

lock fails a leakage rate test during a period of frequent opening, the air lock shall be required to pass two consecutive leakage rate tests at a test interval of 72 hours prior to returning to the 30-day interval. Since the Grand Gulf air lock doors have testable seals, testing the seals fulfills the 30-day test requirement. This exemption will continue in effect until startup from RFO 9.

## VII

The staff's safety evaluation, which is enclosed and summarized above, concludes that the licensee's proposed extension of Appendix J test intervals is acceptable. This exemption will remain valid until startup following Refueling Outage 9. This approval is based on the assumption that all other aspects of Appendix J testing not explicitly addressed will be conducted in accordance with Appendix J.

Section 50.12 of Title 10 of the Code of Federal Regulations, "Specific Exemptions", delineates the conditions which must be satisfied in order for the Commission to grant an exemption from the regulations of 10 CFR Part 50. The proposed exemption must not violate applicable law, it must not "present an undue risk to the public health and safety", and must be "consistent with the common defense and security". The licensee states that it believes these conditions are satisfied. The staff concurs.

In addition, 10 CFR 50.12 states that the Commission will not consider granting an exemption unless special circumstances are present. The licensee, in the August 13, 1993, submittal presented its argument as to why this exemption request meets several of the special circumstances specified in 10 CFR 50.12. It is the staff's opinion that the licensee's proposal satisfies special circumstance 50.12(a)(2)(iv). Special circumstance (iv) states that: The exemption would result in benefit to the public health and safety that compensates for any decrease in safety that may result from the grant of the exemption.

It is the staff's judgment that there is a significant public benefit to be derived from granting the licensee's exemption request to 10 CFR Part 50, Appendix J. The licensee's proposal was detailed and well thought-out and thoroughly considered the effect on safety of the proposed changes. Reviewing this exemption request was beneficial to the staff's Appendix J rulemaking effort. Granting the exemption will assist the staff in assessing the process of implementing a performance-based containment leakage rate testing rule

which, in turn, is of a clear benefit to the public. The staff considers any decrease in safety that may result from granting the exemption to be very small. This was confirmed by the risk studies discussed in Section 3 of the safety evaluation on this exemption request.

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12(a), that 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. In addition, the Commission has found special circumstances in that granting of this exemption will result in a benefit to public health and safety that compensates for any decrease in safety that may result from the grant of the exemption. Therefore, the Commission hereby grants the exemption from 10 CFR Part 50, Appendix J, Sections III.D.1(a), III.D.2(a) and III.D.3 and Section III.D.(b)(i) and III.D.2(b)(iii). The specific exemptions are stated as in Sections IV, V, and VI above.

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 19791). The exemption is effective upon issuance.

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

For the Nuclear Regulatory Commission.

**Elinor G. Adensam**

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

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[Docket Nos. 50-445 and 50-446]

### **Texas Utilities Electric Co., Comanche Peak Steam Electric Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. NPF-87 and NPF-89, issued to Texas Utilities Electric Company (TU Electric, the licensee), for operation of the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell County, Texas.

#### **Environmental Assessment**

##### *Identification of Proposed Action*

The proposed action would allow implementation of a hand geometry biometric system of site access control such that photograph identification badges can be taken off site.

The proposed action is in accordance with the licensee's application dated January 16, 1995 (TXX-95012), as supplemented by letters dated March 1 (TXX-95064), and April 3, 1995 (TXX-95089), for exemption from certain requirements of 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power plant reactors against radiological sabotage."

##### *The Need for the Proposed Action*

Pursuant to 10 CFR 73.55, paragraph (a), the licensee shall establish and maintain an onsite physical protection system and security organization.

Paragraph (1) of 10 CFR 73.55(d), "Access Requirements," specifies that "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 also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected areas without escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area \* \* \*"

Currently, unescorted access into protected areas of the CPSES is controlled through the use of a photograph on a combination badge and keycard. (Hereafter, these are referred to as badges). The security officers at the entrance station use the photograph on the badge to visually identify the individual requesting access. The badges for both licensee employees and contractor personnel who have been granted unescorted access are issued upon entrance at the entrance/exit location and are returned upon exit. The badges are stored and are retrievable at the entrance/exit location. In accordance with 10 CFR 73.55(d)(5), contractor individuals are not allowed to take badges off site. In accordance with the plant's physical security plans, neither licensee employees nor contractors are allowed to take badges off site.

The licensee proposes to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at the entrance/exit location and would allow all individuals with unescorted access to keep their badges with them when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to permit contractors to take their badges off site