

allow interested parties to attend, and the NRC staff will allocate time to discuss issues with the public following the meeting with the licensee.

The NRC staff agrees with the Petitioner that learning from experience is an essential part of improving the safety of nuclear power plant activities, including those associated with dry cask storage of spent nuclear fuel. This principle is reflected in the regulatory requirements pertaining to preoperational testing of dry cask storage activities, as well as various provisions of NRC-approved quality assurance programs. The issuance of Bulletin 96-04 and the CALs for licensees using VSC-24 casks is another example of the NRC staff's efforts to ensure that applicable operating experience is incorporated into procedures at facilities licensed by the NRC. In this case, the licensees using the VSC-24 cask revised procedures to address the technical concerns identified after the event at Point Beach and agreed to defer cask operations pending the NRC's review of responses to the bulletin and confirmation of corrective actions.

As previously mentioned, the licensee for Arkansas Nuclear One loaded VSC-24 casks following the NRC staff's determination that the licensee had satisfactorily completed the commitments documented in the CAL. On the basis of reviews and inspections performed to verify corrective actions associated with the bulletin, in combination with reviews performed for cask certification and previous inspections of preoperational testing and other aspects of the licensee's dry cask storage program, the NRC staff determined that the licensee for Arkansas Nuclear One could perform either cask loading or unloading operations without undue risk to the health and safety of the public or its own personnel. The NRC staff, through reviews and inspections to verify corrective actions associated with NRC Bulletin 96-04, must have confidence in the procedures implemented by the licensee for Point Beach before the NRC permits that licensee to resume loading or unloading of VSC-24 casks. The staff must also obtain the necessary confidence that the licensee for Palisades has implemented the corrective actions related to NRC Bulletin 96-04 as well as the issues included in the NRC action plan before permitting the licensee to resume loading or unloading VSC-24 casks.

Thus, only after resolution of the issues identified in NRC Bulletin 96-04 and other questions that may arise during the inspections of the licensees'

revised procedures at Point Beach and Palisades, will the NRC permit them to unload casks. As part of its review, the NRC staff will consider matters such as the dry-run exercises licensees performed to verify key aspects of unloading procedures, as well as licensees' actual experience in the loading and unloading of transportation casks, loading of storage casks, handling of spent fuel assemblies under various conditions, and performing relevant maintenance and engineering activities associated with reactor facilities. Given that the NRC staff will not permit unloading of any casks unless it obtains reasonable assurance of each licensee's ability to do so safely, the NRC does not have reason to require unloading of MSB #4 at Palisades before allowing resumption of normal activities under the general licenses at Arkansas Nuclear One, Point Beach, or Palisades.

The Petitioner's request is, therefore, denied.

IV. Conclusion

The Petitioner requested that the NRC prohibit loading of VSC-24 casks at any nuclear site until MSB #4 at the Palisades plant has been unloaded and the experience evaluated for potential safety concerns. Each of the claims by the Petitioner has been reviewed. I conclude that, for the reasons discussed above, no adequate basis exists for granting Petitioner's request for suspension of the licensees' use of the general licenses for dry cask storage of spent nuclear fuel at Palisades, Point Beach, or Arkansas Nuclear One until the MSB at Palisades has been unloaded and the experience evaluated for potential safety improvements.

A copy of this decision will be filed with the Secretary of the Commission for the Commission to review in accordance with 10 CFR 2.206(c).

As provided by this regulation, this 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 4th day of March 1997.

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

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OFFICE OF PERSONNEL MANAGEMENT

The National Partnership Council; Meeting

AGENCY: Office of Personnel Management.

ACTION: Notice of meeting.

TIME AND DATE: 9:30 a.m., March 21, 1997.

PLACE: Sheraton Premiere Hotel at Tyson's Corner, 8661 Leesburg Pike, Vienna, Virginia 22182.

STATUS: This meeting will be open to the public. Seating will be available on a first-come, first-served basis. Individuals with special access needs wishing to attend should contact OPM at the number shown below to obtain appropriate accommodations.

MATTERS TO BE CONSIDERED: The National Partnership Council (NPC) will receive a briefing on the Blair House Papers, President Clinton's plan for reinvention. Also, there will be a follow-up presentation on the NPC Facilitation Project plan for working with labor-management partnerships that are facing difficulties, and a presentation by the Federal Managers Association.

CONTACT PERSON FOR MORE INFORMATION: Michael Cushing, Director, Center for Partnership and Labor-Management Relations, Office of Personnel Management, Theodore Roosevelt Building, 1900 E Street, NW., Room 7H28, Washington, DC 20415-0001, (202) 606-0010.

SUPPLEMENTARY INFORMATION: The date and location of the Council's March meeting was chosen to coincide with the Federal Managers Association's (FMA) 59th annual national convention, which meets March 20-26, 1997 at the Sheraton Premiere Hotel at Tyson's Corner in Vienna, Virginia. The Council's meeting is scheduled to take place at the start of FMA's convention.

PUBLIC PARTICIPATION: We invite interested persons and organizations to submit written comments. Mail or deliver your comments to Michael Cushing at the address shown above. To be considered at the March 21 meeting, written comments should be received by March 17.

Office of Personnel Management.

James B. King,

Director.

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