

during his testimony at a DOL hearing (ERA Case No. 92-ERA-030) and that, in the interim, the NRC require that Mr. Conway be relieved of any authority over operations at Palo Verde; (4) investigate the Licensee's statements regarding Petitioner Saporito in an August 10, 1993 letter from Mr. Conway to NRC Administrator, Mr. Bobby H. Faulkenberry, in which the Licensee said that Mr. Saporito gave materially false, inaccurate, and incomplete information on his application for unescorted access to Palo Verde so that, as a result of that event, Petitioner Saporito lacks trustworthiness and reliability for access to Palo Verde; (5) investigate the circumstances surrounding the February 1994 termination of Licensee employee Joseph Straub, a former radiation protection technician at Palo Verde, to determine if his employment was illegally terminated by the Licensee for having engaged in "protected activity" during the course of his employment; (6) require that the Licensee respond to a "chilling effect" letter regarding the circumstances surrounding Mr. Straub's termination from Palo Verde and whether any measures were taken to ensure that his termination did not cause a chilling effect at Palo Verde; (7) initiate appropriate actions to require the Licensee to immediately conduct eddy current testing on all steam generators at Palo Verde, because the steam generator tubes were recently subjected to cracking.

As the bases for these requests, Petitioners asserted that: (1) A show cause proceeding is necessary because the public health and safety concerns alleged are significant and to permit public participation to provide NRC with new and relevant information; (2) past practices of TAG demonstrate that employees of TAG were retaliated against for having raised safety concerns while employed at Palo Verde; (3) citations to testimony from transcripts and numerous newspaper articles (appended as exhibits to the Petition), demonstrate that Mr. Conway's testimony is not credible; (4) statements in the August 10, 1993 letter are inaccurate and materially false and characterize Mr. Saporito as an individual lacking trustworthiness and reliability for access to Palo Verde, so that such negative characterizations have blacklisted him from continued employment in the nuclear industry, which is all in retaliation for him raising safety concerns about operations at Palo Verde; thus, Petitioners ask that these statements be rescinded; (5) an investigation into the termination of Mr.

Straub is warranted in view of the fact that the Licensee has engaged in similar illegal conduct in the past where the NRC has required the Licensee to pay fines; (6) Mr. Straub is entitled to reinstatement with pay and benefits pending the NRC's investigation into his termination to offset any chilling effect his termination had on the Palo Verde workforce; and (7) the stress corrosion and cracking in the steam generators is a recurring problem of which the Licensee is aware and which the Licensee has failed to properly correct, in addition to cooling tower problems, so that the NRC should be concerned about proper maintenance of safety systems and equipment there.

Immediate action with respect to item 7 of the May 27, 1994 Petition, regarding eddy current testing of the steam generators, was denied by William T. Russell, Director, Office of Nuclear Reactor Regulation in a letter to the Petitioners dated July 26, 1994. The non-immediate portion of the request is being addressed in a separate Director's Decision by Mr. Russell and the issue will not be discussed further here.

On July 8, 1994, Petitioners filed a supplement to the May 27, 1994 Petition raising additional issues concerning technical matters unrelated to the issues addressed in this Decision. The requests filed in this July 8, 1994 supplement will be addressed in the above-noted Director's Decision by Mr. Russell and will not be addressed here.

Another Petition was filed by Thomas J. Saporito, Jr., Florida Energy Consultants, and Linda Mitchell (Petitioners) on November 14, 1994. The Petition requested that NRC: (1) Issue a confirmatory order requiring APS to reduce power at all Palo Verde units to 0% until APS can demonstrate corrective actions for the hostile work environment at Palo Verde; (2) issue a demand for information to APS asking (a) why NRC should have confidence that APS can operate Palo Verde without a hostile work environment; (b) about the current duties and responsibilities of certain listed employees, including whether any of those employees is currently involved in NRC-licensed activities; (c) why the Commission should have confidence that these employees will comply with NRC requirements; and (d) why the NRC should not take action to prohibit the involvement of these employees in NRC licensed activities.

As the bases for these requests, Petitioners assert that: (1) DOL found that Sarah Thomas was discriminated against by APS; (2) DOL found that Linda Mitchell was discriminated against by APS; (3) DOL found that

Thomas J. Saporito, Jr., was discriminated against by APS; (4) these matters could have been settled before adjudication by DOL; (5) recent other DOL complaints by Straub and Irick are indicators that discrimination is the normal course of business at Palo Verde; (6) Petitioner Linda Mitchell lives within 2 air miles of Palo Verde and, therefore, has standing to intervene in a hearing before the NRC Atomic Safety and Licensing Board (Board); (7) Petitioners Saporito and Florida Energy Consultants have requisite standing to intervene in a hearing before a Licensing Board through Ms. Mitchell; Petitioner Saporito has requisite standing to intervene in a hearing before the Board through Ms. Mitchell; (8) Petitioners are subject to physical harm and loss of personal property in the event of a nuclear accident at Palo Verde as a direct or indirect result of the hostile work environment fostered at Palo Verde; and (9) a hostile work environment exists and is pervasive at Palo Verde and is condoned and fostered by licensee management.

The request for enforcement action against APS has been granted. For the reasons discussed in the Director's Decision, the remaining requests, other than those being addressed by Mr. Russell in his separate Director's Decision, have been denied.

A copy of this Decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206. As provided by this regulation, the Decision will constitute the final action of the Commission on the issues discussed herein 25 days after the date of issuance of the Decision unless the Commission on its own motion institutes a review of the Decision within that time.

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

For the Nuclear Regulatory Commission.  
James Lieberman,  
*Director, Office of Enforcement.*  
[FR Doc. 96-15400 Filed 6-17-96; 8:45 am]  
BILLING CODE 7590-01-P

### Sunshine Act Meeting

**DATES:** Weeks of June 17, 24, July 1, and 8, 1996.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### MATTERS OF BE CONSIDERED:

Week of June 17

*Tuesday, June 18*  
10:00 a.m.

Briefing on Status of NRC Operator  
Licensing Initial Examination Pilot  
Process (Public Meeting)  
(Contact: Stuart Richards, 301-415-1031)

11:30 a.m.

Affirmation Session (Public Meeting)  
\*(Please Note: These items will be affirmed  
immediately following the conclusion of  
the preceding meeting.)

a. Final Rulemaking—Revision to 10 CFR  
Parts 2, 50, and 51, Related to  
Decommissioning of Nuclear Power  
Reactors.

b. Yankee Atomic Electric Company  
(Yankee Nuclear Power Station) Docket  
No. 50-029-DCOM (Tentative)  
(Contact: Andrew Bates, 301-415-1963)

Week of June 24—Tentative

Tuesday, June 25

10:00 a.m.

Briefing on Operating Reactors and Fuel  
Facilities (Public Meeting)  
(Contact: Victor McCree, 301-415-1711)

Wednesday, June 26

11:30 a.m.

Affirmation Session (Public Meeting) (if  
needed)

2:30 p.m.

Meeting with Advisory Committee on  
Nuclear Waste (ACNW) (Public Meeting)  
(Contact: John Larkins, 301-415-7360)

Week of July 1—Tentative

Monday, July 1

2:00 p.m.

Briefing by Executive Branch (Closed—Ex.  
1)

Tuesday, July 2

10:00 a.m.

Briefing on Alternatives for Regulating  
Fuel Cycle Facilities (Public Meeting)  
(Contact: Ted Sherr, 301-415-7218)

Wednesday, July 3

10:00 a.m.

Briefing on BPR Project on Redesigned  
Material Licensing Process (Public  
Meeting)  
(Contact: Pat Rathbun, 301-415-7178)

11:30 a.m.

Affirmation Session (Public Meeting) (if  
needed)

Week of July 8—Tentative

There are no meeting scheduled for the  
Week of July 8.

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.

\* \* \* \* \*

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-  
415-1963)

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 alb@nrc.gov or  
dkw@nrc.gov

\* \* \* \* \*

William M. Hill, Jr.,

*Secy Tracking Officer, Office of the Secretary.*

[FR Doc. 96-15609 Filed 6-14-96; 3:27 pm]

**BILLING CODE 7590-01-M**

## OFFICE OF GOVERNMENT ETHICS

### Senior Executive Service (SES) Performance Review Board: Updating

**AGENCY:** Office of Government Ethics  
(OGE).

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the  
appointment of members of the updated  
OGE SES Performance Review Board.  
**EFFECTIVE DATE:** June 18, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Robert E. Lammon, Associate Director  
for Administration, Office of  
Government Ethics, 1201 New York  
Avenue, NW., Suite 500, Washington,  
DC 20005-3917; telephone: 202-208-  
8000; FAX: 202-208-8037; Internet E-  
mail address: relammon@attmail.com  
(for E-mail messages, the subject line  
should include the following  
reference—OGE SES Performance  
Review Board).

**SUPPLEMENTARY INFORMATION:** 5 U.S.C.  
4314(c) requires each agency to  
establish, in accordance with  
regulations prescribed by the Office of  
Personnel Management at 5 CFR part  
430, subpart C and § 430.307 thereof in  
particular, one or more Senior Executive  
Service performance review boards. As  
a small executive branch agency, OGE  
has just one board. In order to ensure an  
adequate level of staffing and to avoid  
a constant series of recusals, these  
newly designated members of OGE's  
SES Performance Review Board are  
being drawn, as in the past, primarily  
from the SES ranks of other agencies  
because OGE itself currently has only  
three SES members. The board shall  
review and evaluate the initial appraisal  
of each OGE senior executive's  
performance by his or her supervisor,  
along with any recommendations in  
each instance to the appointing  
authority relative to the performance of  
the senior executive. This notice  
updates the membership of OGE's SES  
Performance Review Board as it was last  
published at 58 FR 14225-14226 (March  
16, 1993).

Approved: June 12, 1996.

Stephen D. Potts,

*Director, Office of Government Ethics.*

The following have been selected as  
regular members of the SES  
Performance Review Board of the Office  
of Government Ethics:

F. Gary Davis [Chair], Deputy Director,  
Office of Government Ethics

Joseph E. Gangloff, Principal Deputy,  
Public Integrity Section, Department  
of Justice

Gabriele J. Paone, Deputy Agency Ethics  
Staff Officer, Department of the  
Interior

James H. Thessin, Deputy Legal Adviser,  
Department of State

Steven Y. Winnick, Deputy General  
Counsel for Program Service,  
Department of Education

[FR Doc. 96-15392 Filed 6-17-96; 8:45 am]

**BILLING CODE 6345-01-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Trade Policy Staff Committee; Public Comments on the Caribbean Basin Economic Recovery Act: Report to Congress

**AGENCY:** Office of the United States  
Trade Representative.

**ACTION:** Notice and request for  
comments.

**SUMMARY:** Section 212(f) of the  
Caribbean Basin Economic Recovery  
Expansion Act of 1990 (19 U.S.C.  
2702(f)) ("the Act") requires the  
Administration to submit a report to the  
Congress on or before October 1, 1996  
regarding the operation of the program.  
All interested parties are invited to  
submit comments relevant to the issues  
to be examined in preparing such a  
report, including the considerations  
included in subsections 212 (b) and (c)  
of the Act (19 U.S.C. 2702 (b) and (c)).

**DATES:** Public comments are due by  
noon on Monday, July 15, 1996.

**ADDRESSES:** Office of the United States  
Trade Representative, 600 17th Street,  
N.W., Room 523, Washington, DC  
20508.

**FOR FURTHER INFORMATION CONTACT:**  
Dale Eppler, Director for Central  
American and Caribbean Affairs, (202-  
395-5190).

**SUPPLEMENTARY INFORMATION:** Section  
212(f) (19 U.S.C. 2702(f)) of the  
Caribbean Basin Economic Recovery Act  
states: "On or before October 1, 1993,  
and the close of each 3-year period  
thereafter, the President shall submit to  
the Congress a complete report