

desire to resolve all matters pending between them, the Licensee, through its Assistant Secretary, Matthew Paolino, has entered into an agreement with the NRC executed on April 18, 1995. Under the terms of the agreement, the NRC withdraws the civil penalty in the amount of \$3,000 proposed by Notice of Violation dated December 14, 1994 and the daily civil penalties in the total amount of \$15,000 proposed by Notice of Violation dated March 8, 1995. Under the terms of the agreement, Joseph Paolino and Sons, Inc., Licensee, agrees that for a period of five years from April 18, 1995, (1) neither the Licensee, nor any successor entity, shall apply to the NRC for a license; and (2) neither Joseph Paolino and Sons, Inc. nor a successor entity, shall engage in NRC-licensed activities within the jurisdiction of the NRC for that same period of time.

#### IV

Accordingly, pursuant to sections 81, 161b, 161i, 186, and 234 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, 2.205, and 10 CFR Parts 30, 34, and 150, IT IS HEREBY ORDERED THAT:

1. The NRC withdraws the civil penalty in the amount of \$3,000 proposed by Notice of Violation dated December 14, 1994 and the civil penalties in the amount of \$15,000 proposed by Notice of Violation dated March 8, 1995.

2. For a period of five years from April 18, 1995:

(a) Neither Joseph Paolino and Sons, Inc., nor any successor entity shall apply to the NRC for a license; and

(b) Neither Joseph Paolino and Sons, Inc., nor any successor entity, shall engage in NRC-licensed activities (including exercising any control over NRC-licensed activities) within the jurisdiction of the NRC for that same period of time.

3. If Joseph Paolino and Sons, Inc., or a successor entity, violates paragraph 2. of this section of the Confirmatory Order, then the remaining unpaid civil penalty amount shall be due and payable by Joseph Paolino and Sons, Inc. or a successor entity, immediately and without further notice.

#### V

Any person adversely affected by this Confirmatory Order, other than Joseph Paolino and Sons, Inc. or a successor entity, may require a hearing within 20 days of its issuance. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Section, Washington, D.C.

20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained. In the absence of any request for hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings.

#### VI

On March 24, 1995, the Licensee transferred the byproduct material to Glasgow, Inc., an authorized recipient and the NRC, Region I, has confirmed that transfer. Accordingly, given the Licensee's failure to pay the annual fee for the License, the Licensee's transfer of the byproduct material, and the Licensee's agreement as described in Section III above, License No. 37-20746-01 is hereby terminated.

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

For the Nuclear Regulatory Commission.

**James Lieberman,**

*Director, Office of Enforcement.*

[FR Doc. 95-12217 Filed 5-17-95; 8:45 am]

BILLING CODE 7590-01-M

### OFFICE OF PERSONNEL MANAGEMENT

#### Federal Prevailing Rate Advisory Committee; Open Committee Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on—

Thursday, July 13, 1995  
Thursday, July 27, 1995  
Thursday, August 10, 1995  
Thursday, August 24, 1995  
Thursday, September 7, 1995  
Thursday, September 21, 1995

The meetings will start at 10:45 a.m. and will be held in Room 5A06A, Office of Personnel Management Building, 1900 E Street, NW, Washington, DC.

The Federal Prevailing Rate Advisory Committee is composed of a Chairman, five representatives from labor unions holding exclusive bargaining rights for Federal blue-collar employees, and five representatives from Federal agencies. Entitlement to membership on the Committee is provided for in 5 U.S.C. 5347.

The Committee's primary responsibility is to review the Prevailing Rate System and other matters pertinent to establishing prevailing rates under subchapter IV, chapter 53, 5 U.S.C., as amended, and from time to time advise the Office of Personnel Management.

These schedule meetings will start in open session with both labor and management representatives attending. During the meeting either the labor members of the management members may caucus separately with the Chairman to devise strategy and formulate positions. Premature disclosure of the matters discussed in these caucuses would unacceptably impair the ability of the Committee to reach a consensus on the matters being considered and would disrupt substantially the disposition of its business. Therefore, these caucuses will be closed to the public because of a determination made by the Director of the Office of Personnel Management under the provisions of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C. 552b(c)(9)(B). These caucuses may, depending on the issues involved, constitute a substantial portion of the meeting.

Annually, the Committee publishes for the Office of Personnel Management, the President, and Congress a comprehensive report of pay issues discussed, concluded recommendations, and related activities. These reports are available to the public, upon written request to the Committee's Secretary.

The public is invited to submit material in writing to the Chairman on Federal Wage System pay matters felt to be deserving of the Committee's attention. Additional information on these meetings may be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW., Washington, DC 20415 (202) 606-1500.

Dated: May 12, 1995.

**Anthony F. Ingrassia,**

*Chairman, Federal Prevailing Rate Advisory Committee.*

[FR Doc. 95-12273 Filed 5-17-95; 8:45 am]

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### **Federal Prevailing Rate Advisory Committee; Cancellation of Open Committee Meeting**

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the meeting of the Federal Prevailing Rate Advisory Committee scheduled for Thursday, May 25, 1995, has been canceled.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW., Washington, DC 20415, (202) 606-1500.

Dated: May 12, 1995.

**Anthony F. Ingrassia,**

*Chairman, Federal Prevailing Rate, Advisory Committee.*

[FR Doc. 95-12274 Filed 5-17-95; 8:45 am]

BILLING CODE 6325-01-M

### **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

[Docket No. 301-93]

#### **Notice of Determination and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: Barriers to Access to the Auto Parts Replacement Market in Japan**

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

**ACTION:** Notice of determination under section 304(a)(1)(A) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2414(a)(1)(A)); notice of proposed determination of action to be taken under section 304(a)(1)(B) of the Trade Act and notice of public hearing and request for public comment pursuant to section 304(b) of the Trade Act.

**SUMMARY:** The United States Trade Representative (USTR) has determined pursuant to section 304(a)(1)(A)(ii) of the Trade Act that certain Acts, policies and practices of Japan that restrict or deny suppliers of U.S. auto parts access to the auto parts replacement and accessories market ("after-market") in Japan are unreasonable and discriminatory and burden or restrict U.S. commerce. The USTR is seeking

public comment and will hold a public hearing on June 8 and 9, 1995, regarding the proposed determination pursuant to section 304(a)(1)(B) on the appropriate action under section 301 being considered in response to these acts, policies and practices.

**DATES:** Written comments on the determination are due by noon, Monday, June 19, 1995. Requests to testify at the hearing must be submitted by noon, Thursday, May 25, 1995. Written testimony is due by noon, Friday, June 2, 1995, and written rebuttals are due by noon, Wednesday, June 21, 1995.

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

**FOR FURTHER INFORMATION CONTACT:** David Burns, Senior Advisor for Japan, (202) 395-5050, or James Southwick, Assistant General Counsel, (202) 395-7203. Questions about the public hearing, written testimony and written comments should be directed to Sybia Harrison, Staff Assistant to Section 301 Committee, (202) 395-3432.

**SUPPLEMENTARY INFORMATION:** On October 1, 1994, the USTR initiated an investigation pursuant to section 302(b) of the Trade Act to determine whether specific barriers to access to the after-market for auto parts in Japan are unreasonable or discriminatory and burden or restrict U.S. commerce. By **Federal Register** notice dated October 13, 1994 (59 FR 52034), the USTR requested public comment on the issues raised in the investigation. The comment period was subsequently extended by a **Federal Register** notice dated November 10, 1994 (59 FR 56099).

Officials of the Office of the USTR and other United States agencies have conducted extensive consultations with Japanese government officials concerning these market access barriers, but negotiations have failed to resolve the issues under investigation. Consequently, on May 10, 1995, the USTR pursuant to section 304(a)(1)(A)(ii) of the Trade Act determined that certain acts, policies and practices of Japan that restrict or deny suppliers of U.S. auto parts access to the auto parts replacement and accessories market ("after-market") in Japan are unreasonable and discriminatory and burden or restrict U.S. commerce.

#### **Reasons for Determination**

The Japanese market for replacement auto parts is restricted by a complex system that is not reasonable or justifiable. This system channels most repair work to government-certified

garages that use very few foreign parts, and the system restricts the development of other garages more likely to carry and use foreign parts. In addition, even minor additions of accessories to motor vehicles require a full vehicle inspection and tax payment, which severely limits opportunities for U.S. automotive accessories suppliers.

The United States pressed Japan for broad reform in the aftermarket. The U.S. proposals did not ask for reduction of safety or environmental standards, but for measures that would allow for substantially more repair work to be performed outside the certified garages, and therefore would open up opportunities for foreign suppliers. The Government of Japan was unwilling to make changes to key elements of the system which restricts opportunities for U.S. and other foreign parts suppliers.

#### **Proposed Determination on Appropriate Action**

If the USTR makes an affirmative determination pursuant to section 304(a)(1)(A)(ii) of the Trade Act, pursuant to section 304(a)(1)(B) the USTR also must determine what action, if any, by the United States is appropriate. If the USTR determines that action is appropriate, section 301(b) of the Trade Act directs the USTR to take all appropriate and feasible action to obtain the elimination of the unreasonable or discriminatory act, policy or practice.

Therefore, the USTR proposes to take the following action, pursuant to the authority provided by section 301(c)(1)(B) of the Trade Act:

To impose prohibitive (100 percent *ad valorem*) duties upon luxury-type motor vehicles from Japan. The increased tariffs will apply to the following motor cars and other motor vehicles principally designed for the transport of persons provided for in heading 8703 of the Harmonized Tariff Schedule of the United States (HTS):

(1) Motor vehicles having 4 doors, a wheelbase more than 260 cm (102.4 inches) but not more than 263 cm (103.6 inches), a curb weight more than 1,495 kg (3,295.9 pounds), a height not more than 138 cm (54.3 inches), and a spark-ignition internal combustion reciprocating piston engine with 6 or more cylinders, having a total cylinder capacity exceeding 2,900 cc or a rotary piston engine (provided for in HTS subheadings 8703.23, 8703.24 or 8703.90); and

(2) Motor vehicles having a wheelbase exceeding 266 cm (104.7 inches), a curb weight more than 1,365 kg (3009.3 pounds), a height not more than 145 cm (57 inches), and either a spark-ignition