

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 March 15, 1995, the licensee requested to modify an existing exemption from the requirements of 10 CFR Part 50, Appendix R, Section III.J, which had been issued by the NRC on January 17, 1987. Section III.J specifies emergency lighting requirements for operation of safe shutdown equipment and in access and egress routes thereto. The January 17, 1987, exemption allowed use of permanently installed security lighting, in place of emergency lighting as specified in Section III.J, for access and egress to the Appendix R diesel generator which is located in the outside yard area.

During a programmatic review of the Appendix R, compliance strategy at IP3, the licensee identified that certain operator actions, which had not been included in the previous Appendix R compliance strategy, were needed. These additional operator actions were in the outside yard area at the condensate storage tank (CST), refueling water storage tank (RWST), and backup service water pump platform. Thus, in accordance with Appendix R, Section III.J, emergency lighting would be required for these additional areas. As such, the licensee's March 15, 1995, letter requested modification of the January 7, 1987, exemption to extend the use of security lighting in the outside yard area to include the CST, RWST, and backup service water platform.

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).

Section III.J of 10 CFR Part 50, Appendix R, requires that emergency lighting units with at least an 8-hour battery power supply shall be provided in all areas needed for operation of safe shutdown equipment and in access and egress routes thereto. By letter dated

June 14, 1985, the licensee applied for an exemption to the requirements of Section III.J, to allow use of permanently installed security lighting for providing an illuminated access and egress route to the Appendix R diesel generator which is located in the outside yard.

As justification, the licensee indicated that the yard area lighting for access and egress to the Appendix R diesel generator was already part of the security lighting system. As such, illumination is provided in accordance with 10 CFR 73.55(c)(5). The security lighting system is powered by a dedicated propane powered generator which operates in the event of a loss of power to the security system and this generator is physically separated from the plant; therefore, an Appendix R fire scenario will not affect operation of the security backup generator supply. In addition, the security backup generator has a sufficient capacity and fuel supply to power the outside yard lighting for the requisite 8-hour time period. The licensee concluded that the security lighting system was highly reliable and, as such, installation of the battery-powered lights, as required by Section III.J, would not enhance the safe shutdown capability at IP3.

The NRC staff agreed with the technical justification presented in the licensee's June 14, 1985, letter, and issued an Exemption from the requirement of Section III.J, for access and egress to the Appendix R diesel generator. In the licensee's March 15, 1995, letter, the same technical justification is presented for use of permanently installed security lighting, in lieu of battery-powered lights, as required by Section III.J, for three additional areas in the outside yard. These additional areas were a result of a reassessment of the IP3 Appendix R compliance strategy. The areas and the operator actions needed in each area are as follows:

(1) Condensate Storage Tank: The operators would verify tank level at the local indicator and during sub-freezing weather might need to place portable heaters in the area to maintain level indicator operable.

(2) Refueling Water Storage Tank: The operators would verify tank level at the local indicator and during sub-freezing weather might need to place portable heaters in the area to maintain level indicator operable.

(3) Backup Service Water Pumps: The operators would manually backflush the strainers.

The licensee has confirmed that the technical justification, which was also the basis for the January 17, 1987,

exemption is still valid. The licensee has also confirmed that the security lighting system still achieves the underlying purpose of the rule in that it provides adequate illumination to perform all Appendix R required activities in the outside yard for a period of at least 8 hours and is not impacted by fires in other areas of the plant for which Appendix R fires need to be considered.

IV

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12, that (1) the Modified 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), in that application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule.

Therefore, the Commission hereby grants the following Modification to our Exemption of January 17, 1987:

(1) The Exemption from the requirement of 10 CFR Part 50, Appendix J, Section III.J, issued to the Power Authority of the State of New York on January 17, 1987, remains in effect. The Power Authority of the State of New York is also exempt from the requirement of 10 CFR Part 50, Appendix J, Section III.J, to the extent that security lighting in the outside yard area can be used in lieu of the emergency lighting as specified in Section III.J, at the following additional locations in the outside yard area:

- The Condensate Storage Tank Area
- The Refueling Water Storage Tank Area
- The Backup Service Water Pump Strainer Area

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Modified Exemption will have no significant impact on the quality of the human environment (60 FR 15944).

This Exemption is effective upon issuance.

Dated at Rockville, Maryland, this 29th day of March 1995.

For the Nuclear Regulatory Commission.

Steven A. Varga,

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

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**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

**Country Allocation of the Tariff-Rate
Quota for Certain Imported Sugars,
Syrups, and Molasses**

AGENCY: Office of the United States
Trade Representative.

ACTION: Notice.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice of the country-by-country allocations of the tariff-rate quota for certain imported sugars, syrups, and molasses established for the period January 1, 1995, through September 30, 1995. The new allocations replace the allocations previously made for the period of August 1, 1994, through September 30, 1995.

EFFECTIVE DATE: January 1, 1995.

ADDRESSES: Inquiries may be mailed or delivered to Tom Hushek, Senior Economist, Office of Agricultural Affairs (Room 421), or to Daniel Brinza, Senior Advisor and Special Counsel for Natural Resources, Office of the General Counsel (Room 223); Office of the United States Trade Representative, 600 Seventeenth Street, Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Tom Hushek, Office of Agricultural Affairs, 202-395-6127, or Daniel Brinza, Office of the General Counsel, 202-395-7305.

SUPPLEMENTARY INFORMATION: Presidential Proclamation No. 6763 of December 23, 1994 established a tariff-rate quota for certain sugars, syrups, and molasses effective January 1, 1995, to implement the Uruguay Round Agreements approved by the Congress in the Uruguay Round Agreements Act (URAA) (P.L. 103-465). This tariff-rate quota replaced the tariff-rate quota that had been in effect previously. Presidential Proclamation No. 6763 also provided an additional amount under the tariff-rate quota for the period January 1 through September 30, 1995, of 8,000 metric tons, raw value, of refined sugars originating in Canada.

Presidential Proclamation No. 6763 also delegated to the United States Trade Representative (USTR) the President's authority under section 404(d)(3) of the URAA (19 U.S.C. 3601) to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any

allocation as the President determines appropriate.

Since the tariff-rate quota established by Presidential Proclamation No. 6763 replaced the previous tariff-rate quota, USTR is providing notice of the allocation of the new tariff-rate quota for the quota period January 1, 1995, through September 30, 1995.

Notice

The in-quota quantity of the tariff-rate quota for sugars, syrups and molasses entered under subheading 1701.11.10, 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44 for the period of January 1 through September 30, 1995, is allocated to each of the following countries and customs areas in an amount equal to the remaining quantity available, if any, from the allocation for that country or area for the quota period that began October 1, 1992, plus the remaining quantity available, if any, from its allocation for the quota period which began on August 1, 1994:

Argentina, Australia, Barbados, Belize, Bolivia, Brazil, Columbia, Congo, Costa Rica, Cote d'Ivoire, Dominican Republic, Ecuador, El Salvador, Fiji, Gabon, Guatemala, Guyana, Haiti, Honduras, India, Jamaica, Madagascar, Malawi, Mauritius, Mexico, Mozambique, Nicaragua, Panama, Papua New Guinea, Paraguay, Peru, Philippines, St. Kitts and Nevis, South Africa, Swaziland, Taiwan, Thailand, Trinidad and Tobago, Uruguay, and Zimbabwe.

The allocations for the quota period that began October 1, 1992, were announced by USTR on August 27, 1992, and adjusted by USTR as announced on July 1, 1993. The allocations for the quota period which began on August 1, 1994, were announced by USTR on August 11, 1994.

Signed at Washington, DC, on March 24, 1995.

Michael Kantor,

United States Trade Representative.

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**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34-35556; File No. SR-CHX-94-22]

**Self-Regulatory Organizations;
Chicago Stock Exchange,
Incorporated; Order Granting Approval
to Proposed Rule Change and Notice
of Filing and Order Granting
Accelerated Approval to Amendment
No. 3 to Proposed Rule Change
Relating to Exclusive Issues**

March 31, 1995.

I. Introduction

On November 10, 1994, the Chicago Stock Exchange, Incorporated ("CHX" or "Exchange" submitted to the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to impose additional requirements and prohibitions on specialists, and others associated with specialists units, registered in exclusive issues. On January 4, and 9, 1995, the Exchange submitted, respectively, Amendments Nos. 1 and 2 to the proposed rule change.³

The proposed rule change was published for comment in Securities Exchange Act Release No. 35233 (Jan. 18, 1995), 60 FR 4651 (Jan. 24, 1995). No comments were received on the proposal. On March 29, 1995, the Exchange submitted to the Commission Amendment No. 3 to the proposed rule change.⁴ This order approves the proposed rule change, including Amendment No. 3, on an accelerated basis.

II. Description of the Proposal

Currently, the Exchange Rules impose only a general prohibition on specialists, who are prohibited from effecting purchases or sales of any security in which the specialist is registered, unless such dealings are reasonably necessary to permit such specialist to maintain a fair and orderly market.⁵ The Exchange proposes a new rule, Article XXX, Rule 23, to impose additional requirements and

¹ 15 U.S.C. 78s(b)(1) (1988).

² 17 CFR 240.19b-4 (1994).

³ See letters from David Rusoff, Foley & Lardner, to Amy Bilbija, SEC, dated December 29, 1994; and to Glen Barrentine, SEC, dated January 5, 1995. Amendment Nos. 1 and 2 made non-substantive changes to the proposal.

⁴ See letter from David Rusoff, Foley & Lardner, to Glen Barrentine, SEC, dated March 28, 1995. See infra note 6 for a description of Amendment No. 3.

⁵ See *Chicago Stock Exchange Guide*, Article XXX, Rule 9, (CCH) ¶ 1929.