

test program have the ability to detect leaks smaller than would be detected by the Type A test.

For a two-ply bellows that leaks through both plies, this revised exemption allows: (1) A valid Type B test using one of various developed alternatives to ensure compliance to license limits, or (2) a Type A test as required in the original exemption and, before the return to power in a subsequent refuel outage, replacement of the bellows with a testable bellows assembly or a valid Type B test to ensure license limits are met.

The staff finds that the underlying purpose of the regulation will be met in that the proposed testing program will detect bellows assemblies with significant flaws and result in replacement of flawed assemblies within one operating cycle, or be tested with a Type B test to ensure license limits are met during which period there is reasonable assurance that the bellows assemblies will not suffer excessive degradation. If the licensee should propose to wait longer than one cycle to replace any bellows assembly, the staff must evaluate and approve the request at that time.

#### IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a)(i) and (a)(2)(ii), that (1) the Exemption from appendix J is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and (2) application of the regulation in this particular circumstance is not necessary to achieve the underlying purpose of its rule.

The Commission concludes that the testing and replacement program for the containment penetration bellows assemblies is an acceptable alternative to the existing appendix J testing requirement. Accordingly, the Commission hereby grants the Exemption from appendix J.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the quality of the human environment (59 FR 64001).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 9th day of February 1995.

For the Nuclear Regulatory Commission.

**Jack W. Roe,**

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

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[Docket No. 50-213]

#### Connecticut Yankee Atomic Power Co.; Notice of Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 180 to Facility Operating License No. DPR-61 issued to the Connecticut Yankee Atomic Power Company (the licensee), which revised the Technical Specifications for operation of the Haddam Neck Plant located in Middlesex County, Connecticut. The amendment is effective as of the date of issuance to be implemented within 30 days of issuance.

The amendment revises Technical Specifications (TS) 3.1.1.3, "Shutdown Margin," and TS 3.3.3.9, "Boron Dilution Alarm," and their associated Bases sections and add a new TS 3.1.1.4, "Shutdown Margin." TSs 3.1.2.2, 3.1.2.4, and 3.1.2.6, will be revised to reference TS 3.1.1.3 rather than specify the required shutdown margin at 200 ° F. In addition, editorial changes will be made to a reference on TS pages 3/4 1-13 and 14 to reletter surveillance specification 4.5.1.c.3 to 4.5.1.b.3.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the **Federal Register** on September 28, 1994 (59 FR 49454). No request for a hearing or petition for leave to intervene was filed following the notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of the amendment will not have a significant effect on the quality of the human environment (60 FR 7799).

For further details with respect to the action see (1) the application for amendment dated September 7, 1994, (2) Amendment No. 180 to License No. DPR-61, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these items 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 Russell Library, 123 Broad Street, Middletown, Connecticut 06457.

Dated at Rockville, Maryland, this 9th day of February 1995.

For the Nuclear Regulatory Commission.

**Alan B. Wang,**

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

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[Docket No. 030-15139; License No. 37-04594-11; EA No. 94-167]

#### Drexel University, Philadelphia, Pennsylvania; Order Imposing a Civil Monetary Penalty

##### I

Drexel University (Licensee) is the holder of Byproduct Materials License No. 37-04594-11 (License) issued by the Nuclear Regulatory Commission (NRC or Commission) on October 31, 1979. The License authorizes the Licensee to possess and use certain byproduct materials in accordance with the conditions specified therein at its facility in Philadelphia, Pennsylvania.

##### II

An inspection of the Licensee's activities was conducted on July 22, July 27, and August 1, 1994, at the Licensee's facility located in Philadelphia, Pennsylvania. The result of this inspection indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated October 17, 1994. The Notice states the nature of the violations, the provisions of the NRC requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violations.

The Licensee responded to the Notice in two letters, both dated November 14, 1994, and a letter dated January 17, 1995. In its responses, the Licensee denies Violations A.2 and A.6; denies in part Violation B; admits Violations A.1, A.3, A.4, A.5, C, D, and E; disagrees with the classification of the violations collectively at Severity Level III; and requests mitigation of the penalty.

##### III

After consideration of the Licensee's response and the statements of fact,