

National Foundation on the Arts and Humanities Act of 1965, as amended, including discussion of information given in confidence to the Agency by grant applicants. In accordance with the determination of the Chairman of February 8, 1994, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5433.

Dated: April 27, 1995.

Yvonne M. Sabine,

Director, Office of Council and Panel Operations, National Endowment for the Arts.
[FR Doc. 95-10808 Filed 5-2-95; 8:45 am]

BILLING CODE 7537-01-M

**National Endowment for the Arts;
Notice of Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Dance Advisory Panel (Choreographers Fellowships Section) to the National Council on the Arts will be held on June 5-9, 1995 from 9 a.m. to 8:30 p.m. on June 5-8 and from 9 a.m. to 6 p.m. on June 9 in Room M-07, at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

A portion of this meeting will be open to the public on June 9 from 2 p.m. to 6 p.m. for a policy discussion.

The remaining portions of this meeting from 9 a.m. to 8:30 p.m. on June 5-8 and from 9 a.m. to 2 p.m. on June 9 are for the purpose of panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and Humanities Act of 1965, as amended, including information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of February 8, 1994, these sessions will be closed to the public pursuant to subsection (c) (4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels which are open to the public, and may be permitted to participate in the panel's discussions at the discretion of the Panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of Special Constituencies, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TYY 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5433.

Dated: April 27, 1995.

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[FR Doc. 95-10809 Filed 5-2-95; 8:45 am]

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**NUCLEAR REGULATORY
COMMISSION**

**Documents Containing Reporting or
Recordkeeping Requirements: Office
of Management and Budget (OMB)
Review**

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection.

SUMMARY: U.S. Nuclear Regulatory Commission (NRC) has recently submitted to the Office of Management and Budget (OMB) for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

1. Type of Submission (new, revision, or extension): Revision.

2. The title of the information collection: 10 CFR 4,

"Nondiscrimination in Federally Assisted Commission Programs."

3. The form number if applicable: Not applicable.

4. How often the collection is required: On occasion.

5. Who will be required or asked to report: Recipients of Federal financial assistance provided by the Nuclear Regulatory Commission.

6. An estimate of the number of responses: 60 per year.

7. An estimate of the total number of hours needed to complete the requirement or request: 21 hours annually (an average of .22 hours per response plus .27 hours per recordkeeper).

8. An indication of whether Section 3504(h), Pub. L. 96-511 applies: Not applicable.

9. Abstract: Recipients of NRC financial assistance provide data on procedures to provide assurance to NRC that they are in compliance with nondiscrimination policies.

Copies of the submittal may be inspected or obtained for a fee from the NRC Public Document Room, 2120 L Street, NW., (Lower Level), Washington, DC.

Comments and questions can be directed by mail to the OMB reviewer: Troy Hillier, Office of Information and Regulatory Affairs (3150-0053), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be communicated by telephone at (202) 395-3084. The NRC Clearance Officer is Brenda Jo. Shelton, (301) 415-7233.

Dated at Rockville, Maryland, this 25th day of April 1995.

For the U.S. Nuclear Regulatory Commission.

Gerald F. Cranford,

Senior Official for Information Resources Management.

[FR Doc. 95-10889 Filed 5-2-95; 8:45 am]

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[Docket No. 50-416]

**Entergy Operations Inc., (Grand Gulf
Nuclear Station, Unit No. 1); Exemption**

I

Entergy Operations, Inc., (the licensee) is the holder of Facility Operating License No. NPF-29, which authorizes operation of the Grand Gulf Nuclear Station, Unit 1. The operating license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now and hereafter in effect.

The facility consists of a boiling water reactor at the licensee's site in Claiborne County, Mississippi.

II

By letter dated August 13, 1993, as supplemented by letters dated April 15, May 11, June 24, and July 20, 1994, and April 18, 1995, pursuant to 10 CFR 50.12(a), Entergy Operations Inc. requested an exemption to Sections III.D.1(a), III.D.2, III.D.2(b)(i), III.D.2.(b)(iii) and III.D.3 of 10 CFR Part 50, Appendix J, to permit the selection of containment leakage rate testing intervals for components on the basis of performance.

Although the staff had issued an Advanced Notice of Proposed Rule Making to revise Appendix J on November 24, 1992 (57 FR 55156), the licensee stated in the August 13, 1993, submittal that the "plant specific needs

of Grand Gulf" would best be met by a plant specific submittal. The staff agreed to review the licensee's proposal in the context of the ongoing rulemaking activities. In SECY 94-036, dated February 17, 1994, the staff informed the Commission that it would review the Grand Gulf proposal because of its potential usefulness in the rulemaking process due to its scope and the technical information it provides. Testing methods were not included in the scope of the licensee's proposal. The licensee proposed changes to the frequency of testing only. The staff has reviewed the licensee's proposed exemption. The staff's safety evaluation is enclosed.

III

The licensee proposed changes to the frequency of performing Type A, B, and C tests including changes to the frequency of leakage rate testing of air locks. The test frequencies will be determined individually for each component based on previous performance. The licensee presented plant specific data and plant specific risk analyses to support the proposed changes. In addition to information supplied by the licensee, the staff, in reviewing this exemption request, utilized technical information available from the on-going Appendix J rulemaking, including NUREG-1493 "Performance-Based Containment Leak-Test Program", dated December 1994. This rulemaking will also revise the frequency of leakage rate testing so that the intervals between tests is a function of individual component performance.

Because an Appendix J rulemaking is in progress, this exemption shall be valid until startup following Refueling Outage 9.

IV

A Type A test assures that the overall or integrated leakage rate from the whole containment is below the acceptance criterion specified in Appendix J. This exemption does not change this value. Appendix J presently specifies the test frequency for a Type A test as a set of three tests, at approximately equal intervals during each 10-year service period. The licensee proposes to change the test frequency to one Type A test in 10 years. Both an analysis of the test results from operating reactors over an extended period (NUREG-1493) and a risk analysis (EPRI TR-104285, "Risk Impact Assessment of Revised Containment Leak Rate Testing Intervals") support extending the Type A test interval to once in 10 years.

The staff proposed that the exemption include a precondition before extending the Type A test. Two consecutive Type A tests must be successful before the interval is extended. This is included in the exemption. By letter dated April 18, 1995, the licensee agreed to this change. The following exemption is granted until startup from Refueling Outage (RFO) 9, currently scheduled for Spring 1998.

Exemption From Section III.D.1(a)

Type A tests shall be performed on a 10-year interval provided that the two previous consecutive Type A tests, performed on the test interval specified in Appendix J (three tests, at approximately equal intervals in a 10-year period), have been successful.

If a Type A test is failed, and the failure is not due to a Type B or C component, acceptable performance must be reestablished by performing a Type A test within 48 months of the unsuccessful Type A test. Following a successful Type A test, the surveillance frequency may be returned to once per 10 years.

In addition, the licensee must perform general inspections of the accessible interior and exterior surfaces of the containment structures, as specified in Section V.A of Appendix J, at the test interval specified in Appendix J for Type A tests, even when no Type A test is required during that outage. By letter dated April 18, 1995, the licensee agreed to this change.

There is no relationship between Type A testing and the inservice inspection (ISI) service period. This exemption will continue in effect until startup from RFO 9.

V

The licensee proposed an exemption from Sections III.D.2(a) and III.D.3 of Appendix J to permit Type B and C testing to be done based on previous performance of a component. The licensee presented data and analyses to show that the risk from using a performance-based approach to Type B and C testing is negligible. This is in agreement with the conclusions of NUREG-1493.

The licensee proposed that the test interval be determined as follows: (1) One successful test or a failure would require maintaining the present test interval of 2 years. (2) Two successful consecutive tests would permit extending the test interval to five years. (3) Three successful consecutive tests would result in increasing the test interval to 10 years. The staff does not agree with a 10-year interval. It is the staff's judgment that the licensee has not

justified the 10-year interval to the same degree of confidence as the 5-year interval. By letter dated April 18, 1995, the licensee agreed to this change.

In addition, there are certain valves which the staff considers to be so safety significant that the test interval for these valves should not be extended without prior staff review and approval. The staff has specified these valves in the exemption. By letter dated April 18, 1995, the licensee agreed to this change.

Exemption From Sections III.D.2(a) and III.D.3 of Appendix J

After two successful consecutive tests, performed at the present Appendix J test interval of no more than 2 years, a Type B or C component may be tested once every 5 years. If this test or a subsequent test is a failure, the test interval for this component shall revert to a 2-year interval until the component passes two consecutive tests. The 5-year interval may then be resumed. By letter dated April 18, 1995, the licensee agreed to this change.

Main steam isolation valves, feedwater valves and containment system supply and exhaust isolation valves shall remain on a 2-year test interval. Any change will require prior review and approval by the NRC. This exemption will continue in effect until startup from RFO 9.

VI

The licensee proposed to increase the test intervals for air locks based on the good performance of the air locks at Grand Gulf. The licensee's August 13, 1993, submittal provides a summary of test data which shows excellent performance in both air lock and air lock door seal testing.

The staff proposed an addition to the requested exemption to account for the contingency that the performance may not be maintained at this high level. If an air lock fails a test, the extended interval would revert to the Appendix J test intervals until two consecutive successful tests demonstrate that the problem has been resolved. By letter dated April 18, 1995, the licensee agreed to this change.

Exemption From Section III.D.2(b)(i) and (b)(iii)

Air locks may be leakage rate tested at intervals of no more than 2 years. If an air lock fails a leakage rate test, the air lock shall then be required to pass two consecutive leakage rate tests at a test interval of 6 months prior to returning to the 2-year test interval. During a period of frequent opening of air lock doors, the air locks shall be tested at least every 30 days. If an air

lock fails a leakage rate test during a period of frequent opening, the air lock shall be required to pass two consecutive leakage rate tests at a test interval of 72 hours prior to returning to the 30-day interval. Since the Grand Gulf air lock doors have testable seals, testing the seals fulfills the 30-day test requirement. This exemption will continue in effect until startup from RFO 9.

VII

The staff's safety evaluation, which is enclosed and summarized above, concludes that the licensee's proposed extension of Appendix J test intervals is acceptable. This exemption will remain valid until startup following Refueling Outage 9. This approval is based on the assumption that all other aspects of Appendix J testing not explicitly addressed will be conducted in accordance with Appendix J.

Section 50.12 of Title 10 of the Code of Federal Regulations, "Specific Exemptions", delineates the conditions which must be satisfied in order for the Commission to grant an exemption from the regulations of 10 CFR Part 50. The proposed exemption must not violate applicable law, it must not "present an undue risk to the public health and safety", and must be "consistent with the common defense and security". The licensee states that it believes these conditions are satisfied. The staff concurs.

In addition, 10 CFR 50.12 states that the Commission will not consider granting an exemption unless special circumstances are present. The licensee, in the August 13, 1993, submittal presented its argument as to why this exemption request meets several of the special circumstances specified in 10 CFR 50.12. It is the staff's opinion that the licensee's proposal satisfies special circumstance 50.12(a)(2)(iv). Special circumstance (iv) states that: The exemption would result in benefit to the public health and safety that compensates for any decrease in safety that may result from the grant of the exemption.

It is the staff's judgment that there is a significant public benefit to be derived from granting the licensee's exemption request to 10 CFR Part 50, Appendix J. The licensee's proposal was detailed and well thought-out and thoroughly considered the effect on safety of the proposed changes. Reviewing this exemption request was beneficial to the staff's Appendix J rulemaking effort. Granting the exemption will assist the staff in assessing the process of implementing a performance-based containment leakage rate testing rule

which, in turn, is of a clear benefit to the public. The staff considers any decrease in safety that may result from granting the exemption to be very small. This was confirmed by the risk studies discussed in Section 3 of the safety evaluation on this exemption request.

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12(a), that this exemption is authorized by law and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. In addition, the Commission has found special circumstances in that granting of this exemption will result in a benefit to public health and safety that compensates for any decrease in safety that may result from the grant of the exemption. Therefore, the Commission hereby grants the exemption from 10 CFR Part 50, Appendix J, Sections III.D.1(a), III.D.2(a) and III.D.3 and Section III.D.(b)(i) and III.D.2(b)(iii). The specific exemptions are stated as in Sections IV, V, and VI above.

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 (60 FR 19791). The exemption is effective upon issuance.

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

For the Nuclear Regulatory Commission.

Elinor G. Adensam

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

[FR Doc. 95-10887 Filed 5-2-95; 8:45 am]

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[Docket Nos. 50-445 and 50-446]

Texas Utilities Electric Co., Comanche Peak Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. NPF-87 and NPF-89, issued to Texas Utilities Electric Company (TU Electric, the licensee), for operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell County, Texas.

Environmental Assessment

Identification of Proposed Action

The proposed action would allow implementation of a hand geometry biometric system of site access control such that photograph identification badges can be taken off site.

The proposed action is in accordance with the licensee's application dated January 16, 1995 (TXX-95012), as supplemented by letters dated March 1 (TXX-95064), and April 3, 1995 (TXX-95089), for exemption from certain requirements of 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power plant reactors against radiological sabotage."

The Need for the Proposed Action

Pursuant to 10 CFR 73.55, paragraph (a), the licensee shall establish and maintain an onsite physical protection system and security organization.

Paragraph (1) of 10 CFR 73.55(d), "Access Requirements," specifies that "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 * * *"

Currently, unescorted access into protected areas of the CPSES 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 off site. In accordance with the plant's physical security plans, neither licensee employees nor contractors are allowed to take badges off site.

The licensee proposes to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at the 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 permit contractors to take their badges off site