Bulletin Board on FedWorld. The bulletin board may be accessed using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet. Background documents on the rulemaking are also available for downloading and viewing on the bulletin board.

If using a personal computer and modem, the NRC subsystem on FedWorld can be accessed directly by dialing the toll free number: 1–800–303–9672. Communication software parameters should be set as follows: parity to none, data bits to 8, and stop bits to 1 (N, 8, 1). Using ANSI or VT–100 terminal emulation, the NRC NUREGs and RegGuides for Comment subsystem can then be accessed by selecting the ''Rules Menu'' option from the ''NRC Main Menu.'' For further information about options available for NRC at FedWorld consult the ''Help/Information Center'' from the ''NRC Main Menu.'' Users will find the ''FedWorld Online User's Guides'' particularly helpful. Many NRC subsystems and databases also have a ''Help/Information Center'' option that is tailored to the particular subsystem.

The NRC subsystem on FedWorld can also be accessed by a direct dial phone number for the main FedWorld BBS: 703–321–8020; Telnet via Internet: fedworld. gov (192.239.93.3); File Transfer Protocol (FTP) via Internet: ftp.fedworld.gov (192.239.92.205); and World Wide Web using: http://www.fedworld.gov (this is the Uniform Resource Locator (URL)).

If using a method other than the toll free number to contact FedWorld, the NRC subsystem will be accessed from the main FedWorld menu by selecting the ''F—Regulatory, Government Administration and State Systems,'' then selecting ''A—Regulatory Information Mall.'' At that point, a menu will be displayed that has an option ''A—U.S. Nuclear Regulatory Commission'' that will take you to the NRC Online main menu. You can also go directly to the NRC Online area by typing ''/go nrc'' at a FedWorld command line. If you access NRC from FedWorld's main menu, you may return to FedWorld by selecting the ''Return to FedWorld'' option from the NRC Online Main Menu. However, if you access NRC at FedWorld by using NRC's toll-free number, you will have full access to all NRC systems, but you will not have access to the main FedWorld system. For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415–5780; e-mail AXD3@nrc.gov.

Although a time limit is given for comments on this draft, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC. Requests for single copies of draft guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Director, Distribution and Mail Services Section. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 22nd day of December 1994.

For the Nuclear Regulatory Commission.

**Frank A. Costanzi,**

*Deputy Director, Division of Regulatory Applications, Office of Nuclear Regulatory Research.*

[FR Doc. 95–921 Filed 1–12–95; 8:45 am]

BILLING CODE 7590–01–M

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**[Docket No. 50–277]**

## Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, Atlantic City Electric Company, Peach Bottom Atomic Power Station, Unit 2; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of PECO Energy Company (the licensee) to withdraw its April 6, 1994 application for proposed amendment to Facility Operating License No. DPR–44 for the Peach Bottom Atomic Power Station, Unit No. 2, located in York County, Pennsylvania.

The proposed amendment would have revised the facility technical specifications to reflect incorporation of the end-of-cycle recirculation pump trip (EOC–RPT) and installation of an adjustable speed drive for the recirculation pumps.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on April 28, 1994 (59 FR 22011). However, by letter dated December 29, 1994, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated April 6, 1994, supplemental letters dated July 6, July 15, August 17 and August 28, 1994, and the licensee's letter dated December 29, 1994, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Government Publications Section, State Library of Pennsylvania, (Regional Depository) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 9th day of January 1995.

For the Nuclear Regulatory Commission.

**Joseph W. Shea,**

*Project Manager, Project Directorate, Division of Reactor Projects—Office of Nuclear Reactor Regulation.*

[FR Doc. 95–922 Filed 1–12–95; 8:45 am]

BILLING CODE 7590–01–M

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**[Docket No. 50–286]**

## Power Authority of the State of New York; Indian Point Nuclear Generating Unit No. 3; Exemption

**I**

The Power Authority of the State of New York (the licensee) is the holder of Facility Operating License No. DPR–64, which authorizes operation of the Indian Point Nuclear Generating Unit No. 3 (IP3). 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 or hereafter in effect.

The facility consists of a pressurized water reactor at the licensee's site located in Westchester County, New York.

**II**

By letter dated November 30, 1993, as supplemented July 6, 1994, the licensee requested an exemption from the requirements of 10 CFR Part 50, Appendix R, Section III.G.2, which specifies requirements to ensure that one train of redundant equipment necessary to achieve and maintain hot shutdown remains free of fire damage. Specifically, the licensee requested an exemption from Section III.G.2.f such that the redundant wide-range steam

generator water level sensing lines and the redundant pressurizer level sensing lines, located inside containment, need not be separated by noncombustible radiant energy shields.

The steam generator water level and the pressurizer water level are parameters needed to achieve and maintain safe shutdown following a fire. The wide-range steam generator water level sensing lines and the pressurizer level sensing lines transmit pressure changes from the steam generator and the pressurizer to their respective pressure transmitters.

The redundant wide-range steam generator sensing lines are routed within 20 feet of each other at elevation 48′–0″ (Fire Zone 70A). The lines run vertically along a wall from elevation 48′–0″ to their respective transmitters, which are located in a common instrument rack at elevation 68′–0″ (Fire Zone 70A). At this point, the sensing lines are separated by about 2 feet. The three redundant pressurizer level sensing lines are spaced about 8 feet apart at elevation 117′–0″ (Fire Zone 86A). From here the lines are routed down the outside of the concrete structure surrounding the pressurizer. At elevation 95′–0″ (Fire Zone 86A) the lines penetrate the floor and continue down the inside of the crane wall to the elevation of their respective low level sensing lines. At this point, each reference leg is paired with its variable leg. The redundant lines then run in opposite directions along the inside of the crane wall until they penetrate the wall at approximately the 65′–0″ elevation (Fire Zone 70A). The sensing lines enter a common instrument rack on elevation 68′–0″ (Fire Zone 87A).

The cables inside containment are rubber insulated with a glass/asbestos braided jacket. As reported in a fire test that was transmitted to the NRC by letter dated November 22, 1982, and accepted in NRC Safety Evaluation dated February 2, 1984, the cables will not propagate a fire to any significant degree.

Fire detection inside containment in Fire Zones 70A, 77A, and 71A at elevation 68′0″ includes four photo electric smoke detectors, one mounted above each reactor coolant pump. Fire suppression at this elevation includes nine carbon dioxide extinguishers and three water hose stations. In Fire Zones 70A and 71A, at elevation 46 feet, there are four water hoses, five carbon dioxide extinguishers, and three photoelectric smoke detectors located in the penetration area.

Section III.G.2 of Appendix R to 10 CFR Part 50 provides options for the protection of cables and equipment and associated nonsafety circuits of redundant trains located inside noninerted containments. Certain segments of the wide-range steam generator water level sensing lines and the pressurizer level sensing lines are not provided with the level of fire protection required by Section III.G.2 of Appendix R to 10 CFR Part 50. The licensee has requested an exemption from Section III.G.2.f which specifies that such equipment be separated by a noncombustible radiant energy shield.

**III**

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security and (2) when special circumstances are present as set forth in 10 CFR 50.12(a)(2).

The staff was concerned that the lack of radiant energy shields between these redundant trains of instrument sensing lines could result in erroneous pressurizer or steam generator level indications in the event of a fire. The wide-range steam generator sensing lines are routed within 20 feet of each other starting at elevation 48′–0″ (Fire Zone 70A) up into the transmitter at elevation 68′–0″ (Fire Zone 70A). With the exception of reactor coolant pump lube oil (discussed below), the maximum fire severity of the in-situ combustibles located within 20 feet of the wide-range steam generator sensing lines is less than 6 minutes. A fire involving these combustibles would be of limited magnitude and extent. In addition, the smoke and hot gases from the fire would be directed upwards into the higher elevations of the containment and away from the sensing lines. Therefore, the staff does not believe that these in-situ combustibles present a threat to the sensing lines. A transient combustible fire appears to be the only type of fire that could directly expose the wide-range steam generator lines, because transient combustibles can only be placed in the vicinity of the lines at the instrument rack where they converge (Instrument Rack 21). The licensee has addressed this potential transient fire exposure by providing a radiant energy shield in the front of the instrument rack that will protect one channel of steam generator wide-level instrumentation from a floor-based transient combustible fire at elevation 68′–0″.

The three pressurizer sensing lines are spaced approximately 8 feet apart from their initiation point at elevation 117′–0″ (Fire Zone 86A) down the outside of the concrete structure surrounding the pressurizer down to the 95′–0″ level. After penetrating the 95′–0″ level (Fire Zone 86A) they are routed down the inside of the crane wall (Fire Zone 70A) to the elevation of their respective low-level sensing lines. The reference leg is paired with its variable leg. The redundant lines then run in opposite directions along the inside of the crane wall until they penetrate the wall at about the 65′–0″ elevation (Fire Zone 70A). Their route is terminated upon entering a common instrument rack (Fire Zone 87A).

A fire involving the cables in the vicinity of the pressurizer sensing lines could expose the sensing lines to elevated temperatures. However, it is expected that a cable fire in the vicinity of the sensing lines will not damage the sensing lines because of the large open containment and the limited potential for flame propagation along the cables.

Each of the four reactor coolant pumps is provided with a seismically designed oil collection system that collects oil from pressurized and unpressurized oil leakage sites from the reactor coolant pump lube oil system. This provides reasonable assurance that a lube oil leak will be contained by the oil collection system. The oil collection system should prevent escaping oil from reaching potential hot surfaces which will significantly reduce the probability of a fire.

Fire detection and manual fire suppression is available in the vicinity of the sensing lines. In the event of a fire, it is expected that the detector will alarm and the fire brigade will respond to extinguish the fire in its incipient stages.

On the basis of its evaluation, the NRC staff concludes that a postulated fire in the vicinity of the redundant wide-range steam generator water level sensing lines and the redundant pressurizer level sensing lines in containment Fire Zones 70A, 77A, and 86A would not prevent the operators from achieving and maintaining safe shutdown. The NRC staff also concludes that the level of fire protection provided for the wide-range steam generator water level sensing lines and the pressurizer level sensing lines is adequate and that the lack of radiant energy shields is an acceptable exemption from the technical requirements of Section III.G.2.f of Appendix R to 10 CFR Part 50.

In summary, the licensee has established that special circumstances

are present. The exemption request satisfies the criteria of 10 CFR 50.12(a)(2)(ii) as follows: The underlying purpose of the rule is to ensure that safe shutdown can occur notwithstanding the possibility of a fire. Application of the rule is not necessary to achieve the underlying purpose because with respect to the possibility of a fire affecting safe shutdown, (1) the fixed combustible loading in containment is insignificant and the location of the sensing lines are remote from the fixed combustibles that do exist; (2) automatic smoke detectors are installed above each of the reactor coolant pumps; (3) personnel access to the containment is restricted during power operations, thus, the potential for transient combustible material to accumulate is low; (4) the inherent fire retardant properties of the power cables used in containment would minimize fire propagation; and, (5) the effects of a fire inside containment are bounded by the worst case loss-of-coolant accident analysis, thus safe shutdown would be achievable.

**IV**

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12, that (1) the Exemption as described in Section III is authorized by law, will not endanger life or property, and is otherwise in the public interest and (2) special circumstances exist pursuant to 10 CFR 50.12(a)(2)(ii). Therefore, the Commission hereby grants the following Exemption:

(1) The Power Authority of the State of New York is exempt from the requirement of 10 CFR Part 50, Appendix J, Section III.G.2.f, to the extent that the redundant wide-range steam generator water level sensing lines and the redundant pressurizer level sensing lines, located inside containment, need not be separated by noncombustible radiant energy shields.

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 (59 FR 11810).

This Exemption is effective upon issuance.

Dated at Rockville, Maryland, this 5th day of January 1995.

For the Nuclear Regulatory Commission.

**Herbert N. Berkow,**

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

[FR Doc. 95–923 Filed 1–12–95; 8:45 am]

BILLING CODE 7590–01–M

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

**[Docket No. 301–96]**

## Initiation of Section 302 Investigation Regarding Policies and Practices of the Government of Colombia Concerning the Exportation of Bananas to the European Union; Request for Public Comment

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of determination regarding initiation of investigation under section 302(b)(1)(A) of the Trade Act of 1974, as amended (19 U.S.C. 2412 (b)(1)(A)); request for written comments.

**SUMMARY:** The United States Trade Representative (USTR) has initiated an investigation under section 302(b)(1)(A) of the Trade Act of 1974, as amended (the Trade Act), with respect to certain acts, policies and practices of the Government of Colombia affecting U.S. companies that export bananas from Colombia to the European Union. USTR invites written comments from the public on the matters being investigated.

**DATES:** This investigation was initiated on January 9, 1995. Written comments from the public are due on or before 12 noon, on Friday, February 10, 1995.

**ADDRESSES:** Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20506.

**FOR FURTHER INFORMATION CONTACT:** Edward Kaska, Director for European Services and Agriculture, (202) 395–3320; or Irving Williamson, Deputy General Counsel, (202) 395–3432.

**SUPPLEMENTARY INFORMATION:** Section 302(b)(1)(A) of the Trade Act authorizes the USTR to initiate an investigation under chapter 1 of Title III of the Trade Act (commonly referred to as ''Section 301''), with respect to any matter in order to determine whether the matter is actionable under section 301. Matters actionable under section 301 include, inter alia, acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce.

On September 2, 1994, Chiquita Brands International, Inc. and the Hawaii Banana Industry Association filed a petition pursuant to section 302(a) of the Trade Act alleging that various policies and practices of the European Union (EU), Colombia, Costa Rica, Nicaragua and Venezuela concerning trade in bananas are discriminatory, unreasonable and burden or restrict United States commerce. In particular, the petition alleged that the March 29, 1994 Framework Agreement on Bananas between the EU and Colombia, Costa Rica, Nicaragua and Venezuela (Framework Agreement) aggravated the harm caused by the EU banana import regime and provided for the implementation of discriminatory measures against the U.S. banana companies.

On October 17, 1994, pursuant to section 302(a) of the Trade Act, the USTR initiated an investigation of the EU practices referred to in the petition, but decided not to initiate an investigation of the practices of Colombia, Costa Rica, Nicaragua and Venezuela because they had not yet implemented the Framework Agreement. The USTR called upon these governments to withdraw from the Framework Agreement before its implementation, and to seek reform of the EU's banana policy in a manner consistent with the EU's obligations under the GATT and the Agreement Establishing the World Trade Organization.

On December 1, 1994, the Government of Colombia issued Decree 2655, which governs banana exports from Colombia to the EU from January 1, 1995 through March 31, 1995 and implements the Framework Agreement.

Accordingly, on January 9, 1995, the USTR determined that an investigation should be initiated under section 302(b)(1)(A) of the Trade Act to determine whether, as a result of Colombia's implementation of the Framework Agreement, the policies and practices of Colombia regarding the exportation of bananas to the EU are unreasonable and discriminatory and burden or restrict U.S. commerce. On January 9, 1995, the USTR also initiated such an investigation regarding these policies and practices.

**Investigation and Consultations**

Pursuant to section 303(a) of the Trade Act, the USTR has requested consultations with the Government of Colombia concerning the issues under investigation. UUTR will seek information and advice from the appropriate committees established pursuant to section 135 of the Trade Act in preparing the U.S. presentations for such consultations.

Within 12 months after the date on which this investigation was initiated (i.e., on or before January 9, 1996), pursuant to section 304 of the Trade Act the USTR must determine, on the basis of the investigation and the consultations, whether any act, policy, or practice described in section 301 of the Trade Act exists and, if that determination is affirmative, determine