Notice Pursuant to the National Cooperative Research and Production Act of 1993—PlantSTEP, Inc.

Notice is hereby given that, on March 10, 1995, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq* (''the Act''), PlantSTEP, Inc., has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Autodesk, Inc., Sausalito, CA; Bechtel Corporation, San Francisco, CA; Bentley Systems, Houston, TX; Black & Veatch, Overland Park, KS; CADCentre, Inc., Houston, TX; Computervision Corporation, Bedford, MA; Dassault Systems of America, Burbank, CA; Eastman Chemical Company, Kingsport, TN; E.I. DuPont & Co., Inc., Wilmington, DE; H.B. Zachry Company, San Antonio, TX; Intergraph Corporation, Huntsville, AL; Jacobus Technology Inc., Gaithersburg, MD; John Brown E&C, Houston, TX; and Sunland Fabricators, Inc., Walker, LA.

The nature and objectives of this joint venture are to undertake and develop a standard, computer-intelligible product data exchange specification.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 95–18156 Filed 7–24–95; 8:45 am]

BILLING CODE 4410–01–M

NUCLEAR REGULATORY COMMISSION

Report to Congress on Abnormal Occurrences January–March, 1995 Dissemination of Information

Section 208 of the Energy Reorganization Act of 1974, as amended, requires NRC to disseminate information on abnormal occurrences (AOs) (i.e., unscheduled incidents or events that the Commission determines are significant from the standpoint of public health and safety). During the first quarter of CY 1995, the following incident at an NRC licensed facility was determined to be an AO and is described below, together with the remedial actions taken. The event is also being included in NUREG–0090, Vol. 18, No. 1, (''Report to Congress on Abnormal Occurrences: January–March 1995''). This report will be available at NRC's Public Document Room, 2120 L Street NW. (Lower Level), Washington, DC, about three weeks after the publication date of this **Federal Register** Notice.

Other NRC Licensees (Industrial Radiographers, Medical Institutions, Industrial Users, etc.)

95–1 Medical Brachytherapy Misadministration at Welborn Memorial Baptist Hospital in Evansville, Indiana

One of the AO reporting guidelines notes that a therapeutic dose that is greater than 1.5 times the prescribed dose can be considered an abnormal occurrence.

Date and Place—November 18, 1994; Welborn Memorial Baptist Hospital, Inc.; Evansville, Indiana.

Nature and Probable Consequences—On November 18, 1994, a 73–year–old patient was prescribed to receive a brachytherapy treatment dose of 600 centigray (cGy) (600 rad) at the vaginal cavity using a GammaMed IIi high dose rate afterloading unit. However, because of a treatment error the patient received a 1250 cGy (1250 rad) dose instead of the prescribed dose.

The licensee identified the misadministration during a quality management review on November 21, 1994. The licensee reported the event to the NRC on November 22, 1994, and followed up with a written report on December 6, 1994. The referring physician was notified. The patient was notified on November 23, 1994, by the licensee's Radiation Safety Officer and was provided with a written report of the incident.

An NRC medical consultant was retained to evaluate the medical consequences of the misadministration. The medical consultant expressed concern that long term effects such as fibrosis or loss of blood supply may occur as a result of the 1250 cGy (1250 rad) treatment. The medical consultant also suggested that this case be considered for the U.S. Department of Energy (DOE), Office of Epidemiology and Health Surveillance long term medical study program. Information regarding the DOE program and a copy of the NRC medical consultant's report were provided to the referring physician.

Cause or Causes—NRC concluded that the cause of the misadministration was twofold: (1) The technologist failed to activate a button that automatically corrects for treatment time based on source decay, failed to notice a display indicating the treatment time correction that would have been entered automatically, reentered the treatment time instead, and failed to notice the error; and (2) the treatment software did not stop the technologist from proceeding after the initial error was made as it was supposed to because an integrated circuit containing the software code failed to operate.

Action Taken To Prevent Recurrence

Licensee—In order to prevent recurrence of the incident as of November 25, 1994, the licensee revised its internal ''Policy and Procedure for all HDRs'' to require both individuals operating the unit to verify the displayed time factor and compare it to the factor supplied by the manufacturer. Prior to this misadministration, the device operators were required to verify only operator entered data. Also, the unit was evaluated by the licensee's medical physicist and a GammaMed service representative. As a result of the evaluation, the printed circuit board (card) with the read-only-memory integrated circuits containing the defective software program was replaced with a card having the correct software program.

NRC—NRC conducted a safety inspection on November 30 and December 1, 1994. An interoffice review of the event was conducted through December 8, 1994, to review the circumstances of the misadministration. No violations of NRC requirements were identified. As a result of the incident, NRC contacted the manufacturer of the GammaMed IIi and sent a letter to all GammaMed IIi users to inform them of this potential problem and tell them how to test their software to prevent similar events.

* * * * *

Dated at Rockville, MD, this 19th day of July, 1995.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

[FR Doc. 95–18196 Filed 7–24–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–334 and 50–412]

Exemption

In the Matter of Duquesne Light Company; Ohio Edison Company; Pennsylvania Power Company; the Cleveland Electric Illuminating Company; and the Toledo Edison Company; (Beaver Valley Power Station, Unit Nos. 1 and 2).

I

Duquesne Light Company, et al. (the licensee) is the holder of Facility Operating Licenses Nos. DPR–66 and NPF–73, which authorize operation of

the Beaver Valley Power Station, Unit Nos. 1 and 2. The operating licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now and hereafter in effect.

The facility comprises two pressurized-water reactors at the licensee's site in Beaver County, Pennsylvania.

II

The Code of Federal Regulations at 10 CFR 73.55, ''Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,'' paragraph (a), in part, states 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.''

Paragraph (1), ''Access Requirements,'' of 10 CFR 73.55(d), specifies that ''The licensee shall control all points of personnel and vehicle access into a protected area.'' 10 CFR 73.55(d)(5) requires that ''A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort.'' 10 CFR 73.55(d)(5) 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 badge 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 February 8, 1995, as supplemented May 12, 1995, 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 from the requirements of the regulations 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 alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative 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.

Currently, employee and contractor identification badges/keycards are issued and retrieved on the occasion of each entry to and exit from the protected areas of the Beaver Valley Power Station site. Station security personnel are required to maintain control of the badges/keycards while the individuals are offsite. This practice has been in effect at Beaver Valley Power Station, Unit Nos. 1 and 2 since the operating licenses were issued. Security personnel retain each identification badge/keycard when not in use by the authorized individual, within appropriately designed storage receptacles. An individual who meets the access authorization requirements is issued an individual picture badge/keycard which allows entry into preauthorized areas of the station. While entering the plant in the present configuration, an authorized individual is ''screened'' by the required detection equipment and by the issuing security officer. Having received the picture badge/keycard, the individual proceeds to the access portal, inserts the picture badge/keycard into the card reader, and passes through the turnstile which unlocks if the present criteria are met.

This present procedure is labor intensive since security personnel are required to verify badges/keycards issuance, ensure badges/keycards retrieval, and maintain the badges/keycards in orderly storage until the next entry into the protected area. The regulations permit employees to remove their badges/keycards from the site, but an exemption from 10 CFR 73.55(d)(5) is required to permit contractors to take their badges/keycards offsite instead of returning them when exiting the site.

Under the proposed system, all individuals authorized to gain unescorted access will have the physical characteristics of their hand (hand geometry) recorded with their badge/keycard. Since the hand geometry is unique to each individual and its application in the entry screening function would preclude unauthorized use of a badge/keycard, the requested exemption would allow employees and contractors to keep their badges/keycards at the time of exiting the protected area. The process of verifying badge/keycard issuance, ensuring badge/keycard retrieval, and maintaining badges/keycards could be eliminated while the balance of the access procedure would remain intact. Firearm, explosive, and metal detection equipment and provisions for conducting searches will remain as well. The security officer responsible for the last access control function (controlling admission to the protected area) will also remain isolated within a bullet-resistant structure in order to assure his or her ability to respond or to summon assistance.

Use of a hand geometry biometrics system exceeds the present verification methodology's capability to discern an individual's identity. Unlike the photograph identification badge/keycard, hand geometry is nontransferable. During the initial access authorization or registration process, hand measurements are recorded and the template is stored for subsequent use in the identity verification process required for entry into the protected area.

Authorized individuals insert their picture badges/keycards into the card reader and the biometrics system records an image of the hand geometry. The unique features of the newly recorded image are than compared to the template previously stored in the database. Access is ultimately granted based on the degree to which the characteristics of the image match those of the ''signature'' template.

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

The access process will continue to be under the observation of security personnel. The system of identification badges/keycards will continue to be used for all individuals who are authorized access to protected areas without escorts. Badges/keycards will continue to be displayed by all individuals while inside the protected area. Addition of a hand geometry biometrics system will provide a significant contribution to effective

implementation of the security plan at the site.

IV

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.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, an exemption is authorized by law, will not endanger life or property or common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Duquesne Light Company, et al. an exemption from those requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges/keycards 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, can take their badges/keycards offsite.

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 27922). This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 18th day of July 1995.

For the Nuclear Regulatory Commission,

Steven A. Varga,

Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–18194 Filed 7–24–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–397]

Exemption

In the matter of Washington Public Power Supply System; (WPPSS Nuclear Project No. 2).

I

On December 20, 1983, the Commission issued Facility Operating License No. NPF–21 to Washington Public Power Supply System (the licensee) for the WPPSS Nuclear Project No. 2. 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.'' Section 73.55(d)(5) requires that ''a numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort.'' Section 73.55(d)(5) also states that an individual not employed by the licensee (e.g., 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 the entrance/exit location and would allow all individuals with unescorted access to keep their badge with them when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to allow personnel not employed by the licensee who have unescorted access to take their badges offsite instead of returning them when exiting the site. By letter dated March 1, 1995, 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 alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative 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.

Currently, unescorted access to the protected area of WNP–2 is controlled through the use of a photograph on a badge with a keycard attached (hereafter, these are referred to as ''the badge''). The security officers at the entrance station use the photograph on the badge to visually identify the individual requesting access. The individual is then given the badge to allow access. The badges for both licensee employees and contractor personnel who have been granted unescorted access are issued upon entrance at the access point. Another security officer in the same control area collects the badges upon exit from the protected area. The badges are then placed in a badge rack located at the badge issue station and stored at the entrance until the individual again needs access into the protected area. In accordance with 10 CFR 73.55(d)(5), individuals not employed by the licensee (e.g., contractors) are not allowed to take badges offsite.

Under the proposed system, each individual who is authorized for unescorted entry into the protected area would have the physical characteristics of their hand (hand geometry) registered with their badge number in the access control computer. Access is then initiated by the individual requesting access by placing their badge up to the card reader and their hand on a measuring surface. The computer then compares the hand geometry to that registered for the badge number. If the characteristics of the hand geometry stored in the computer match the badge number, access is granted. If the characteristics of the hand geometry do not match the badge number, access is denied. This provides a non-transferable means of identifying that the individual processing the badge is the individual who was granted unescorted access. This method also provides a positive means of assuring that a stolen or lost badge could not be used to gain access, thus eliminating the need to issue and retrieve the badges while maintaining the same high level of assurance that access is granted to only authorized individuals. All other access processes, including search function capability, would remain the same. The system will not be used for visitors requiring escorted access. The access process will continue to be under the observation of security personnel located within the