701, 3711, 3717, 3718 (1994); Executive Order 9397, November 22, 1943.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to the disclosures permitted under subsection (b) of the Privacy Act, the NRC may disclose information contained in this system of records without the consent of the subject individual if the disclosure is compatible with the purpose for which