

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)(iv) of 10 CFR Part 50 describes the special circumstances for an exemption where the exemption would result in benefit to the public health and safety that compensates for any decrease in safety that may result from the granting of the exemption.

III

By letter dated October 17, 1994, the licensee requested a schedular exemption from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.3 that requires biennial exercise of emergency plans for State and local governmental authorities within the plume exposure pathway EPZ. The licensee has requested to postpone until 1996 the biennial, full-scale emergency preparedness exercise currently scheduled in 1995.

This schedular exemption is requested by the licensee in support of the State of California's request to the Federal Emergency Management Agency (FEMA) to grant the State a one-year extension in the current Radiological Emergency Preparedness Program six-year exercise cycle for the Diablo Canyon Nuclear Power Plant (DCPP). The granting of this request would result in the licensee conducting its biennial, full-scale emergency preparedness exercise in even-numbered years.

By letter dated March 2, 1995, FEMA informed the NRC that FEMA concurred with a request by the State of California to reschedule the DCPP offsite biennial exercise for 1995 to 1996. FEMA stated that such a schedule change would have no implications adverse to public health and safety. The most recent DCPP offsite exercise was conducted in 1993, and there were no issues identified which required immediate corrective actions. FEMA has granted a one-time exemption to the requirements of 44 CFR 350.9(c) for DCPP as requested by the State of California.

Based on a review of the licensee's request for a schedular exemption to postpone until 1996 the biennial full-scale emergency preparedness exercise currently scheduled in 1995, the NRC staff finds that granting this request would be beneficial to the public health and safety. Approval of this exemption would allow the realignment of the State of California's exercise participation schedule to include an exercise every year, instead of two exercises every other year. San Onofre Nuclear Generating Station's exercise would be conducted in odd-numbered

years and DCPP's would be conducted in even-numbered years starting in 1996. This should enhance the level of emergency preparedness by allowing more frequent participation in an exercise by State personnel. It would allow for more even distribution of financial and personnel resources for both State and Federal agencies. Also, the offsite agencies at San Onofre Nuclear Generating Station would be able to perform as controllers and evaluators for the DCPP exercise and vice versa more easily and both plants would obtain the benefits since the plant exercise dates would not conflict. There would be no decrease in the level of safety of licensee operations as a result of granting this schedular exemption. The licensee would still be required to conduct an annual exercise in 1995 in accordance with the requirements of 10 CFR 50, Appendix E, Section IV.F.2.

IV

Accordingly, the Commission has determined pursuant to 10 CFR 50.12, 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. The Commission further determines that special circumstances described by 10 CFR 50.12(a)(2)(iv) exist in that a benefit to public health and safety that compensates for any decrease in safety may result from granting the exemption.

Therefore, the Commission hereby grants Pacific Gas and Electric Company an exemption from the requirements of 10 CFR 50, Appendix E, Section IV.F.3.

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 (60 FR 18429).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 12th day of April 1995.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Acting Director, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

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SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application to Withdraw From Listing and Registration; (Applied Microbiology, Inc. Common Stock \$.005 Par Value) File No. 1-12106

April 14, 1995.

Applied Microbiology, Inc. ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the above specified security ("Security") from listing and registration on the Pacific Stock Exchange, Incorporated. ("PSE").

The reasons alleged in the application for withdrawing the Security from listing and registration include the following:

According to the Company, it is listed on the Nasdaq/NMS, and in view of the limited trading in the Security, the Company believes that a single listing is adequate.

Any interested person may, on or before May 5, 1995, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchanges and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

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[Investment Company Act Release No. 21009; 811-10930]

Columbia Ventures, Inc.

April 14, 1995.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: Columbia Ventures, Inc.
RELEVANT ACT SECTION: Sections 3(c)(9) and 8(f).