

For the Nuclear Regulatory Commission.
Larry W. Camper,
*Acting Chief, Medical, Academic, and
 Commercial Use Safety Branch, Division of
 Industrial and Medical Nuclear Safety, Office
 of Nuclear Material Safety and Safeguards.*
 [FR Doc. 95-3521 Filed 2-10-95; 8:45 am]
 BILLING CODE 7590-01-M

[Docket No. 50-313]

**Entergy Operations, Inc. (Arkansas
 Nuclear One, Unit 1); Exemption**

I

Entergy Operations, Inc. (the licensee) is the holder of Operating License No. DPR-51, which authorizes operation of Arkansas Nuclear One, Unit 1 (ANO-1). The operating license provides, among other things, that it is subject to all rules, regulations, and orders of the Commission now and hereafter in effect.

The facility consist of pressurized water reactor at the licensee's site in Pope County, Arkansas.

II

Section III.D.1(a) of appendix J to 10 CFR part 50 requires, " * * * a set of three Type A tests [Overall Integrated Containment Leakage Rate Tests, or ILRTs] shall be preformed, at approximately equal intervals during each 10-year service period. The third test of each set shall be conducted when the plant is shutdown for the 10-year plant inservice inspection." By letter dated November 8, 1994, the licensee requested an exemption from this requirement of the Commission's regulations.

The NRC may grant exemptions from the requirements of the regulations, pursuant to 10 CFR 50.12, that (1) are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) present special circumstances. Section 50.12(a)(2) of 10 CFR part 50 describes special circumstances as including cases that would not serve the underlying purpose of the rule or are not necessary to achieve the underlying purpose of the rule.

In its November 8, 1994, letter, the licensee also applied for an amendment to Facility Operating License No. DPR-51 to change related provisions of the ANO-1 Technical Specifications (TSs). The TS amendment request will be addressed as a separate action.

III

The Type A test is defined in 10 CFR part 50, appendix J, section II.F, as a "test 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." A total of six Type A tests (ILRT) has been performed on the ANO-1 containment including the preoperational ILRT that was performed in 1973. Except for leakage detected by Type B and C tests, containment leakage rates have always been below the ANO-1 acceptance criteria. The requested exemption does not affect the performance of Type B and C leakage tests which are expected to detect the most probable sources of containment leakage.

In order to schedule the next ILRT (the third ILRT of this service period) such that it coincides with the 10-year inservice inspections, the licensee has requested a one-time exemption from the appendix J requirements. The exemption would permit the licensee to perform the ILRT together with the 10-year inservice inspections that are schedule during the thirteenth refueling outage. If performed during the thirteenth refueling outage, the third ILRT will not be completed until after the end of the current 10-year service period. To comply with regulations as written, an ILRT would be required during the twelfth refueling outage to satisfy the requirement for three ILRTs during the 10-year service period and another ILRT would be required during the thirteenth refueling outage to satisfy the requirement for the third ILRT to be performed when the plant is shutdown for the 10-year inservice inspections.

The thirteenth refueling outage is currently scheduled for the summer of 1996 and an ILRT performed during this refueling outage would result in a test interval between the second and third ILRTs of approximately 53 months. If the ILRT were performed during the twelfth refueling outage, currently scheduled for early 1995, the interval between the second and third ILRTs would be approximately 34 months. In the absence of the exemption and related technical specification changes, the licensee would be required to perform ILRTs during both the twelfth and thirteenth refueling outages. A requirement to perform ILRTs during two consecutive refueling is clearly beyond the intent of the regulations and given the satisfactory results of previous tests at ANO-1, there is little, if anything, to gain from two closely spaced tests.

For the reasons set forth above, the NRC staff concludes that this one-time relief from the requirement to perform the third ILRT within a 10-year service period is not significant in terms of

complying with the intent of appendix J, section III.D.1(a). Accordingly, the staff finds that the performance of ILRTs during both the twelfth and thirteenth refueling outages would not result in a commensurate increase in the confidence of containment integrity. Therefore, the subject exemption request meets the special circumstances of 10 CFR 50.12(a)(2)(ii), in that in these particular circumstances, the fourth test is not necessary to achieve the underlying purpose of the rule.

On this basis, the NRC staff finds that the licensee has demonstrated that special circumstances are present as required by 10 CFR 50.12. Further the staff also finds that extending the schedule for the third ILRT to beyond the 10-year service period will not present a undue risk to the public health and safety.

IV

Accordingly, the Commission has determined pursuant to 10 CFR 50.12(a), that this exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby grants Entergy Operations, Inc. an exemption from the requirements of 10 CFR part 50, appendix J, section III.D.1(a).

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact of the quality of the human environment (60 FR 6568).

Dated at Rockville, Maryland this 3rd day of February 1995.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

*Deputy Director, Division of Reactor Projects
 III/IV, Office of Nuclear Reactor Regulation.*
 [FR Doc. 95-3522 Filed 2-10-95; 8:45 am]

BILLING CODE 7590-01-M

**PENSION BENEFIT GUARANTY
 CORPORATION**

**Request for Review Under the
 Paperwork Reduction Act; Collection
 of Information Under 29 CFR Part 2645,
 Extension of Special Withdrawal
 Liability Rules**

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for OMB review.

SUMMARY: This notice advises the public that the Pension Benefit Guaranty Corporation has requested review by the Office of Management and Budget for a collection of information (1212-0023)

contained in its regulation on Extension of Special Withdrawal Liability Rules (29 CFR part 2645).

ADDRESSES: All written comments should be addressed to: Office of Management and Budget, Paperwork Reduction Project (1212-0023), Washington, DC 20503. The request for review will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, 1200 K Street NW., Washington, DC 20005-4026, between the hours at 9:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT:

Deborah C. Murphy, Attorney, Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

SUPPLEMENTARY INFORMATION: This collection of information is contained in the Pension Benefit Guaranty Corporation's ("PBGC's") regulation on Extension of Special Withdrawal Liability Rules, 29 CFR part 2645.

Sections 4203(f) and 4208(e)(3) of the Employee Retirement Income Security Act of 1974 ("ERISA") provide for the PBGC's issuance of regulations under which the PBGC may approve a multiemployer pension plan's adoption of special rules for determining whether a complete or partial withdrawal from the plan has occurred. Section 4203(f) also sets standards for the approval of such special rules. The PBGC's regulation on Extension of Special Withdrawal Liability Rules requires the plan sponsor of a plan that adopts special rules to submit information about the rules, the plan, and the industry in which the plan operates with its request for PBGC approval of the rules. The PBGC uses that information in determining whether the plan's special withdrawal liability rules meet the requirements of ERISA.

The PBGC estimates that it receives three requests per year under the regulation and that each request takes sixteen hours to prepare. Thus, the total estimated burden is 48 hours per year.

Issued at Washington, DC, this 7th day of February 1995.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 95-3447 Filed 2-10-95; 8:45 am]

BILLING CODE 7708-01-M

Request for Review Under the Paperwork Reduction Act; Collection of Information Under 29 CFR Part 2672, Mergers And Transfers Between Multiemployer Plans

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for OMB review.

SUMMARY: This notice advises the public that the Pension Benefit Guaranty Corporation has requested review by the Office of Management and Budget for a collection of information (1212-0022) contained in its regulation on Mergers and Transfers Between Multiemployer Plans (29 CFR part 2672).

ADDRESSES: All written comments should be addressed to: Office of Management and Budget, Paperwork Reduction Project (1212-0022), Washington, DC 20503. The request for review will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, 1200 K Street NW., Washington, DC 20005-4026, between the hours of 9 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Deborah C. Murphy, Attorney, office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

SUPPLEMENTARY INFORMATION: This collection of information is contained in the Pension Benefit Guaranty Corporation's ("PBGC's") regulation on Mergers and Transfers Between Multiemployer Plans, 29 CFR Part 2672.

Section 4231 of the Employee Retirement Income Security Act of 1974 (ERISA) imposes requirements on multiemployer plan mergers and transfers and provides that a merger or transfer will be deemed not to be in violation of ERISA section 406 (a) or (b)(2) (dealing with prohibited transactions) if the PBGC determines that those requirements are satisfied. Pursuant to section 4231, the PBGC has promulgated its regulation on Mergers and Transfers Between Multiemployer Plans (29 CFR part 2672), which sets forth (in §§ 2672.2, 2672.7, and 2672.8) the procedures a plan sponsor must follow to give the PBGC notice of a merger or transfer under section 4231 or to request a PBGC determination that a merger or transfer complies with the requirements of section 4231. The PBGC uses information submitted by multiemployer plan sponsors under the regulation to determine whether mergers and transfers conform to the

requirements of ERISA section 4231 and the regulation.

The PBGC estimates that it takes a respondent an average of 5 hours to prepare a submission under the regulation and, based on its experience, that about 20 submissions are made each year.

Accordingly, the estimated burden of the collection of information is 100 hours.

Issued at Washington, DC, this 7th day of February 1995.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 95-3446 Filed 2-10-95; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Request Under Review by Office of Management and Budget

Acting Agency Clearance Officer: David T. Copenhafer, (202) 942-8800

Upon written request copies available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington DC 20549

Proposed Amendment Form BD File No. 270-19

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for the Office of Management and Budget approval on the proposed amendments to Form BD [17 CFR 249.501] under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Form BD is used to apply for registration as a broker-dealer and for firms other than banks and registered broker-dealers to apply for registration as a municipal securities dealer or a government securities broker-dealer. Form BD also is used to amend such applications when any information previously filed on Form BD becomes inaccurate. It is estimated that 1,200 broker-dealers annually will incur an average burden of 2.75 hours to file initial or successor applications for registration on Form BD for an annual burden of 3,300 hours. It also is estimated that broker-dealers will file 12,000 amendments annually, and will incur an average burden of 20 minutes to file amendments on Form BD for an annual burden of 3,960 hours. The total annual burden for Form BD and Form BD amendments is 7,260 hours.

Direct general comments to the Clearance Officer for the Securities and