

For the Nuclear Regulatory Commission.

Robert E. Martin,

*Project Manager, Project Directorate II-3,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

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[Docket No. 40-3453]

Receipt of Application From Atlas Corp.

AGENCY: Nuclear Regulatory Commission.

ACTION: Receipt of Application From Atlas Corporation to Amend Condition 55 of Source Material License No. SUA-917.

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has received, by letter dated January 24, 1995, an application from Atlas Corporation (Atlas) to amend Condition 55 of Source Material License No. SUA-917.

The license amendment application proposes to modify License Condition 55 to change the completion date for placement of the interim cover on the tailings impoundment from February 15, 1995, to October 31, 1995.

FOR FURTHER INFORMATION CONTACT: Allan T. Mullins, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-415-6693.

Atlas Corporation's application to amend Condition 55 of Source Material License SUA-917, which describes the proposed changes to the license condition and the reason for the request, is being made available for public inspection at the Commission's Public Document Room at 2120 L Street, NW (Lower Level), Washington, DC 20555.

The licensee and any person whose interest may be affected by the issuance of this license amendment may file a request for hearing. A request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the publication of this notice in the **Federal Register**; be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852); be served on the licensee (Atlas Corporation, Republic Plaza, 370 Seventeenth Street, Suite 3150, Denver, Colorado 80202); and must comply with the requirements set forth in the Commission's regulations, 10 CFR 2.105

and 2.714. The request for hearing must set forth with particularity the interest of the petitioner in the proceedings and how that interest may be affected by the results of the proceedings, including the reasons why the request should be granted, with particular reference to the following factors:

1. The nature of the petitioner's right under the Atomic Energy Act of 1954, as amended, to be made a party to the proceedings;
2. The nature and extent of the petitioner's property, financial, or other interest in the proceeding; and
3. The possible effect on the petitioner's interest of any order which may be entered in the proceedings.

The request must also set forth the specific aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

Atlas Corporation: Receipt of Application from Atlas Corporation to Amend Condition 55 of Source Material License No. SUA-917.

Signed at Rockville, Maryland, this 27th day of January 1995.

For the Nuclear Regulatory Commission.

John O. Thoma,

Acting Chief, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 94-2800 Filed 2-3-94; 8:45 am]

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[Docket No. 50-443]

North Atlantic Energy Service Corporation, et al; Notice of Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied partially a request by North Atlantic Energy Service Corporation (licensee), for an amendment to Facility Operating License No. 50-443 issued to the licensee for operation of the Seabrook Station, Unit No. 1, located in Rockingham County, New Hampshire. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on May 25, 1994 (59 FR 27057).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to make editorial changes and to revise certain administrative controls, and to delete the requirement for periodic review of certain procedures.

The NRC staff has concluded that the licensee's request to delete the periodic review of the specified procedures

cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated January 26, 1995.

By March 8, 1995, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Thomas Dignan, Esquire, Ropes & Gray, One International Place, Boston, MA 02110-2624, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated January 14, 1994, and letter dated October 17, 1994, and (2) the Commission's letter to the licensee dated January 26, 1995.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Exeter Public Library, 47 Front Street, Exeter, NH 03833.

Dated at Rockville, Maryland, this 26th day of January 1995.

For the Nuclear Regulatory Commission.

Phillip F. McKee,

Director, Project Directorate I-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95-2799 Filed 2-3-95; 8:45 am]

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[Docket No. 50-482]

In the Matter of Wolf Creek Nuclear Operating Corporation Wolf Creek Generating Station, Unit 1

Exemption

I

On June 4, 1985, the Commission issued Facility Operating License No. NPF-42 to Wolf Creek Nuclear Operating Corporation (the licensee) for the Wolf Creek Generating Station, Unit 1 (WCGS). The license provides, among other things, that the licensee is subject

to all rules, regulations, and orders of the Commission now or hereafter in effect.

II

It is stated in 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," paragraph (a), that "The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety."

It is specified in 10 CFR 73.55(d), "Access Requirements," paragraph (1), that "The licensee shall control all points of personnel and vehicle access into a protected area." It is specified in 10 CFR 73.55(d)(5) that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort. . . ." It also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected areas without escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area. . . ."

The licensee proposed to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at each entrance/exit location and would allow all individuals with unescorted access to keep their badges with them when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to allow contractors who have unescorted access to take their badges offsite instead of returning them when exiting the site. By letter dated November 23, 1994, the licensee requested an exemption from certain requirements of 10 CFR 73.55(d)(5) for this purpose.

III

Pursuant to 10 CFR 73.5, "Specific exemptions," The Commission may, upon application of any interested person or upon its own initiative, grant such exemptions in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. Pursuant to 10 CFR 73.55, the Commission may authorize a licensee to provide measures for protection against radiological sabotage provided the

licensee demonstrates that the measures have "the same high assurance objective" and meet "the general performance requirements" of the regulation, and "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

At the WCGS site, unescorted access into protected areas is controlled through the use of a photograph on a combination badge and keycard. (Hereafter, these are referred to as badges.) The security officers at the entrance station use the photograph on the badge to visually identify the individual requesting access. The badges for both licensee employees and contractor personnel who have been granted unescorted access are issued upon entrance at the entrance/exit location and are returned upon exit. The badges are stored and are retrievable at the entrance/exit location. In accordance with 10 CFR 73.55(d)(5), contractor individuals are not allowed to take badges offsite. In accordance with the plant's physical security plan, neither licensee employee nor contractors are allowed to take badges offsite.

Under the proposed system, each individual who is authorized for unescorted access into protected areas would have the physical characteristics of their hand (hand geometry) registered with their badge number in the access control system. When an individual enters the badge into the card reader and places the hand on the measuring surface, the system would record the individual's hand image. The unique characteristics of the extracted hand image would be compared with the previously stored template in the access control system to verify authorization for entry. Individuals, including licensee employees and contractors, would be allowed to keep their badges with them when they depart the site and thus eliminate the process to issue, retrieve and store badges at the entrance stations to the plant. Badges do not carry any information other than a unique identification number.

All other access processes, including search function capability, would remain the same. This system would not be used for persons requiring escorted access, i.e., visitors.

Based on a Sandia report entitled, "A Performance Evaluation of Biometric Identification Devices" (SAND91-0276 UC-906 Unlimited Release, printed June 1991), and on the licensee's experience with the current photo-identification system, the licensee stated that the false acceptance rate for the hand geometry

system is comparable to that of the current system. The biometric system has been in use for a number of years at several sensitive Department of Energy facilities. The licensee will implement a process for testing the proposed system to ensure continued overall level of performance equivalent to that specified in the regulation. The Physical Security Plan for WCGS will be revised to include implementation and testing of the hand geometry access control system and to allow licensee employees and contractors to take their badges offsite.

The licensee will control all points of personnel access into a protected area under the observation of security personnel through the use of a badge and verification of hand geometry. A numbered picture badge identification system will continue to be used for all individuals who are authorized unescorted access to protected areas. Badges will continue to be displayed by all individuals while inside the protected area.

Since both the badges and hand geometry would be necessary for access into the protected areas, the proposed system would provide for a positive verification process and the potential loss of a badge by an individual, as a result of taking the badge offsite, would not enable an unauthorized entry into protected areas.

For the foregoing reasons, pursuant to 10 CFR 73.55, the NRC staff has determined that the proposed alternative measures for protection against radiological sabotage meet "the same high assurance objective," and "the general performance requirements" of the regulation and that "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Wolf Creek Nuclear Operating Corporation an exemption from those requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges upon exit from the protected area such that individuals not employed by the licensee, i.e., contractors, who are authorized unescorted access into the protected area, may take their picture badges offsite.

Pursuant to 10 CFR 51.32, the Commission has determined that the

granting of this exemption will have no significant impact on the environment (60 FR 4929).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of January 1995.

For the Nuclear Regulatory Commission.

Jack W. Roe,

*Director, Division of Reactor Projects III/IV,
Office of Nuclear Reactor Regulation.*

[FR Doc. 95-2798 Filed 2-3-95; 8:45 am]

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[Docket Nos. 50-424 and 50-425]

Georgia Power Company, et al.; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-68 and NPF-81 issued to Georgia Power Company, et al. (the licensee) for operation of the Vogtle Electric Generating Plant, Units 1 and 2, located in Burke County, Georgia.

The proposed amendments would revise Technical Specification 6.4.1.2 to provide a more accurate description of the Plant Review Board (PRB) composition. Specifically, the proposed changes would (1) indicate the plant organization functional areas to be represented on the PRB rather than the departments, (2) combine the Technical Support Department with the Engineering Support Department, and (3) specify a minimum size for the PRB composition in support of the proposed changes.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its

analysis of the issue of no significant hazards consideration, which is presented below:

1. The proposed changes to the Technical Specifications do not involve a significant increase in the probability or consequences of an accident previously evaluated because the composition of the Plant Review Board (PRB) does not directly affect any material condition of the plant that could directly contribute to causing or mitigating the effects of an accident. Additionally, the changes to the PRB composition will not diminish its ability to review plant activities, therefore, these changes will not diminish the PRB's role in reviewing changes that could affect the probability or consequences of accidents.

2. The proposed changes to the Technical Specifications do not create the possibility of a new or different kind of accident from any accident previously evaluated because the changes are administrative in nature to support organizational changes that are needed to enhance the operation of the plant. Since no physical change is being made to the plant or its operating parameters, the proposed changes do not introduce the possibility of a new or different type of accident.

3. The proposed changes to the Technical Specifications do not involve a significant reduction in a margin of safety because the responsibilities, quorum, meeting frequency and functions of the PRB remain unchanged. The qualifications of the PRB members are not being reduced, therefore, the current level of safety contributed by the PRB function will not be diminished by the proposed Technical Specification changes.

Based upon the preceding information, it has been determined that the proposed Technical Specification changes do not involve a significant hazards consideration as defined by 10 CFR 50.92.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant

hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By March 8, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and