DOE's responsibility is to promote and protect the radiological health and safety of the public and workers and to provide for the common defense and security at the leased portion of the DOE-owned gaseous diffusion plants. These responsibilities are performed pursuant to the guidelines established in the Safety Basis and Framework for DOE Oversight of the Gaseous Diffusion Plants (Appendix A to the Regulatory Oversight Agreement); and the conducting of inspections, reviews, investigations, and enforcement actions, in accordance with the Regulatory Oversight Agreement.

IV. OSHA Responsibilities

OSHA is responsible for administering the requirements of the Occupational Safety and Health Act of 1970 (the OSH Act, 29 U.S.C. 651 *et. seq.*). Under the OSH Act, every employer has a general duty to furnish each employee a place of employment which is free from recognized hazards which may cause death or serious physical harm; employers are also required to comply with specific OSHA standards, regulations, and other requirements.

The Energy Policy Act of 1992 specifically makes all OSHA requirements, including all injunctive and administrative enforcement remedies, applicable to USEC facilities notwithstanding the limitations otherwise imposed on OSHA enforcement by section 4(b)(1) of the Occupational Safety and Health Act. Additionally, the Energy Policy Act specifically waives any immunity which might otherwise be applicable to USEC, 42 U.S.C. Section 2297b–11(c) (1992). Therefore, OSHA requirements applicable to working conditions within the gaseous diffusion facilities administered by USEC or its subcontractors are not subject to preemption by regulations issued by other federal agencies.

Accordingly, OSHA will enforce all applicable standards, rules and requirements including, but not limited to, the standards on ionizing radiation hazards, 29 CFR 1910.96; control of hazardous energy sources, 29 CFR 1910.147; hazardous waste operations and emergency response, 29 CFR 1910.120; hazard communication, 29 CFR 1910.1200; and, the general duty clause. It is the intention of OSHA and DOE to coordinate their regulatory and oversight activities in a manner which avoids, to the extent possible, the imposition of inconsistent obligations on USEC.

V. Coordination Procedures

In recognition of the agencies' authorities and responsibilities enumerated above, the following procedures will be followed:

A. Referrals

1. Although DOE does not conduct inspections of industrial safety in the course of inspections of nuclear safety and safeguards and security, DOE Regulatory Oversight personnel may identify occupational safety or health concerns within the area of OSHA responsibility. In such instances:

a. Employee complaints received by DOE regarding issues that are within OSHA's purview will be immediately referred to OSHA, and the identity of the complaining employee shall not be disclosed to any employer by either OSHA or DOE.

b. All other safety and health concerns within OSHA's purview identified by DOE will be referred to USEC management in writing for expedient correction. DOE will provide the same information on these concerns to local union bargaining representatives of the USEC contractor employees.

c. Serious hazards within OSHA's purview will be reported to OSHA if uncorrected. DOE will periodically advise OSHA on the number and nature of serious hazards referred to USEC for correction.

2. OSHA Regional Offices will inform the DOE Regulatory Oversight Manager of matters which are in DOE's purview when such matters are identified during OSHA safety and health inspections or through complaints (identification of the complaining employee shall not be disclosed by DOE or OSHA). OSHA will provide the same information on these concerns to local union bargaining representatives of the USEC contractor employees.

a. The following are examples of reportable concerns:

(1) Insufficient security control affecting nuclear or radiological health and safety.

(2) Improper posting of radiation areas.

(3) Hazardous conditions relating to radiological or nuclear safety.

B. Inspections

1. DOE and OSHA will not normally conduct joint inspections at the gaseous diffusion plants. However, under certain conditions, such as investigations or inspections following accidents or resulting from reported activities as discussed in paragraph V. A., it may be mutually agreed on a case-by-case basis that joint investigations are appropriate.

2. The processing of uranium materials at the gaseous diffusion plants may present overlapping chemical and nuclear operation safety hazards which can best be evaluated by joint DOE–OSHA assessments.

C. Coordination

1. DOE and OSHA will, to the fullest extent possible, cooperate and coordinate at all organizational levels to develop and carry out information exchange, technical and professional assistance, referrals of alleged violations, and related matters concerning compliance and law enforcement activity to ensure the health and well-being of the workforce and the general public.

2. Resolution of policy issues concerning agency jurisdiction and operations will be coordinated by appropriate DOE and OSHA staff with input from the Office of the Solicitor. DOE and OSHA will designate points of contact for carrying out interface activities.

3. The whistleblower protection provisions of the Energy Reorganization Act, 42 U.S.C. Section 5851, as well as those in section 11(c) of the OSH Act, 29 U.S.C. Section 660(c), are applicable to employees of USEC and contractors at USEC administered facilities.

VI. Effective Date, Amendment, and Termination

This agreement shall become effective when signed by both parties. It may be modified or amended by written agreement between the parties. Such amendments shall become part of, and shall be attached to, this agreement. This agreement shall remain effective until terminated by either party upon 30 days written notice to the other, or until completion of the transition from DOE Regulatory Oversight to NRC enforcement of radiological safety and health matters at USEC facilities. The parties agree that if the transition process is not completed by October 1, 1995, the parties will review this MOU and make a decision on whether to renew, revise, reissue, or terminate the MOU.

Dated: December 21, 1994.

Joseph A. Dear,

Assistant Secretary, Occupational Safety and Health Administration.

Dated: December 21, 1994.

Tara O'Toole, M.D., M.P.H.

Assistant Secretary, Environment, Safety and Health.

[FR Doc. 95–2341 Filed 1–30–95; 8:45 am]

BILLING CODE 4610–26–M

NATIONAL CAPITAL PLANNING COMMISSION

Washington, DC, Sports and Entertainment Arena; Intent to Prepare Environmental Assessment; Public Meeting

AGENCY: National Capital Planning Commission.

ACTION: Proposed construction and operation of a sports and entertainment arena in Washington, DC; addendum to notice of public meeting.

SUMMARY: On January 13, 1995, the National Capital Planning Commission in conjunction with the District of Columbia Government published a notice of a public meeting for the purpose of determining significant issues related to the alternatives and potential impacts associated with the proposed construction and operation of a sports and entertainment arena. The meeting, to be held on February 13, 1995, will serve as part of the formal environment review/scoping process for the preparation of the environmental document that is required for the project pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA).

As described in the earlier notice, this meeting will also serve to provide an opportunity for the public to comment on the historic preservation issues raised by the proposed project. This public participation is pursuant to Section 106 of the National Historic Preservation Act (16 USC 470f) and its implementing regulations at 36 CFR Part 800. Information concerning the time, place and purpose of the meeting can be found in the earlier notice at 60 FD 3273.

FOR FURTHER INFORMATION CONTACT: National Capital Planning Commission, 801 Pennsylvania Avenue, NW., Suite 301, Washington, D.C. 20576, Attention: Ms. Sandra H. Shapiro, General Counsel, Phone: (202) 724–0174.

Ms. Sandra H. Shapiro,

General Counsel, National Capital Planning Commission.

[FR Doc. 95–2338 Filed 1–30–95; 8:45 am]

BILLING CODE 7502–02–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–35268; File No. SR–CSE–95–01]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by Cincinnati Stock Exchange, Inc. Relating to Designated Dealer Market Quotations Requirements

January 24, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 17, 1995, the Cincinnati Stock Exchange, Inc. (''CSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CSE hereby proposes to amend Rule 11.9 by revising spread parameter requirements for Designated Dealers (''DDs''), which have been part of the Exchange's quality market policy, and by imposing new requirements on market quotes entered by DDs.

The text of the proposed rule change to CSE Rule 11.9(c) is as follows, with additions in italics:

Interpretations and Policies:

.01 Except during unusual market conditions or as otherwise permitted by an Exchange Official, the maximum allowable spread that may be entered by a Designated Dealer in a particular security shall be 125% (rounded out to the next 1/8 point increment) of the average of the three narrowest applicable spreads in that security. Applicable spreads shall include the inside quote of CSE and all ITS Participant market centers. In no event shall the maximum allowable spread that a Designated Dealer is required to quote be less than 1/4 point. Nothing in this paragraph, however, shall prohibit a Designated Dealer from entering a quote whose bid/ask spread is less than 1/4 point.

.02 Designated Dealers shall not furnish bid-asked quotations that are generated by an automated quotation tracking system (such as the Autoquote system or the Centramart system employed by certain ITS Participants).

.03 Except during unusual market conditions or as otherwise permitted by an Exchange official, the average firmwide quote-to-trade ratio for Designated Dealers shall not exceed ten-to-one. This ratio shall be measured on a quarterly basis.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to enhance the quality of the CSE's market. First, the Exchange seeks to prohibit the furnishing of ''bid-asked quotations which are generated by an automated quotation tracking system.'' This prohibition broadens the current quotation restrictions contained in Section 8(d)(2) of the Intermarket Trading System (''ITS'') Plan, which limits such quotations to a size of 100 shares. Second, the Exchange seeks to impose a requirement that competing specialists spread their quotations no more than 125% of the average of the three best quote spreads provided by all markets that participate in the national market system. Finally, the Exchange proposes to require that the average firmwide quote-to-trade ratio for competing specialists, measured on a quarterly basis, not exceed ten-to-one.

The CSE is the first exchange to propose the complete elimination of autoquoting. Currently, regional exchange specialists use autoquoting as a means to technically comply with their obligation to provide continuous two-sided markets. The CSE believes that it is generally agreed that autoquoted markets provide no meaningful liquidity to the national market system: they are usually away from the NBBO; they must be limited to 100 shares by ITS rules; and they are exempt from ITS's national price protection rules, which means that they can be traded through without penalty. If extended to all exchanges, the CSE believes that the elimination of autoquoting would reduce capacity