

incorporating a penalty in the Core Operating Limits Report (COLR) to account for heat flux ( $F_Q$ ) increases greater than 2 percent between measurements.

*Date of issuance:* July 20, 1995

*Effective date:* July 20, 1995

*Amendment No.:* 101

*Facility Operating License No.* NPF-30. Amendment revises the Technical Specification Surveillance Requirements and Administrative Controls.

*Date of initial notice in Federal Register:* December 21, 1994 (59 FR 65823). The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 20, 1995. No significant hazards consideration comments received: No

*Local Public Document Room location:* Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251.

**Virginia Electric and Power Company, Docket Nos. 50-280 and 50-281, Surry Power Station, Unit Nos. 1 and 2, Surry County, Virginia**

*Date of application for amendments:* November 22, 1994

*Brief description of amendments:* The amendments revised the Technical Specifications to delete unnecessary descriptive phrases regarding the number of cells in the station and emergency diesel generator batteries.

*Date of issuance:* July 11, 1995

*Effective date:* July 11, 1995

*Amendment Nos.:* 201 and 201

*Facility Operating License Nos.* DPR-32 and DPR-37: Amendments revised the Technical Specifications.

*Date of initial notice in Federal Register:* April 12, 1995 (60 FR 18630) The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated July 11, 1995. No significant hazards consideration comments received: No

*Local Public Document Room location:* Swem Library, College of William and Mary, Williamsburg, Virginia 23185.

Dated at Rockville, Maryland, this 2nd day of August, 1995.

For the Nuclear Regulatory Commission  
**Jack W. Roe, 4Director, Division of Reactor Projects - III/IV, Office of Nuclear Reactor Regulation**

[Doc. 95-18810 Filed 8-1-95; 8:45 am]

BILLING CODE 7590-01-F

[Docket No. 50-255]

**Consumers Power Company; Notice of Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by Consumers Power Company, (licensee) for an amendment to Facility Operating License No DRP-20 issued to the licensee for operation of Palisades, located in Covert Township, Van Buren County, Michigan. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on May 25, 1994 (59 FR 27053).

The purpose of the licensee's amendment request was to relocate certain Technical Specifications (TS) containing fuel cycle-specific parameter limits that can change with core reloads to a Core Operating Limits Report. Several of the TS bases have also been revised to refer to limits relocated to the COLR.

The NRC staff has concluded that the licensee's request cannot be fully granted. The removal of the power distribution measurement uncertainty factors in Table 3.23.3 and the addition of certain references to TS 6.9.1.f are denied. The licensee was notified of the Commission's denial of the proposed change by a letter dated July 26, 1995.

By September 1, 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 petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Gerald Charnoff, Esq., Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037.

For further details with respect to this action, see (1) the application for amendment dated April 7, 1994, as supplemented April 27, 1995, and (2) the Commission's letter to the licensee dated July 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, 20555 and at the Van Wylen Library, Hope College, Holland, Michigan 49423.

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

For the Nuclear Regulatory Commission.

**Marsha Gamberoni,**

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

[FR Doc. 95-18929 Filed 8-1-95; 8:45 am]

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[Docket Nos. 50-206, 50-361, 50-362]

In the Matter of Southern California Edison Company (San Onofre Nuclear Generating Station, Units 1, 2, and 3).

**Southern California Edison Co.**

**Exemption**

*I*

Southern California Edison Company (SCE or the licensee) is the holder of Facility Operating License No. DPR-13, which authorizes possession and maintenance of the San Onofre Nuclear Generating Station, Unit 1 (SONGS 1) and Facility Operating License Nos. NPF-10 and NPF-15, which authorizes operation of San Onofre Nuclear Generating Station, Units 2 and 3 (SONGS 2 and 3), respectively. The licenses provide, among other things, that the SONGS units are subject to all rules, regulations, and orders of the Commission now or hereafter in effect. The facilities consist of three pressurized water reactors at the SCE site located in San Diego County, California. SONGS 1 is permanently shut down, while Units 2 and 3 remain operational.

*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 further states that individuals not employed by the licensee (e.g., contractors) may be authorized access to protected areas without an escort provided that the individual, "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area \* \* \*."

By letter dated March 13, 1995, the licensee requested an exemption from certain requirements of 10 CFR 73.55(d)(5). Specifically, the requested exemption would allow contractors who have unescorted access to retain possession of their picture badges instead of returning them as they exit the protected area. (The existing regulations allow licensee employees authorized unescorted access to protected areas to retain their badges upon departure from the protected area.) The proposed exemption is a preliminary step towards enabling SCE to revise the SONGS security plan under 10 CFR 50.54(p) to facilitate implementation of an alternative unescorted access system which would eliminate the need for site security personnel to issue and retrieve picture badges at the entrance/exit locations to the protected area and would eventually allow all individuals (contractors and SCE employees) with unescorted access to the protected area to keep their picture badges in their possession when departing the SONGS protected area.

### 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. The Code of Federal Regulations at 10 CFR 73.55 allows the Commission to authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the proposed measures meet 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.

Currently, unescorted access into the protected area for both employee and contractor personnel into the SONGS plants is controlled through the use of picture badges. Positive identification of

personnel who are authorized and request access into the protected area is established by security personnel making a visual comparison of the individual requesting access and that individual's picture badge. In accordance with 10 CFR 73.55(d)(5), contractor personnel are not allowed to take their picture badges offsite. In addition, in accordance with the plant's physical security plan, the licensee's employees are also not allowed to take their picture badges offsite.

The proposed alternative measure, to provide an equivalent level of protection against radiological sabotage, is a system that will require that all individuals with authorized unescorted access have the physical characteristics of their hand (hand geometry) registered with their picture badge number in a computerized access control system. Therefore, all authorized individuals must not only have their picture badge to gain access to the protected area, but must also have their hand geometry confirmed. Initially, following revision to the site security plan, individuals with unescorted access will be allowed to retrieve their own badges before entering the protected area and return their badges to storage locations when existing the protected area for retrieval on their next entrance. Eventually, following changes to the security plan conducted under 10 CFR 50.54(p), all individuals, including contractors, who have authorized unescorted access into the protected area may be allowed to keep their picture badges in their possession when departing the SONGS protected area.

All other access processes, including search function capability, will remain the same. A security officer responsible for access control will continue to be positioned within a hardened structure. It should be noted that the proposed system is only for individuals with authorized unescorted access and will not be used for those individuals requiring escorts.

Sandia National Laboratories conducted testing which demonstrated that the hand geometry equipment that SCE proposed to use possesses strong performance characteristic. Details of the testing performed, available in the Sandia report, "A performance Evaluation of Biometric Identification Devices," SAND91-0276 UC-906 Unlimited Release, June 1991, demonstrated that the hand geometry equipment is capable of meeting a detection probability of 90 percent with a 95 percent confidence level. Based on the Sandia report, the false acceptance rate for the proposed hand geometry system would be at least equivalent to

that of the current photo-identification system. The site security plans will be revised in accordance with 10 CFR 50.54(p) to allow implementation of the hand geometry system.

### IV

For the foregoing reasons, the Commission has determined that the proposed alternative measure for protection against radiological sabotage meet the same high assurance objective and the general performance requirements of 10 CFR 73.55. In addition, the staff has determined that the overall level of the proposed system's performance will provide protection against radiological sabotage equivalent to that which is provided by the current system in accordance with 10 CFR 73.55.

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 Southern California Edison Company 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, can retrieve their own badges before entering the protected area and return their badges to the badge storage location when existing the protected area.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of this exemption will have no significant impact on the environment (60 FR 37110 as July 19, 1995).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 21st day of July 1995.

For the Nuclear Regulatory Commission.

**Brian K. Grimes,**

*Director, Divisions of Project Support, Office of Nuclear Reactor Regulations.*

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### Status and Notice of Availability of Two Policy Statements Concerning the Agreement State Program

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Status of policy statements and notice of availability.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is announcing the