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 preset 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 then 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 Consolidated Edison Company of New York, Inc. 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 56357). This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 1st day of November 1995.

For the Nuclear Regulatory Commission.

Steven A. Varga,

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

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[Docket No. 50–155]

Consumers Power Company (Big Rock Point Plant); Exemption

I

Consumers Power Company (CPCo, the licensee) is the holder of Facility Operating License No. DPR–6 which authorizes operation of the Big Rock Point Plant. The facility consists of a boiling water reactor located at the licensee's site in Charlevoix County, Michigan. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II

Pursuant to 10 CFR 50.12(a), the NRC may grant exemptions from the requirements of the regulations (1) which are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) where special circumstances are present.

Section 50.54(o) of 10 CFR requires that all licensees meet the requirements of Appendix J to Part 50—Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors. Paragraph III.D.2(b)(i) of Appendix J to 10 CFR Part 50 requires that containment air locks be tested at an internal pressure not less than peak pressure (P_a), which is 23 psig for Big Rock Point.

III

By letter dated October 4, 1994, as supplemented September 27, 1995, Consumers Power Company (the licensee) requested an exemption from the Appendix J requirement to test the air lock (escape lock) at P_a. Currently, the containment emergency (or escape) air lock at Big Rock Point is tested at a pressure of 2 psig. Therefore, the explicit requirement of paragraph III.D.2(b)(i) of Appendix J is not met. The requested exemption is required because of the emergency air lock manufacturer's restrictions on internal pressurization and the Big Rock Point design which necessitates frequent personnel entries. The licensee stated

that the escape air lock internal pressurization is limited by the manufacturer to 2 psig without a strongback and 5 psig with a strongback in place, thereby making pressurization to peak pressure impossible for local leak rate tests. In addition, the licensee stated that the required use of a strongback for the 5-psig test and its positioning on the inside of the lock which tends to assist the door in sealing is less conservative than the 2-psig test for the inner door. The 5-psig test has no significant increase in value. Therefore, the licensee believes that the escape air lock's performance is demonstrated with the local leak rate test at 2 psig.

As stated above, due to the manufacturer's restriction on internal pressurization, Big Rock Point has been conducting the local leak rate test of the escape air lock at 2 psig. In addition, since the reduced-pressure test is employed, the results of the 2-psig leakage test are extrapolated to the equivalent P_a test results to determine acceptability, as required by the Big Rock Point Technical Specifications. Moreover, the as-found leakage observed during the past 4 years' tests has been acceptably low. Based on the above, the staff concludes that testing the escape air lock at 2 psig, in accordance with the manufacturer's recommendations, would provide an acceptable alternative to strict compliance with the applicable Appendix J requirements. The conclusion is further supported by the past good leakage rate performance. The alternative actions proposed by the licensee in the exemption request provide reasonable assurance that airlock leakage will not exceed acceptable levels. Therefore, granting this exemption does not significantly affect the risk of facility accidents.

Thus, the staff concludes that an exemption from the requirements of paragraph III.D.2(b)(i) of Appendix J to 10 CFR Part 50 should be granted. The Commission further determines 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 leakage rate testing of escape air lock at P_a is to measure leakage at conditions representative of the design basis accident. The escape air lock internal pressurization at Big Rock Point is limited to the manufacturer recommendation of 2 psig. In addition, the 2-psig leakage tests are extrapolated to the equivalent P_a test results to determine acceptability, as required by the Big Rock Point Technical Specifications. The testing history and the structural capability of the containment establish that there is significant assurance that testing the emergency air lock at 2 psig will not adversely impact the leak tight integrity of the containment and that test is representative of the design basis accident. Therefore, the emergency air lock at P_a is not necessary to achieve the underlying purpose of Appendix J.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, and will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances as provided in 10 CFR 50.12(a)(2)(ii) are present justifying the exemption. Therefore, the Commission hereby grants an exemption from the requirement of paragraph III.D.2(b)(i) of Appendix J to 10 CFR Part 50 to the extent that the containment emergency air lock test will be conducted at 2 psig.

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 57025).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 14th day of November 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. 50–413 and 50–414]

Duke Power Company, et al.; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF–35 and NPF–52 issued to Duke Power Company, et al. (the licensee) for operation of the Catawba Nuclear Station, Units 1 and 2, located in York County, South Carolina.

The proposed amendments would modify Section 6.0, ''Administrative Controls,'' of the licensee's Catawba, McGuire, and Oconee nuclear stations, which have been submitted as a joint application. A summary description is provided as follows.

The requested amendments remove the specific assignment of responsibilities for the review, distribution, and approval activities contained in the Technical Review and Control Section of each station's Technical Specifications. The proposed specifications state that these activities will be performed by a knowledgeable individual/organization. Approval of the affected documents is to be at the appropriate manager/superintendent level as specified in Duke administrative controls.

The requested amendments move the requirement for the review of proposed changes in the stations' Technical Specifications and Operating Licenses by the Duke Nuclear Safety Review Board (NSRB) to Duke administrative procedures (Selected Licensee Commitments documents) and change the wording of the requirements covering NSRB meeting frequency.

The requested amendments add Technical Review and Control Program implementation and Plant Operations Review Committee (PORC) implementation to the list of required procedures and programs for each nuclear station.

The requested amendments change or clarify certain Technical Specification administrative requirements covering technical review and control activities or records retention requirements.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendments requested involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below: (It should be noted that the licensee submitted a combined