

picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." It further states that individuals not employed by the licensee (e.g., contractors) may be authorized access to protected areas without an escort provided that the individual, "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area * * *."

By letter dated March 13, 1995, the licensee requested an exemption from certain requirements of 10 CFR 73.55(d)(5). Specifically, the requested exemption would allow contractors who have unescorted access to retain possession of their picture badges instead of returning them as they exit the protected area. (The existing regulations allow licensee employees authorized unescorted access to protected areas to retain their badges upon departure from the protected area.) The proposed exemption is a preliminary step towards enabling SCE to revise the SONGS security plan under 10 CFR 50.54(p) to facilitate implementation of an alternative unescorted access system which would eliminate the need for site security personnel to issue and retrieve picture badges at the entrance/exit locations to the protected area and would eventually allow all individuals (contractors and SCE employees) with unescorted access to the protected area to keep their picture badges in their possession when departing the SONGS protected area.

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 authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. The Code of Federal Regulations at 10 CFR 73.55 allows the Commission to authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the proposed measures meet 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.

Currently, unescorted access into the protected area for both employee and contractor personnel into the SONGS plants is controlled through the use of picture badges. Positive identification of

personnel who are authorized and request access into the protected area is established by security personnel making a visual comparison of the individual requesting access and that individual's picture badge. In accordance with 10 CFR 73.55(d)(5), contractor personnel are not allowed to take their picture badges offsite. In addition, in accordance with the plant's physical security plan, the licensee's employees are also not allowed to take their picture badges offsite.

The proposed alternative measure, to provide an equivalent level of protection against radiological sabotage, is a system that will require that all individuals with authorized unescorted access have the physical characteristics of their hand (hand geometry) registered with their picture badge number in a computerized access control system. Therefore, all authorized individuals must not only have their picture badge to gain access to the protected area, but must also have their hand geometry confirmed. Initially, following revision to the site security plan, individuals with unescorted access will be allowed to retrieve their own badges before entering the protected area and return their badges to storage locations when exiting the protected area for retrieval on their next entrance. Eventually, following changes to the security plan conducted under 10 CFR 50.54(p), all individuals, including contractors, who have authorized unescorted access into the protected area may be allowed to keep their picture badges in their possession when departing the SONGS protected area.

All other access processes, including search function capability, will remain the same. A security officer responsible for access control will continue to be positioned within a hardened structure. It should be noted that the proposed system is only for individuals with authorized unescorted access and will not be used for those individuals requiring escorts.

Sandia National Laboratories conducted testing which demonstrated that the hand geometry equipment that SCE proposed to use possesses strong performance characteristic. Details of the testing performed, available in the Sandia report, "A performance Evaluation of Biometric Identification Devices," SAND91-0276 UC-906 Unlimited Release, June 1991, demonstrated that the hand geometry equipment is capable of meeting a detection probability of 90 percent with a 95 percent confidence level. Based on the Sandia report, the false acceptance rate for the proposed hand geometry system would be at least equivalent to

that of the current photo-identification system. The site security plans will be revised in accordance with 10 CFR 50.54(p) to allow implementation of the hand geometry system.

IV

For the foregoing reasons, the Commission has determined that the proposed alternative measure for protection against radiological sabotage meet the same high assurance objective and the general performance requirements of 10 CFR 73.55. In addition, the staff has determined that the overall level of the proposed system's performance will provide protection against radiological sabotage equivalent to that which is provided by the current system in accordance with 10 CFR 73.55.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5 this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Southern California Edison Company 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 retrieve their own badges before entering the protected area and return their badges to the badge storage location when exiting the protected area.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of this exemption will have no significant impact on the environment (60 FR 37110 as July 19, 1995).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 21st day of July 1995.

For the Nuclear Regulatory Commission.

Brian K. Grimes,

Director, Divisions of Project Support, Office of Nuclear Reactor Regulations.

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Status and Notice of Availability of Two Policy Statements Concerning the Agreement State Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Status of policy statements and notice of availability.

SUMMARY: The Nuclear Regulatory Commission (NRC) is announcing the