

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement for the CPSES, Units 1 and 2, dated October 1989.

Agencies and Persons Consulted

In accordance with its stated policy, on July 20, 1995, the staff consulted with the Texas State official, Mr. Arthur Tate of the Texas Department of Health, Bureau of Radiation Control, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to this action, see the application for amendment dated August 12, 1994, which is 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 University of Texas at Arlington Library, Government Publications/Maps, 702 College, P.O. Box 19497, Arlington, TX 76019.

Dated Rockville, Maryland, this 27th day of July 1995.

For the Nuclear Regulatory Commission.

Chandu P. Patel,

Project Manager, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.
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[Docket Nos. STN 50-456 and STN 50-457]

Commonwealth Edison Company (Braidwood Station, Units 1 and 2); Exemption

I

The Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating License Nos. NPF-72 and NPF-77, which authorize operation of Braidwood Station, Units 1 and 2 (the facilities). The licenses provide, among other things, that the facilities are subject to all the rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facilities are pressurized water reactors located at the licensee's site in Will County, Illinois.

II

In 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."

In 10 CFR 73.55(d), "Access Requirements," paragraph (1), it specifies that "the licensee shall control all points of personnel and vehicle access into a protected area." Also, 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." It further states that individuals not employed by the licensee (e.g., contractors) may be authorized access to protected areas without escort provided that the individual, "receives a picture badge upon entrance into a protected area which must be returned upon exit from the protected area * * *."

The licensee proposes to implement an alternative unescorted access system which would eliminate the need to issue and retrieve picture badges at the entrance/exit location to the protected area and would allow all individuals, including contractors, to keep their picture badges in their possession when departing the Braidwood site.

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. According 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, 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 Braidwood Station, Units 1 and 2, is controlled through the use of picture badges. Positive identification of personnel which 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 off site. In addition, in accordance with the plant's physical security plan, the licensee's employees are also not allowed to take their picture badges off site.

The proposed system 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. All individuals, including contractors, who have authorized unescorted access into the protected area will be allowed to keep their picture badges in their possession when departing the Braidwood site.

All other access processes, including search function capability and access revocation, will remain the same. A security officer responsible for access control will continue to be positioned within a bullet-resistant structure. It should also 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 possesses strong performance characteristics. Details of the testing performed are in the Sandia report, "A Performance Evaluation of Biometric Identification Devices," SAND91-0276 UC-906 Unlimited Release, June 1991. Based on the Sandia report and the licensee's experience using the current photo picture identification system, the false acceptance rate for the proposed hand geometry system would be at least equivalent to that of the current system. To assure that the proposed system will continue to meet the general performance requirements of 10 CFR 73.55(d)(5), the licensee will implement a process for testing the system. The site security plans will also be revised to allow implementation of the hand

geometry system and to allow employees and contractors with unescorted access to keep their picture badges in their possession when leaving the Braidwood site.

IV

For the foregoing reasons, 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 10 CFR 73.55. In addition, the staff has determined that the overall level of the proposed systems'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 common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the following exemption:

The requirement of 10 CFR 73.55(d)(5) that individuals who have been granted unescorted access and are not employed by the licensee are to return their picture badges upon exit from the protected area is no longer necessary. Thus, these individuals may keep their picture badges in their possession upon leaving the Braidwood site.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not result in any significant adverse environmental impact (60 FR 38855).

Dated at Rockville, Maryland, this 28th day of July 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 Nos. 50-334 and 50-412]

Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company (Beaver Valley Power Station, Units 1 and 2); Exemption

I

Duquesne Light Company, et al. (the licensee), is the holder of Operating License Nos. DPR-66 and NPF-73, which authorize operation of the Beaver Valley Power Station, Units Nos. 1 and 2, at steady state reactor core power levels not in excess of 2652 megawatts thermal (per unit). The licenses provide,

among other things, that the licensee is subject to all rules, regulations and orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facilities are two pressurized water reactors located at the licensee's site in Beaver County, Pennsylvania

II

Section 50.54(o) of 10 CFR part 50 requires that primary reactor containments for water cooled power reactors be subject to the requirements of appendix J to 10 CFR part 50. Appendix J contains the leakage test requirements, schedules, and acceptance criteria for tests of the leak tight integrity for the primary reactor containment and systems and components which penetrate the containment.

Section III.D.2(b)(ii) of appendix J to 10 CFR part 50 requires that an overall air lock Type B test shall be performed on air locks opened during periods when containment integrity is not required by the plant's Technical Specifications at the end of such periods at not less than P_a (the calculated peak containment internal pressure related to the design basis accident and specified either in the technical specification or associated bases). The overall air lock Type B tests are intended to detect local leaks and measure leakage across each pressure-containing or leakage-limiting boundary of the air locks.

III

By letter dated February 4, 1994, the licensee requested an exemption to the requirements of Section III.D.2(b)(ii) of 10 CFR part 50, appendix J. The proposed exemption would permit local leak rate testing to be substituted for an overall air lock leakage test where the design permits. The exemption would be applicable to only those air lock components which are designed to be local leakage rate tested at a pressure of at least P_a . The leakage rate of each component would then be measured and verified to be within acceptable limits (i.e., containment leakage would be limited such that offsite radiation exposures will not exceed the guidelines of 10 CFR part 100 in the event of a design basis accident).

IV

The licensee presented information in support of its request for an exemption from the requirements of section III.D.2(b)(ii) of appendix J to 10 CFR part 50. The proposed exemption would allow maintenance to be performed on the air lock that could affect its sealing capability without requiring

performance of the overall air lock leakage test. The licensee indicated that performance of the overall air lock test is very time consuming and results in additional occupational radiation exposure. The proposed exemption would allow local leakage testing to be substituted for the overall air lock leakage test when the design of the components permits local leakage rate testing at a pressure of at least P_a . A leakage rate would then be measured in accordance with the requirements of appendix J. The typical air lock components which could be tested in this manner are components such as the o-ring seals on the personnel air lock door(s), the mechanical penetrations for the 18-inch escape hatches, and the equalizing valves located on each of the air lock doors. Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) The exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present whenever, according to 10 CFR 50.12(a)(2)(ii), "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. * * *" The underlying purpose of the airlock Type B testing is to ensure that each containment air lock will perform its safety function as part of the containment to control offsite radiation exposure resulting from a design basis accident. The proposed local leakage testing is sufficient to achieve the underlying purpose of the requirements of 10 CFR part 50, appendix J, section III.D.2(b)(ii) because it provides adequate assurance of the continued leak-tight integrity of the air lock(s). As a result, the application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule.

With respect to the requirements of 10 CFR 50.12(a)(1), the NRC staff has concluded that the requested action is authorized by law in that no prohibition of law exists which would preclude the activities which would be authorized by the exemption. In addition, for the reasons discussed above, the NRC staff has determined that the requested exemption does not present an undue risk to the public health and safety, is