exemption to Appendix J for Palisades on September 17, 1987. The exemption stated that if the conditions of the Plan were met, and the next scheduled Type A test was successfully completed, then normal resumption of the Type A test frequency would be allowed. The two following Type A tests (11/88 and 2/91) passed with significant margin and the licensee has noted that the LLRT Correction Action Plan was successful in eliminating original plant design, maintenance, and testing deficiencies. In addition, the licensee notes that the results of the Type A testing have been confirmatory of the Type B and C tests which will continue to be performed. The licensee has stated that it will perform the general containment inspection although it is required by Appendix J (Section V.A.) to be performed only in conjunction with Type A tests. The NRC staff considers that these inspections, though limited in scope, provide an important added level of confidence in the continued integrity of the containment boundary.

The Palisades containment structure consists of a post-tensioned, reinforced concrete cylinder and dome connected to and supported by a reinforced concrete foundation slab. The containment structure is designed to ensure that leakage will not exceed 0.1% per day by weight at the peak pressure of the design basis accident. A concrete shield building surrounds the containment vessel, providing a shield building annulus between the two structures. Penetrations of the containment vessel for piping, electrical conductors, ducts, and access hatches are provided with double barriers against leakage.

The NRC staff has also made use of the information in a draft staff report, NUREG–1493, ''Performance-Based Containment Leak-Test Program,'' 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 ILRT, 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 LLRTs (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 3% of all failures. This study agrees well with previous NRC staff studies which show that Type B and C testing can detect a very large percentage of containment leaks. The Palisades Plant experience has also been consistent with these results.

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 $1L_a$. Of these, only nine were not 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 $2L_a$; in one case the leakage was found to be approximately $2L_a$; in one case the as-found leakage was less than $3L_a$; one case approached $10L_a$; and in one case the leakage was found to be approximately $21L_a$. 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 $200L_a$, as discussed in NUREG–1493). Therefore, based on these considerations, it is unlikely that an extension of one cycle for the performance of the Appendix J, Type A test at the Palisades Plant would result in significant degradation of the overall containment integrity. As a result, the application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule, and compliance would impose excess cost and undue hardship. Therefore, special circumstances exist pursuant to 10 CFR 50.12(a)(2) (ii) and (iii).

Based on the generic and plant-specific data, the NRC staff finds the basis for the licensee's proposed one-time schedular exemption to allow an extension of one cycle for the performance of the Appendix J, Type A test, provided that the general containment inspection is performed, to be acceptable, pursuant to 10 CFR 50.12(a) (1) and (2).

Pursuant to 10 CFR 51.32, the Commission has determined that granting this exemption will not have a significant effect on the quality of the human environment (60 FR 30115).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 14th day of June 1995.

For the Nuclear Regulatory Commission.

John N. Hannon,

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

[FR Doc. 95–15143 Filed 6–20–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–424–OLA–3 50–425–OLA–3; Re: License Amendment (Transfer to Southern Nuclear) ASLBP No. 96–671–01–OLA–3]

Atomic Safety and Licensing Board; Notice (Evidentiary Hearing)

In the matter of Georgia Power Company, *et al.* (Vogtle Electric Generating Plant, Units 1 and 2)

Before Administrative Judges: Peter B. Bloch, Chair; Dr. James H. Carpenter; Thomas D. Murphy.

Pursuant to 10 CFR 2.752, the public evidentiary hearing will continue at 9 am on July 6–8, 1995, at the Hearing Room (T 3 B45), Two White Flint North, 11545 Rockville Pike, Rockville, Maryland.

The purpose of the hearing is to receive evidence concerning alleged misrepresentations about diesel generators at the Vogtle Nuclear Power Plant. The hearing is expected to continue at 9 am on July 11–14 and 17–20 at: Savannah Rapids Pavilion, 3300 Evans-to-Locks road, Martinez, Georgia 30907, (706) 868–3349 or 3431.

The Board anticipates the possibility that the July 11–14 hearing days may be rescheduled to be held at the hearing room in Rockville, Maryland.

For the Atomic Safety and Licensing Board.

Peter B. Bloch,

Chair, Rockville, Maryland.

[FR Doc. 95–15134 Filed 6–20–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–443 (License No. NPF–86]]

North Atlantic Energy Service Corp. (Seabrook Station, Unit No. 1); Exemption

I

North Atlantic Energy Service Corporation (North Atlantic or the licensee) is the holder of Facility Operating License No. NPF–86, which authorizes operation of Seabrook Station, Unit No. 1 (the facility or Seabrook), at a steady-state reactor power level not in excess of 3411 megawatts thermal. The facility is a pressurized water reactor located at the licensee's site in Rockingham County, New Hampshire. The license provides among other things, that it is subject to

all rules, regulations, and Orders of the U.S. Nuclear Regulatory Commission (the Commission or NRC) now or hereafter in effect.

II

Part 73 of Title 10 of the *Code of Federal Regulations* prescribes the requirements for the physical protection of plants and materials. Paragraph 10 CFR 73.55(a), *Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,* states, in part, ''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 safety.''

Paragraph 10 CFR 73.55(d)(1), *Access Requirement,* specifies that ''The licensee shall control all points of personnel and vehicle access into a protected area.'' Paragraph 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.'' Paragraph 73.55(d)(5) allows an individual not employed by the licensee to be authorized access to protected areas without escort provided, among other requirements, the individual receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area.

North Atlantic plans to implement a biometric 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 retain their badge when leaving the protected area.

An exemption from a requirement of 10 CFR 73.55(d)(5) is required to allow North Atlantic to permit individuals who have unescorted access but who are not employees of North Atlantic to retain their badges instead of returning them when leaving the protected area. By letter dated October 17, 1994, North Atlantic requested an exemption from a requirement of 10 CFR 73.55(d)(5) for this purpose. Supplemental information was submitted by North Atlantic by letters dated February 13, 1995, April 26, 1995, and May 12, 1995.

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 (1) authorized by law and will not endanger life or property or the common defense and security, and (2) 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 that the overall level of protection of system performance provides equivalent protection against radiological sabotage as would otherwise be provided and meets the general performance requirements of the regulation.

Currently, unescorted access into the protected area of Seabrook is controlled through the use of a numbered picture badge and a separate keycard attached to the badge. The security personnel at the entrance to the protected area use the photograph on the badge to confirm visually the identify of the individual requesting access. The individual is then given the badge and keycard to allow access. The badge and keycard are returned for storage when the individual leaves the protected area. The same procedure is used for issuing and retrieving badges and keycards for both North Atlantic employees and individuals who are not North Atlantic employees who have been granted unescorted access. Thus, the requirement of 10 CFR 73.55(d)(5) that individuals not employed by the licensee are not allowed to take badges from the protected area is met in that no individual is allowed to take a badge or keycard from the protected area.

Under the biometric access control system, the physical characteristics of the hand (hand geometry) of each individual who is authorized for unescorted entry into the Seabrook protected area will be registered with the individual's badge number and keycard number in the access control computer. Access is controlled by placing the individual's keycard into the card reader causing the access control computer to retrieve the hand geometry template registered with the keycard. Next, the hand of the individual requesting access is placed on a measuring surface; the computer then compares the measured hand geometry to the hand geometry template registered with the keycard. If the characteristics of the measured hand geometry match the template stored in the computer, access is granted. If the characteristics do not match, access is denied. This provides a nontransferable means of identifying that the individual possessing the keycard is the individual who was granted unescorted access. It also provides a positive means of assuring that a lost or stolen badge and/or keycard could not be used to gain access, thus eliminating the need to issue and retrieve the badges and keycards 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 persons requiring escorted access. The access process will continue to be under the observation of security personnel located within a hardened cubicle who have final control over the release of the station entrance turnstiles. A numbered picture badge visual identification system will continue to be used for all individuals who are authorized unescorted access to the protected area. Badges will continue to be displayed by all individuals while inside the protected area.

North Atlantic will use hand geometry equipment which will meet the detection probability of 90 percent with a 95 percent confidence level. Testing evaluated by Sandia National Laboratory (Sandia Laboratory report, ''A Performance Evaluation of Biometric Identification Devices,'' SAND91–0276 UC–906 Unlimited Release, Printed June 1991), demonstrated that the proposed hand geometry system is capable of meeting this detection probability and confidence level. Based upon the results reported in the Sandia report and on North Atlantic's experience with the current photo-identification system, North Atlantic asserts that the biometric access control system will increase reliability above that of the current system. North Atlantic will implement a testing program to ensure that the biometric access control system will maintain the expected level of system performance. The Physical Security Plans for the site will be revised to include implementation and testing of the biometric access control system and to allow North Atlantic employees and other individuals authorized unescorted access to retain their badges and keycards when leaving the protected area.

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 have the same high assurance objective and meets 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 North Atlantic Energy Service Corporation an exemption from the requirement of 10 CFR 73.55(d)(5) relating to the returning of picture badges upon exit from the protected area such that individuals who are authorized unescorted access into the protected area but who are not employed by North Atlantic, can take their badges from the protected area.

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 30118).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 14th day of June 1995.

For the Nuclear Regulatory Commission.

Steven A. Varga,

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

[FR Doc. 95–15139 Filed 6–20–95; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 40–0299]

Receipt of Application From Umetco Minerals Corporation To Amend License Condition 59 of Source Material License SUA–648

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of licensee request to amend source material license.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has received, by letter dated April 21, 1995, an application from Umetco Minerals Corporation (Umetco) to amend License Condition (LC) 59 of Source Material License No. SUA–648.

The license amendment application proposes to modify LC 59 to change the completion dates for four site-reclamation milestones. The new dates proposed by Umetco would extend completion of (1) placement of final radon barrier on the A–9 Impoundment by one year, and (2) placement of erosion protection on the Inactive Impoundment, the A–9 Impoundment, and the Heap Leach Impoundment by one year.

FOR FURTHER INFORMATION CONTACT: Mohammad W. Haque, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415–6640.

SUPPLEMENTARY INFORMATION: The portions of LC 59 with the proposed changes would read as follows:

A. (3) Placement of final radon barrier designed and constructed to limit radon emissions to an average flux of no more than 20 pCi/m^2/s above background:

For the A–9 Impoundment—December 31, 1996.

B. (1) Placement of erosion protection as part of reclamation to comply with Criterion 6 of 10 CFR Part 40:

For the Inactive Impoundment—December 31, 1997.

For the A–9 Impoundment—December 31, 1997.

For the Heap Leach Impoundment—December 31, 1997.

Umetco's application to amend LC 59 of Source Material License SUA–648, which describes the proposed changes to the license condition and the reason for the request is being made available for public inspection at the Commission's Public Document Room at 2120 L Street, NW. (Lower Level), Washington, DC 20555. The licensee and any person whose interest may be affected by the issuance of this license amendment may file a request for hearing. A request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the publication of this notice in the **Federal Register**; be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852); be served on the licensee (Umetco Minerals Corporation, P.O. Box 1029, Grand Junction, Colorado 81502); and must comply with the requirements set forth in the Commission's regulations, 10 CFR 2.105 and 2.714. The request for hearing must set forth with particularity the interest of the petitioner in the proceedings and how that interest may be affected by the results of the proceedings, including the reasons why the request should be granted, with particular reference to the following factors:

1. The nature of the petitioner's right under the Atomic Energy Act, to be made a party to the proceedings;

2. The nature and extent of the petitioner's property, financial or other interest in the proceedings; and

3. The possible effect on the petitioner's interest, of any order which may be entered in the proceedings.

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

Dated at Rockville, Maryland, this 14th day of June 1995.

John O. Thoma,

Acting Chief, High-Level Waste and Uranium Recovery Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 95–15136 Filed 6–20–95; 8:45 am]

BILLING CODE 7590–01–M

PHYSICIAN PAYMENT REVIEW COMMISSION

Request for Proposals

AGENCY: Physician Payment Review Commission.

ACTION: Notice.

The Physician Payment Review Commission is soliciting proposals to conduct a telephone interview of Medicare beneficiaries who are either enrolled in or disenrolled from a Medicare managed care plan. The survey's purpose is to gather information about these beneficiaries' experiences with Medicare managed care, particularly on beneficiary access to care. This notice describes the application procedures, general policy considerations, and criteria to be used in reviewing applications for prospective grants and contracts submitted to the Commission.

Background on the Commission

The Physician Payment Review Commission was established in 1986 (P.L. 99–272) to advise the U.S. Congress on physician payment policy under Part B of the Medicare program, and its mandate was later expanded to include consideration of a broader set of interrelated policies affecting the financing, quality, and delivery of health services. The 13-member Commission brings together the perspectives of physicians and other health professionals, consumers and the elderly, purchasers, managed care organizations, and experts in health services and health economics research. The Commission maintains a multidisciplinary staff that conducts and manages all the analytical work that supports its recommendations to the Congress.

The Commission submits an annual report to the Congress on March 31. It also submits a series of reports in May of each year concerning Medicare expenditures and fee updates, access to care, the financial liability of Medicare