

the NRC Operations Center. The affected utilities will be kept informed of pertinent information covered by this Agreement.

C. To preclude the premature public release of sensitive information, NRC and Wisconsin will protect sensitive information to the extent permitted by the Federal Freedom of Information Act, the State Freedom of Information Act, 10 CFR 2.790, and other applicable authority.

D. NRC will conduct periodic tests of licensee ERDS data links. A copy of the test schedule will be provided to Wisconsin by the NRC. Wisconsin may test its ability to access ERDS data during these scheduled tests, or may schedule independent tests of the State link with the NRC.

E. NRC will provide access to ERDS for emergency exercises with reactor units capable of transmitting exercise data to ERDS. For exercises in which the NRC is not participating, Wisconsin will coordinate with NRC in advance to ensure ERDS availability. NRC reserves the right to preempt ERDS use for any exercise in progress in the event of an actual event at any licensed nuclear power plant.

#### VII. Contacts

A. The principal senior management contacts for this Agreement will be the Director, Incident Response Division, Office for Analysis and Evaluation of Operational Data, and the Director, Bureau of Public Health, Division of Health, Department of Health and Family Services, State of Wisconsin. These individuals may designate appropriate staff representatives for the purpose of administering this Agreement.

B. Identification of these contacts is not intended to restrict communication between NRC and Wisconsin staff members on technical and other day-to-day activities.

#### VIII. Resolution of Disagreements

A. If disagreements arise about matters within the scope of this Agreement, NRC and Wisconsin will work together to resolve these differences.

B. Resolution of differences between the State and NRC staff over issues arising out of this Agreement will be the initial responsibility of the NRC Incident Response Division management.

C. Differences which cannot be resolved in accordance with Sections VII. A and VII. B will be reviewed and resolved by the Director, Office for Analysis and Evaluation of Operational Data.

D. The NRC's General Counsel has the final authority to provide legal interpretation of the Commission's regulations.

#### IX. Effective Date

This Agreement will take effect after it has been signed by both parties.

#### X. Duration

A formal review, not less than 1 year after the effective date, will be performed by the NRC to evaluate implementation of the Agreement and resolve any problems identified. This Agreement will be subject to periodic reviews and may be amended or modified upon written agreement by both parties, and may be terminated upon 30 days written notice by either party.

#### XI. Separability

If any provision(s) of this Agreement, or the application of any provision(s) to any person or circumstances is held invalid, the remainder of this Agreement and the application of such provisions to other persons or circumstances will not be affected.

For the U.S. Nuclear Regulatory Commission.

Dated: August 9, 1996.

James M. Taylor,

*Executive Director for Operations.*

For the State of Wisconsin.

Dated: August 9, 1996.

Kenneth Baldwin,

*Director, Bureau of Public Health.*

[FR Doc. 96-25342 Filed 10-2-96; 8:45 am]

BILLING CODE 7590-01-M

#### [Docket No. 50-309]

#### **Maine Yankee Atomic Power Company Maine Yankee Atomic Power Station; Receipt of Petition for Director's Decision Under 10 CFR § 2.206**

Notice is hereby given that by Petition dated August 19, 1996, Patrick M. Sears (Petitioner) has requested that the U. S. Nuclear Regulatory Commission (NRC) take action with regard to the Maine Yankee Atomic Power Station and all users of the RELAP computer code for emergency core cooling systems analyses. The Petitioner requests that the NRC fine Maine Yankee Atomic Power Company and Yankee Atomic Electric company (YAEC) if records have not been kept in accordance with YAEC's computer code quality assurance procedures, and that the NRC inspect all users of RELAP and fine those users not operating within required computer code verification procedures.

As the basis for his request, the Petitioner states: that the May 5, 1989, statement of Steve Nichols of Maine Yankee that RELAP5YA was "operable" and would be used for subsequent reloads was false; no computer code inspections were performed by the NRC before a 1992 inspection at YAEC by the Petitioner when he was an NRC employee and not again until 1995; the Petitioner was told not to do any more computer code inspections; RELAP is widely used; RELAP has been shown to have serious deficiencies; and the RELAP problem is not confined to the Maine Yankee Atomic Power Plant but is endemic to the industry as a whole.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. The request has been referred to the Director of the Office of Nuclear Reactor Regulation. A copy of the Petition is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the local public document room located at the Wiscasset Public Library, High Street, P. O. Box 367, Wiscasset, Maine 04578.

Dated at Rockville, Maryland, this 24th day of September 1996.

For the Nuclear Regulatory Commission.

William T. Russell,

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 96-25344 Filed 10-2-96; 8:45 am]

BILLING CODE 7590-01-P

#### **Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses: Availability of NUREG**

NRC is using Business Process Redesign (BPR) techniques to redesign its materials licensing process, as described in NUREG-1539, "Methodology and Findings of the NRC's Materials Licensing Process Redesign." A critical element of the new process is consolidating and updating numerous guidance documents into a single comprehensive repository called the Materials Electronic Library (MEL). Draft NUREG-1541, "Process and Design for Consolidating and Updating Materials Licensing Guidance," describes the approach and conceptual design of MEL.

Volume 1 of draft NUREG-1556, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," is the first program-specific guidance developed for the new process and may serve as a template for subsequent program-specific guidance. It is

intended for use by applicants, licensees, and NRC staff. It combines the guidance now found in Draft Regulatory Guide DG-0008, "Applications for the Use of Sealed Sources in Portable Gauging Devices," dated May 1995, and the guidance for licensing staff now found in Policy and Guidance Directive PG 2-07, "Standard Review Plan for Applications for the Use of Sealed Sources in Portable Gauging Devices," dated September 1994. Comments received on DG-0008 were considered in the preparation of this report.

As described in draft NUREG-1541, this draft NUREG takes a risk-informed, performance-based approach to licensing portable gauges, i.e., it reduces the amount of information needed from an applicant seeking to possess and use a relatively safe device. These portable gauges containing sealed sources incorporate features engineered to enhance their safety. NRC's considerable experience with these licensees indicates that radiation exposures to workers are generally low and the sealed sources have not been damaged even when run over by heavy construction equipment.

This document is strictly for public comment and NOT for use in preparation or review of applications for portable gauge licenses until the document is published in final form.

NRC is requesting comments on this draft NUREG such as whether a risk-informed, performance-based approach to licensing is valid, as well as comments on the information requested in support of a license application. In addition, to support NRC's efforts to streamline the materials licensing process, NRC is soliciting comments and suggestions about the document's content, format, usefulness, etc., to make the document more "user-friendly." Please submit comments within 90 days of its publication. Comments received after that time will be considered if practicable.

Submit comments on draft NUREG-1556, Volume 1, to the Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may be submitted through the Internet by addressing electronic mail to INTERNET:MTL@NRC.GOV.

A free single copy of draft NUREG-1556, Volume 1, may be requested by those considering public comment by writing to the U.S. Nuclear Regulatory Commission, ATTN: BPR Team, Mail Stop TWFN 8F5, Washington, DC 20555-0001. A copy of draft NUREG-1556, Volume 1, is also available for inspection and/or copying for a fee in the NRC Public Document Room, 2120

L Street, NW. (Lower Level), Washington, DC 20555-0001. Draft NUREG-1556, Volume 1, is also available electronically by visiting NRC's Home Page (<http://www.nrc.gov>) and choosing "Nuclear Materials," then "Business Process Redesign project," and then "Draft NUREG-1556, Volume 1."

Dated at Rockville, Maryland, this 27th day of September, 1996.

For the Nuclear Regulatory Commission.  
Frederick C. Combs,  
*Deputy Director, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 96-25343 Filed 10-2-96; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

### Procedures for the Settlement of Claims Transferred to the Office of Personnel Management From the General Accounting Office

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** The Legislative Branch Appropriations Act of 1996 transferred to the Director of the Office of Management and Budget (OMB) the Comptroller General's authority to settle claims for Federal civilian employees' compensation and leave, claims for deceased employees' accounts, and claims for the proceeds of canceled checks for veterans' benefits payable to deceased beneficiaries. The OMB Director subsequently delegated the authority to settle these claims to the Office of Personnel Management. Until superseded by OPM regulations, it is OPM's policy, with one exception, to apply to the administration of any authority transferred from the General Accounting Office (GAO) any applicable GAO regulations in effect at the time of the transfer. The exception to this policy involves claims arising under the Fair Labor Standards Act (FLSA). FLSA claims will continue to be settled in the same manner as complaints under that Act are resolved pursuant to OPM's authority to administer the FLSA for the Federal Government.

**EFFECTIVE DATE:** October 3, 1996.

**ADDRESSES:** Comments may be mailed to the Claims Adjudication Unit, Office of the General Counsel, Office of Personnel Management, Room 7535, 1900 E Street NW., Washington, DC 20415.

**FOR FURTHER INFORMATION CONTACT:** Paul Britner, Attorney-Advisor, Claims Adjudication Unit, 202-606-2233.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Legislative Branch Appropriations Act of 1996, most of the claims settlement functions performed by the General Accounting Office (GAO) were transferred to the Director of the Office of Management and Budget. See Sec. 211, Pub. L. 104-53, 109 Stat. 535. The Director delegated these functions to various components within the Executive branch in a determination order dated June 28, 1996. This order delegated to the Office of Personnel Management the authority to settle claims against the United States involving Federal employees' compensation and leave (31 U.S.C. 3702), deceased employees' accounts (5 U.S.C. 5583), and proceeds of canceled checks for veterans' benefits payable to deceased beneficiaries (38 U.S.C. 5122).

Until superseded by OPM regulations, it is OPM's policy, with one exception, to apply to any authority transferred from GAO any applicable GAO regulations in effect at the time of the transfer. The exception to this policy involves claims arising under the Fair Labor Standards Act (FLSA), 29 U.S.C. 201, *et seq.* FLSA claims will continue to be settled in the same manner as complaints under that Act are resolved pursuant to OPM's authority to administer the FLSA for the Federal Government pursuant to 29 U.S.C. 204(f).

Non-FLSA claims should be sent to: Claims Adjudication Unit, Office of the General Counsel, Office of Personnel Management, Room 7535, 1900 E Street NW., Washington, DC 20514. The telephone number is 202-606-2233.

FLSA claims should be sent to the appropriate address listed below. Information about the procedures applicable to these claims may be obtained by calling the appropriate office.

Address and Jurisdiction telephone:  
OPM Atlanta Oversight Division (404)  
331-3451, 75 Spring Street, SW.,  
Suite 972, Atlanta, GA 30303-3109

Alabama, Florida, Georgia,  
Mississippi, North Carolina, South  
Carolina, Tennessee, Virginia (except as  
noted below):

OPM Chicago Oversight Division (312)  
353-0387, 230 S. Dearborn Street,  
DPN 30-6, Chicago, IL 60604-1687

Illinois, Indiana, Iowa, Kansas,  
Kentucky, Michigan, Minnesota,  
Missouri, Nebraska, North Dakota, Ohio,  
South Dakota, West Virginia, Wisconsin:

OPM Dallas Oversight Division (214)  
767-0561, 1100 Commerce Street,  
Room 4C22, Dallas, TX 75242-9968