personnel matters that relate solely to the internal personnel rules and practices of this Advisory Committee, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.

11:00 a.m.–12:30 p.m.: INPO Event Assessment Process (Open)—The Committee will hear presentations by and hold discussion with representatives of INPO regarding the process being used by INPO for reviewing and evaluating events at domestic and foreign nuclear power plants.

Representatives of the NRC staff will participate, as appropriate.

1:30 p.m.–2:00 p.m.: Future ACRS Activities (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings.

2:00 p.m.–2:15 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss responses expected from the NRC Executive Director for Operations to ACRS comments and recommendations included in recent ACRS reports.

2:15 p.m.–6:30 p.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting, as well as a proposed ACRS report on fire protection-related issues.

Saturday, September 9, 1995

8:30 a.m.–11:00 a.m.: Preparation of ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting, and on other matters noted above.

11:15 a.m.–11:30 a.m.: New Research Needs (Open)—The Committee will discuss new research needs, if any, identified during this meeting.

11:30 a.m.–12:45 p.m.: Strategic Planning (Open)—The Committee will discuss items that are of importance to the NRC which should receive additional emphasis in its future deliberations.

12:45 p.m.–1:00 p.m.: Miscellaneous (Open)—The Committee will discuss miscellaneous matters related to the conduct of Committee activities.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 5, 1994 (59 FR 50780). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during the open portions of the meeting, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch, at least five days before the meeting if possible, so that appropriate arrangements can be made to allow the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief of the Nuclear Reactors Branch prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Chief of the Nuclear Reactors Branch if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) P.L. 92–463, I have determined that it is necessary to close portions of this meeting noted above to discuss matters that relate solely to the internal personnel rules and practices of this Advisory Committee per 5 U.S.C. 552b(c)(2), and to discuss matters the release of which would constitute a clearly unwarranted invasion of personal privacy per 5 U.S.C. 552b(c)(6).

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefore can be obtained by contacting Mr. Sam Duraiswamy, Chief, Nuclear Reactors Branch (telephone 301–415–7364), between 7:30 A.M. and 4:15 P.M. EDT.

ACRS meeting notices, meeting transcripts, and letter reports are now available on FedWorld from the ''NRC MAIN MENU.'' Direct Dial Access number FedWorld is (800) 303–9672; the local direct dial number is 703–321–3339.

Proposed ACRS Meeting Dates for Remainder of CY 1995—The revised ACRS meeting dates for CY 1995 are provided below:

ACRS meeting No.	1995 ACRS meeting dates
425	October 5–7, 1995.
426	November 2–4, 1995.
427	December 7–9, 1995.

Dated: August 16, 1995.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 95–20740 Filed 8–21–95; 8:45 am]

BILLING CODE 7590–01–M

Regulatory Guides; Availability

The Nuclear Regulatory Commission is pleased to announce that regulatory guides are now available to the public at no charge. The Regulatory Guide Series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data needed by the staff in its review of applications for permits and licenses.

Comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time. Written comments may be submitted to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Regulatory guides are available for inspection at the Nuclear Regulatory Commission's Public Document Room, 2120 L Street NW., Washington, DC. Single copies of regulatory guides may be obtained free of charge by writing the Office of Administration, Attention: Distribution and Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; or by fax at (301)415–2260. Issued guides may also be purchased from the National Technical Information Service on a standing order basis. Details on this service may be obtained by writing NTIS, 5285 Port Royal Road, Springfield, VA 22161, or by calling them at (703) 487–4650. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 15th day of August 1995.

For the Nuclear Regulatory Commission.

Carlton C. Kammerer,

Director, Division of Freedom of Information and Publications Services, Office of Administration.

[FR Doc. 95–20747 Filed 8–21–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. STN 50–530]

Arizona Public Service Company, et al. (Palo Verde Nuclear Generating Station, Unit No. 3); Exemption

I

The Arizona Public Service Company, et al. (APS or the licensee) is the holder of Facility Operating License No. NPF–41, which authorizes operation of the Palo Verde Nuclear Generating Station (PVNGS), Unit No. 3. The license provides, among other things, that PVNGS, Unit 3, is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect. The PVNGS, Unit 3, facility is a pressurized water reactor located at the licensee's site in Maricopa County, Arizona.

II

Section III.D.1.(a) of Appendix J to 10 CFR Part 50 requires the performance of three Type A containment integrated leakage rate tests (ILRTs) at approximately equal intervals during each 10-year service period of the primary containment. The third test of each set shall be conducted when the plant is shut down for the 10-year inservice inspection.

III

By letter dated June 21, 1995, the licensee requested an exemption from the requirements of 10 CFR Part 50, Appendix J, Paragraph III.D.1.(a), on a one-time schedular extension which would permit rescheduling the second containment integrated leak rate test (ILRT) in the first 10-year service period from the fifth refueling outage (3R5) currently scheduled for November 1995 to the sixth refueling outage (3R6) planned for April 1997.

The current ILRT requirements for PVNGS, Unit 3, as set forth in Appendix J, are that, after the pre-operational leak rate test, a set of three Type A tests must be performed at approximately equal intervals during each 10-year period. Also, the third test of each set must be conducted when the plant is shut down for the 10-year plant inservice inspection (ISI). The first periodic Type A test was performed in May of 1991 during the second refueling outage in Unit 3 (3R2), 40 months from the date of Unit 3 commercial operation. The second periodic test is currently scheduled to be performed in November of 1995 during the fifth refueling outage (3R5), corresponding to an interval of 54 months. The third Type A test is currently planned to be performed during the seventh refueling outage (3R7) which would coincide with the completion of the first 10-year ISI interval.

The proposed exemption would allow APS to delay the Unit 3 second Type A test until the sixth refueling outage (3R6). The Type A test would tentatively be scheduled for April of 1997, and would increase the interval between the first and second Type A test from 54 months to 71 months. The third Type A test is not being altered by this exemption request and will remain scheduled for the seventh refueling outage (3R7). This exemption request proposes an increase to the interval between the first and second Type A test but does not alter the frequency of testing (three Type A tests performed in a ten year period) during the first 10 year ISI interval.

IV

The previous testing history at PVNGS, Unit 3, provides substantial justification for the proposed test interval extension. Type A testing is performed to determine that the total leakage from primary containment does not exceed the maximum allowable leakage rate (L_a) as specified in the PVNGS, Unit 3, technical specifications (TS). The primary containment maximum allowable leakage rate provides an input assumption to the calculation required to ensure that the maximum potential offsite dose during a design basis accident does not result in a dose in excess of that specified in 10 CFR Part 100. The allowable L_a for PVNGS, Unit 3, is 0.10 percent by weight of the containment air per 24 hours at P_a, where P_a is defined as the calculated peak internal containment pressure related to the design basis accident, specified in the PVNGS TS as 49.5 psig. The acceptance criteria for the Type A test is 75 percent of L_a or 0.075 percent by weight of the containment air per 24 hours at P_a.

The licensee performed a plant-specific study concluding that the extension of the Type A test has a negligible impact on overall risk. This study relied heavily on the existing Type B and C testing program which is not affected by this exemption, and will continue to effectively detect containment leakage.

Additionally, the licensee stated that its exemption request meets the requirements of 10 CFR 50.12, paragraphs (a)(2)(ii) (the underlying purpose of the regulation is achieved).

The licensee categorized mechanisms that could cause degradation of the containment into two types: (1) degradation due to work which is performed as part of a modification or maintenance activity on a component or system (activity based); or (2) degradation resulting from a time based failure mechanism (i.e., deterioration of the containment structure due to pressure, temperature, radiation, chemical or other such effects). To address the potential degradation due to an activity based mechanism, the licensee reviewed containment system related modifications performed since the last Type A test. The licensee concluded that the modifications performed did not impact containment integrity, or the modifications have, or will be, tested adequately to ensure that there is no degradation from an activity based mechanism. In addition, the licensee maintains administrative controls which ensure that an appropriate retest, including local leak rate testing, if applicable, is specified for maintenance activities which affect primary containment integrity.

Regarding time based failure mechanisms, the licensee concluded that risk of a non-detectable increase in the primary containment leakage is considered negligible due to the 10 CFR Part 50, Appendix J, Type B and C testing program. The licensee stated that without actual accident conditions, structural deterioration is a gradual phenomenon which requires periods of time well in excess of the proposed 71-month test interval which would result by performing the second periodic Type A test during 3R6. Other than accident conditions, the only external mechanism inducing stress of the containment structure is the test itself. The licensee maintains that the longer test interval would, therefore, lessen the frequency of stressing the containment.

Additionally, the licensee has performed the general inspections of the accessible interior and exterior surfaces of the containment structures and components prior to the previous Type A tests, as required by 10 CFR Part 50, Appendix J, Section V.A. These inspections are intended to uncover any evidence of structural deterioration which may affect either the containment structural integrity or leak tightness. At PVNGS, Unit 3, there has been no evidence of structural deterioration that would impact structural integrity or leak tightness. Although the containment inspections required by Appendix J are limited in scope, they provide an important added level of confidence. The licensee has committed to perform the general containment inspection as originally scheduled, during the upcoming 3R5.

The preoperational and first periodic Type A tests performed in Unit 3 both passed the acceptance criteria with

adequate margin. The test results were 0.0521 and 0.062 percent by weight of the containment air per 24 hours at P_a, respectively. The Type A test results were confirmatory of the Type B and C tests, and demonstrate that PVNGS Unit 3 is a low-leakage containment. A test report for each of the Type A tests was submitted to the Commission for staff review in accordance with the reporting requirements of 10 CFR 50, Appendix J, Section V.B.

The 10 CFR 50, Appendix J, Type B tests are intended to detect local leaks and to measure leakage across pressure containing or leakage limiting-boundaries other than valves, such as, containment penetrations incorporating resilient seals, gaskets, doors, hatches, etc. The 10 CFR 50, Appendix J, Type C tests are intended to measure primary containment isolation valve leakage rates. The frequency and scope of Type B and C testing are not being altered by this proposed exemption request. The acceptance criteria for Type B and C testing is 0.6 L_a, or 0.06 percent by weight of the containment air per 24 hours at P_a. This acceptance criteria (0.6 L_a) is for the sum of all valves and penetrations subject to Type B and C testing and represents a considerable portion of the Type A test allowable leakage. The test results of the combined Type B and C leakage rates for Unit 3 were shown in a table on the licensee's exemption request submittal.

The Unit 3 test results are substantially below the allowable acceptance criteria for the combined Type B and C leakage rates. These test results demonstrate a good historic performance of the containment integrity system. The Type B and C testing program is not being altered by this exemption request and will continue to effectively detect containment leakage caused by activity based or time based failure mechanisms.

A plant-specific analysis for PVNGS was performed to evaluate the potential for extending the Type A test frequency. The PVNGS, Unit 3, plant-specific analysis considered the extension of the interval to as much as 240 months. The conclusion of the analysis was that the extension of the Type A test interval has a negligible impact on overall risk. The licensee's exemption request does not alter the frequency for performance of Type A testing (i.e., it still maintains a frequency of 3 tests per 10 years). However, the licensee maintains that the data from this study support the requested exemption from the requirement of 10 CFR Part 50, Appendix J, regarding ''approximately equal intervals.'' The interval between the first and second Type A tests would be 71 months with this exemption. The PVNGS, Unit 3, plant-specific analysis supports the use of a 240-month interval with a negligible impact on overall risk.

The licensee referenced 10 CFR 50.12(a)(2)(ii) as a basis for this exemption. This section defines such a circumstance where ''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 10 CFR Part 50, Appendix J, Section III.D.1.(a), is to establish and maintain a level of confidence that any primary containment leakage, during a hypothetical design basis accident, will remain less than or equal to the maximum allowable value, L_a, by performing periodic Type A testing. Compliance with the ''approximately equal intervals'' clause of Appendix J is not necessary to achieve the underlying purpose of the rule, as explained in the above technical justification.

V

The Commission has determined that, pursuant to 10 CFR 50.12(a)(1), this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determined, for the reasons discussed below, that special circumstances, as provided in 10 CFR 50.12(a)(2)(ii), are present justifying the exemption; namely, that application of the regulation in the particular circumstances is not necessary to achieve the underlying purpose of the rule. The underlying purpose of the requirement to perform Type A containment leak rate tests at intervals during the 10-year service period is to ensure that any potential leakage pathways through the containment boundary are identified within a time span that prevents significant degradation from continuing or becoming unknown. The NRC staff has reviewed the basis and supporting information provided by the licensee in the exemption request. The NRC staff has noted that the licensee has a good record of ensuring a leak-tight containment. All Type A tests have passed with adequate margin. The licensee has also noted that the results of the Type A testing have been confirmatory of the Type B and C tests (which will continue to be performed). Additionally, the licensee has committed to perform the general containment inspection during the upcoming refueling outage (3R5), thereby providing an added level of confidence in the continued integrity of the containment boundary.

The NRC staff has also made use of a draft staff report, NUREG–1493, which provides the technical justification for the present Appendix J rulemaking effort which also includes a 10-year test interval for Type A tests. The integrated leakage rate test, or Type A test, measures overall containment leakage. However, operating experience with all types of containments used in this country demonstrates that essentially all containment leakage can be detected by local leakage rate tests (Type B and C). According to results given in NUREG–1493, out of 180 ILRT reports covering 110 individual reactors and approximately 770 years of operating history, only 5 ILRT failures were found which local leakage rate testing could not detect. This is three percent of all failures. This study agrees with previous NRC staff studies which show that Type B and C testing can detect a very large percentage of containment leaks. The PVNGS–3 experience has also been consistent with this.

The Nuclear Management and Resources Council (NUMARC), now the Nuclear Energy Institute (NEI), collected and provided the NRC staff with summaries of data to assist in the Appendix J rulemaking effort. NUMARC collected results of 144 ILRTs from 33 units; 23 ILRTs exceeded 1.0 L_a. Of these, only nine were not due to Type B or C leakage penalties. The NEI data also added another perspective. The NEI data show that in about one-third of the cases exceeding allowable leakage, the as-found leakage was less than 2 L_a; in one case the leakage was found to be approximately 2 L_a; in one case the as-found leakage was less than 3 L_a; one case approached 10 L_a; and in one case the leakage was found to be approximately 21 L_a. For about half of the failed ILRTs, the as-found leakage was not quantified. These data show that, for those ILRTs for which the leakage was quantified, the leakage values are small in comparison to the leakage value at which the risk to the public starts to increase over the value of risk corresponding to L_a (approximately 200 L_a, as discussed in NUREG–1493).

Based on generic and plant-specific data, the NRC staff finds that the licensee's proposed one-time exemption allowing APS to delay the Unit 3 second Type A test until the sixth refueling outage (3R6), which would increase the interval between the first and second Type A test from 54 months to 71 months, is acceptable.

Pursuant to 10 CFR 51.32, the Commission has determined that

granting this exemption will not have a significant impact on the human environment (60 FR 42189).

This exemption is effective upon issuance and shall expire at the completion of the 3R6 refueling outage.

Dated at Rockville, Maryland, this 16th day of August 1995.

For the Nuclear Regulatory Commission.

Jack W. Roe,

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

[FR Doc. 95–20749 Filed 8–21–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket No. 50–400]

Carolina Power & Light Company; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Carolina Power & Light Company (the licensee) to withdraw its March 20, 1995 application for proposed amendment to Facility Operating License No. NPF–63 for the Shearon Harris Nuclear Power Plant, Unit No. 1, located in New Hill, North Carolina 27562.

The proposed amendment would have revised the technical specifications to allow the relocation of cycle-specific Overpower and Overtemperature Delta T trip setpoint parameters to the Core Operating Limits Report. The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on April 26, 1995 (60 FR 20515). However, by letter dated August 3, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated March 20, 1995, and the licensee's letter dated August 3, 1995, which withdrew the application for license amendment. The above documents are 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 Cameron Village Regional Library, 1930 Clark Avenue, Raleigh, North Carolina 27605.

Dated at Rockville, Maryland, this 16th day of August 1995.

For the Nuclear Regulatory Commission.

Ngoc B. Le,

Project Manager, Project Directorate II–1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–20744 Filed 8–21–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–277 and 50–278]

PECO Energy Company; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment Nos. 209 and 213 to Facility Operating Licenses Nos. DPR–44 and DPR–56 issued to PECO Energy Company (the licensee), which revised the Technical Specifications for operation of the Peach Bottom Atomic Power Station, Units 2 and 3, located in York County, Pennsylvania. The amendment is effective as of the date of issuance.

The amendment modified the Technical Specifications to provide for an increased allowed out-of-service time for the Peach Bottom emergency diesel generators based on the availability of a power tie-line from the Conowingo Hydroelectric Station.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing in connection with this action was published in the **Federal Register** on June 7, 1995 (60 FR 30120). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of the amendment will not have a significant effect on the quality of the human environment (60 FR 40866).

For further details with respect to the action see (1) the application for amendment dated April 7, 1994 and supplemented by letters dated June 2 and September 6, 1994 and June 16 and July 13, 1995, (2) Amendment Nos. 209/213 to Licenses Nos. DPR–44 and DPR–56, (3) the Commission's related Safety Evaluation, and (4) the Commission's Environmental Assessment. All of these items are 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 Government Publications Section, State Library of Pennsylvania, (REGIONAL DEPOSITORY) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania.

Dated at Rockville, Maryland, this 16th day of August 1995.

For the Nuclear Regulatory Commission.

Joseph W. Shea,

Project Manager, Project Directorate I–2, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–20743 Filed 8–21–95; 8:45 am]

BILLING CODE 7590–01–P

[Docket Nos. 50–352 and 50–353]

Pennsylvania Power and Light Company (Susquehanna Steam Electric Station, Units 1 and 2); Exemption

I

Pennsylvania Power and Light Company (the licensee), is the holder of Facility Operating License Nos. NPF–14 and NPF–22, which authorize operation of the Susquehanna Steam Electric Station (SSES), Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now and hereafter in effect. The facilities consist of two boiling water reactors located in Luzerne 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 of the primary reactor containment and systems and components which penetrate the containment. Sections II.H.4 and III.C.2(a) of Appendix J to 10 CFR Part 50 require leak rate testing of Main Steam Isolation Valves (MSIVs) at the calculated peak containment pressure related to the design basis accident, and Section III.C.3 requires that the measured leak rates be included in the combined local leak rate test results. The proposed deletion of the MSIV Leakage Control System (LCS), and proposed use of an alternate leakage pathway affects the description of an existing exemption which allows the leak rate testing of the MSIVs at a reduced pressure and the exclusion of