verification process. Potential loss of a badge by an individual, as a result of taking the badge 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 coupled with their associated access control cards will continue to be used for all individuals who are authorized access to protected areas without escorts. Badges 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 each 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, as long as the licensee uses the hand geometry access control system, the Commission hereby grants Entergy Operations, Inc. an exemption from those requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges 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 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 30116). This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 7th 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 No. 50–278]

Exemption; Notice

In the matter of PECO Energy Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, Atlantic City Electric Company (Peach Bottom Atomic Power Station, Unit 3)

I

PECO Energy Company, et al. (PECo, the licensee), is the holder of Facility Operating License No. DPR–56, which authorizes operation of the Peach Bottom Atomic Power Station (PBAPS), Unit 3. The license provides, 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 PBAPS, Unit 3, facility consists of a boiling water reactor located in York County, Pennsylvania.

II

Section 50.54(o) of 10 CFR Part 50 requires that primary reactor containments for water cooled power reactors by 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. Section III.D.1 of Appendix J to 10 CFR Part 50 requires that a set of three Type A tests shall be performed, at approximately equal intervals during each 10-year service period. The third test of each set shall be conducted when the plant is shut down for the 10-year plant inservice inspections (ISI). The Type A test is defined in 10 CFR Part 50, Appendix J, Section II.F, as ''tests intended to measure the primary reactor containment overall integrated leakage rate (1) after the containment has been completed and is ready for operation, and (2) at periodic intervals thereafter.'' The 10-year service period begins with the inservice date.

III

In its letter dated November 21, 1994, the licensee requested an exemption from the Commission's regulations. The subject exemption is from a requirement in Appendix J to 10 CFR Part 50 that a set of three Type A tests (Containment Integrated Leak Rate Tests (CILRTs)) be performed, at approximately equal intervals, during each 10-year service period. The exemption applies to the second 10-year service period; subsequent service periods are not changed.

The request for a one-time exemption would allow an extension of the second 10-year Type A test service period and would allow the performance of the three Type A tests in the second 10-year service period at intervals that are not approximately equal. It does not affect the third 10-year service period.

In its submittal, the licensee provided a table of historical leak test results for PBAPS Unit 3. Within the second 10-year service period, satisfactory Type A tests were performed in January 1986 and November 1989. In addition, an additional satisfactory Type A test was performed in December 1991 following certain plant modifications.

Current Technical Specifications (TS) and 10 CFR Part 50, Appendix J, would require the licensee to perform a Type A test during Unit 3 refueling outage 10 (3R010) scheduled for September 1995 in order to comply with the requirements to perform three Type A tests within the current service period at approximately equal intervals.

Furthermore, 10 CFR Part 50, Appendix J, also requires the licensee to perform a type A test during the next refueling outage (Unit 3 refueling outage 11 (3R011) scheduled for September 1997) in order to comply with the requirement of 10 CFR Part 50, Appendix J, Section III.D.1, that the third test be performed when the plant is shut down for the 10-year inservice inspections. The current 10-year ISI period ends in November 1997 and ISI inspections are scheduled for September 1997. Therefore, to fully comply with Appendix J, the licensee would have to perform CILRTs during the tenth and eleventh refueling outages for Unit 3.

The licensee proposed to perform the next Unit 3 Type A test during Unit 3 refueling outage 11 scheduled to start in September 1997. The effect of this proposal would be to extend the current Appendix J 10-year service period that would result in the interval between successive Type A tests being extended to approximately 70 months. Strict compliance with Section III.D.1 would require the interval between successive Type A tests to be approximately 40 months.

The licensee performed a review of the history of the PBAPS Unit 3 Type A test results to evaluate the risk of activity-based and time-based degradation. This review identified three activity-based component failures detected during past Type A tests. The measured mass point and total time leakage rates measured for the April 1977 CILRT stabilized at approximately 1.1% wt/day, which failed to meet the