

## RECORD GROUPS CLOSING JULY–DECEMBER 1995—Continued

Cluster title	RG No.	Record group short title	Close date	Reopen date
Treasury/Revenue/Finance .....	365	Treasury Department Collection of Confederate Records ..	07/24/95	08/31/95
Treasury/Revenue/Finance .....	366	Civil War Special Agencies of the Treasury Department ....	07/24/95	08/31/95

[FR Doc. 95-7514 Filed 3-27-95; 8:45 am]

BILLING CODE 7515-01-P

## NUCLEAR REGULATORY COMMISSION

### Atomic Safety and Licensing Board; Notice

Before Administrative Judges: Peter B. Bloch, Chair, Dr. James H. Carpenter, Thomas D. Murphy.

[Docket Nos. 50-424-OLA-3 50-425-OLA-3; Re: License Amendment (Transfer to Southern Nuclear) ASLBP No. 96-671-01-OLA-3]

March 22, 1995.

In the matter of Georgia Power Company, *et al.*; (Vogtle Electric Generating Plant, Units 1 and 2)

Pursuant to 10 CFR § 2.752, we will hold a public evidentiary hearing beginning at 9 am on April 17, 1995, at the Hearing Room (T 3 B45), Two White Flint North, 11545 Rockville Pike, Rockville, Maryland.

The purpose of the hearing is to receive evidence concerning alleged misrepresentations about diesel generators at the Vogtle Nuclear Power Plant. The first week of hearing may include Saturday April 22. Thereafter, the hearing will recess until May 17. It will reconvene on that date at a place that is to be determined in light of the needs of the parties.

For the Atomic Safety and Licensing Board.

**Peter B. Bloch,**

*Chair.*

[FR Doc. 95-7562 Filed 3-27-95; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-312]

### Sacramento Municipal Utility District, (Rancho Seco Nuclear Generating Station); Order Approving the Decommissioning Plan and Authorizing Decommissioning of Facility

#### I

Sacramento Municipal Utility District (SMUD, the licensee) is the holder of Facility Operating License No. DPR-54 issued by the U.S. Nuclear Regulatory Commission (NRC, the Commission)

pursuant to 10 CFR part 50 on August 16, 1974. The license was amended on March 17, 1992, to remove the authority of the licensee to operate the Rancho Seco Nuclear Generating Station (Rancho Seco). The facility is located on the licensee site in Sacramento County, California.

#### II

On June 6, 1989, the voters of Sacramento approved a referendum indicating their desire that the licensee not operate Rancho Seco. On June 7, 1989, the licensee shut down Rancho Seco after approximately 15 years of operation. The licensee defueled the reactor and reduced its staff. In a letter of May 20, 1991, the licensee requested approval of the proposed decommissioning plan for Rancho Seco. The Decommissioning Plan was supplemented on April 15, August 6, and August 31, 1992; January 7, April 7, and April 19, 1993; and March 23, April 28, July 26, and October 26, 1994.

A Notice of Consideration of Issuance of an Order Authorizing Decommissioning a Facility and Opportunity for Hearing related to the requested action was published in the **Federal Register** on March 19, 1992 (57 FR 9577). The Environmental and Resources Conservation Organization (ECO), in its letter of April 20, 1992, provided comments on the proposed action and requested a hearing. On May 8, 1992, the Secretary of the Commission forwarded the request for hearing to the Atomic Safety and Licensing Board (ASLB) for further action. The ASLB issued an order which terminated the proceeding by denying standing to ECO (LBP-92-23, dated August 20, 1992). On September 8, 1992, ECO appealed this ruling to the Commission pursuant to 10 CFR 2.714(a). In CLI-93-03, dated March 3, 1993, the Commission remanded certain issues raised by ECO to the ASLB for further consideration. On June 16, 1993, the staff issued its decommissioning safety evaluation and associated environmental assessment. As allowed by CLI-93-03, on July 12, 1993, ECO submitted contentions to the ASLB on (1) adequacy of the NRC environmental assessment, (2) adequacy of the SMUD analysis of a postulated loss of offsite power, (3) adequacy of the funding plan

proposed by SMUD, and (4) adequacy of the staff safety evaluation. On November 30, 1993, the ASLB admitted only the decommissioning funding issue for litigation. On December 15, 1993, the licensee petitioned the Commission for directed certification of the funding issue. On March 1, 1994, (in CLI-94-02), the Commission declined to review the ASLB determinations on the particular issues. On August 1, 1994, ECO reached a settlement with the licensee and filed a notice of withdrawal suggesting that the ASLB terminate the proceeding. A termination order was issued by the ASLB on August 11, 1994. On September 2, 1994, (in CLI-94-14), the Commission concluded that *sua sponte* review of the matter was unwarranted and authorized the staff to issue a decommissioning order.

#### III

The NRC has reviewed the licensee application with respect to the provisions of the Commission rules and regulations and has found that decommissioning as stated in the Rancho Seco Decommissioning Plan will be consistent with the regulations in 10 CFR Ch. I, and will not be inimical to the common defense and security or to the health and safety of the public. The bases for these findings are given in the staff safety evaluation previously issued on June 16, 1993, and updated by the supplemental safety evaluation issued concurrently with this Order.

The staff concluded that this Order should contain provisions which: (1) Specify the method by which changes may be made to the FSAR (now referred to as the Defueled Safety Analysis Report or DSAR) and to the decommissioning plan; (2) require periodic updating of the FSAR/DSAR and decommissioning plan; and (3) require the licensee to maintain its fire protection program in accordance with this Order. The staff has discussed these additional provisions with the licensee and they were found to be mutually acceptable.

#### IV

Accordingly, pursuant to sections 103, 161b, 161i, and 161o, of the Atomic Energy Act of 1954 (as amended), 10 CFR 50.82, and the Commission Order

(CLI-94-14) of September 2, 1994, the Rancho Seco decommissioning plan is approved and decommissioning of the Rancho Seco Nuclear Generating Station is authorized subject to the following conditions:

(A) The licensee shall update both the decommissioning plan and the final Safety Analysis Report (FSAR), currently entitled "Defueled Safety Analysis Report" or DSAR by the Rancho Seco licensee, in accordance with the methodology specified in 10 CFR 50.71(e), except that the frequency of updates shall be at least every 2 years. With respect to changes to the facility or procedures described in the updated FSAR/DSAR or changes to the Decommissioning Plan, and the conduct of tests and experiments not described in the FSAR/DSAR, the provisions of 10 CFR 50.59 shall apply.

(B) The licensee shall maintain a fire protection program to address the potential for fires which could result in a nuclear hazard, i.e., cause the release or loss of control of radioactive materials. The objectives of the fire protection program are to: (1) Reasonably prevent such fires from occurring; (2) rapidly detect, control, and extinguish those fires which do occur; and (3) ensure that the potential hazard due to fire to the public, environment, and plant personnel is small. The fire protection program shall be assessed by the licensee on a regular basis and revised as appropriate throughout the various stages of facility decommissioning. The licensee may make changes to the fire protection program without NRC approval if the changes do not reduce the effectiveness of fire protection measures needed to prevent a nuclear hazard at the Rancho Seco facility, taking into account the decommissioning plant conditions and activities.

Pursuant to 10 CFR 51.21, 51.30, and 51.35, the Commission has prepared an Environmental Assessment and Finding of No Significant Impact for the proposed action. Based on that assessment, the Commission has determined that the proposed action will not result in any significant impact on the quality of the human environment and that an environmental impact statement needed not be prepared. The Notice of Issuance of Environmental Assessment and Finding of No Significant Impact was published in the **Federal Register** on June 23, 1993 (58 FR 34065). Comments were received from ECO and are addressed in the supplemental safety evaluation issued concurrently with this Order.

For further details with respect to this action, see: (1) The application for authorization to decommission the facility, of May 20, 1991, as supplemented April 15, August 6, August 31, 1992, January 7, April 7, April 19, 1993, March 23, April 28, July 26, and October 26, 1994; (2) the related Commission safety evaluations dated June 16, 1993 and March 20, 1995; and

(3) the Environmental Assessment and Finding of No Significant Impact of June 16, 1993. These documents are available for public inspection at the Commission Public Document Room, the Gelman Building, 2120 L Street NW, Washington, DC 20555, and at the Martin Luther King Regional Library, 7340 24th Street Bypass, Sacramento, California 95825. Copies of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Division of Project Support.

Dated at Rockville, MD, this 20th day of March 1995.

For the Nuclear Regulatory Commission.  
**William T. Russell,**  
*Director Office of Nuclear Reactor Regulation.*  
[FR Doc. 95-7572 Filed 3-27-95; 8:45 am]  
BILLING CODE 7590-01-M

[Docket No. 50-206]

**Southern California Edison Co., et al.;  
San Onofre Nuclear Generating  
Station, Unit No. 1**

Notice is hereby given that the United States Nuclear Regulatory Commission (the Commission) is reviewing the proposed corporate restructuring of San Diego Gas & Electric Company (SDG&E), one of the co-owners of San Onofre Nuclear Generating Station, Unit 1. By letter dated November 15, 1994, Richard A. Meserve of Covington & Burling, Counsel for SDG&E, informed the Commission that a corporate restructuring of SDG&E has been proposed that will result in the creation of a holding company under the temporary name SDO Parent Co., Inc. ("Parent Company") of which SDG&E would become a subsidiary. Under the restructuring, the holders of SDG&E common stock will become the holders of common stock of the Parent Company on a share-by-share basis. After the restructuring, SDG&E will continue to be a public utility providing the same utility services as it did immediately prior to the reorganization. SDG&E will continue to be a licensee of the San Onofre units, and no transfer of the operating licenses or interests in the units will result from the restructuring. Control of the operating licenses for the San Onofre units, now held by SDG&E and its co-owners, will remain with SDG&E and the same owners and will not be affected by the restructuring.

Dated at Rockville, MD, this 20th day of March 1995.

For the Nuclear Regulatory Commission.  
**Seymour H. Weiss,**  
*Project Director, Non-Power Reactors and  
Decommissioning Project Directorate,  
Division of Project Support, Office of Nuclear  
Reactor Regulation.*

[FR Doc. 95-7571 Filed 3-27-95; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-286]

**Power Authority of the State of New  
York; Environmental Assessment and  
Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR Part 50, Appendix R, "Fire Protection Program for Nuclear Power Facilities Operating Prior To January 1, 1979," Section III.J, to the Power Authority of the State of New York (the licensee) for the Indian Point Nuclear Generating Unit No. 3 (IP3), located at the licensee's site in Westchester County, New York. This exemption would be a modification of an exemption which has been previously issued on January 7, 1987.

**Environmental Assessment**

*Identification of Proposed Action*

Section III.J of 10 CFR Part 50, Appendix R, requires that emergency lighting units with at least an 8-hour battery power supply shall be provided in all areas needed for operation of safe shutdown equipment and in access and egress routes thereto.

During a programmatic review of Appendix R compliance strategy at Indian Point Nuclear Generating Unit No. 3 (IP3), the licensee identified that certain additional operator actions, which had not been included in the previous Appendix R compliance strategy, are needed. These additional operator actions are needed in the outside yard area at the condensate storage tank (RWST), and backup service water pump platform.

By letter dated January 7, 1987, the NRC previously approved an exemption from the emergency lighting requirements of Appendix R, Section III.J to allow the use of security lighting for access and egress to the Appendix R diesel generator which is also located in the outside yard. The license has, therefore, requested a modification to the exemption which was previously issued by the NRC on January 7, 1987, to extend the use of security lighting in the outside yard to include the CST,