

Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1885.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate NSF-CBMS Regional Research Conferences in Mathematical Sciences proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: May 15, 1995.

M. Rebecca Winkler,
Committee Management Officer.

[FR Doc. 95-12297 Filed 5-18-95; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8027]

Sequoynah Fuels Corporation

[License No. SUB-1010]

Receipt of Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given that by the "Native Americans for a Clean Environment's Petition for an Order Requiring Sequoyah Fuels Corporation to File a Final Site Characterization Plan and for an Order Forbidding Transfer of SFC Property Prior to Obtaining a License Amendment," dated March 11, 1995, the Native Americans for a Clean Environment (NACE or Petitioner) request that the Nuclear Regulatory Commission take action with regard to Sequoyah Fuels Corporation (SFC or Licensee).

Petitioner requests that the NRC: (1) Reverse the NRC staff's decision to permit SFC to proceed with site characterization without submitting a revised Final Site Characterization Plan (SCP) by issuing an order requiring SFC to submit a revised Final SCP, or at the minimum a Confirmatory Action Letter requiring SFC to submit a Final SCP by a date certain; (2) issue an order forbidding SFC, Sequoyah Fuels International, Sequoyah Holding Corporation, or any other associated corporation that holds title to property under License SUB-1010, from transferring any interest in any of its property before SFC applies for and receives a license amendment permitting such a transfer; (3) before

issuing any such license amendment, find reasonable assurance that any entity acquiring an interest in the SFC property fully understands the nature of the liabilities and responsibilities it is undertaking for cleanup and long-term care of the site and that it has the financial capability to carry out those responsibilities; and (4) obtain or perform a title search of all property used in connection with the SFC license in order to clarify the identity and ownership of all property subject to License SUB-1010.

As the bases for its requests, Petitioner states that: (1) Given the serious deficiencies found by the staff in its review of the SFC Draft SCP, the NRC staff illegally and improperly excused SFC from its obligation to submit a final SCP, in violation of the Timeliness in Decommissioning Rule, the NRC's Action Plan to Ensure Timely Cleanup of SDMP Sites, the NRC's December 29, 1992, Demand for Information to SFC, the Memorandum of Understanding between the NRC and the Environmental Protection Agency, and commitments by the NRC to NACE that SFC would be required to demonstrate how it would sample all potentially contaminated areas in a site characterization plan; (2) SFC is presenting a "Trust Indenture" to several towns and the county of Sequoyah for the creation of an industrial park; (3) the Trust Indenture depicts the 1400 acres of land subject to License SUB-1010 as the candidate area for the industrial park, but neither the Trust Indenture nor the associated documents refers to actual or potential contamination of the site due to groundwater migration from the contaminated processing area, of effluent streams and ditches, or of the Carlisle School, the need to obtain a license amendment before transferring this property, the transferee's potential liability for cleanup of the property, or that SFC has been ordered by NRC and EPA to characterize the extent of contamination on this property; (4) the 1400 acres subject to the Trust Indenture surrounds the 85-acre processing area SFC has identified as the major focus of its site characterization and cleanup effort; and (5) SFC has made conflicting representations regarding the size of the "facility" or "site" to the NRC and in the Trust Indenture.

The Petition is being evaluated pursuant to 10 CFR 2.206 of the Commission's regulations. The Petition has been referred to the Director of the Office of Nuclear Material Safety and Safeguards. As provided by § 2.206,

appropriate action will be taken on this Petition within a reasonable time.

A copy of the Petition is available for inspection at the Commission's Public Document Room at 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland this 10th day of May, 1995.

For the Nuclear Regulatory Commission.

Carl J. Paperiello,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 95-12342 Filed 5-18-95; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-277 and 50-278]

Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

In the matter of Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, Atlantic City Electric Company, Peach Bottom Atomic Power Station, Units 2 and 3.

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-44 and DPR-56, issued to the Philadelphia Electric Company (PECO, the licensee), for operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom, PBAPS), located in York County, Pennsylvania.

The proposed amendment, requested by the licensee in a letter dated September 29, 1994, as supplemented by letters dated March 3, 1995 and March 30, 1995, would represent a full conversion from the current Technical Specifications (TS) to a set of TS based on NUREG-1433, "Standard Technical Specifications, General Electric Plants, BWR/4," Revision O, September 1992. NUREG-1433 has been developed through working groups composed of both NRC staff members and the BWR/4 owners and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve TS. As part of this submittal, the licensee has applied the criteria contained in the Commission's Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors of July 22, 1993 to the current Peach Bottom Technical Specifications, and, using NUREG-1433 as a basis, developed a proposed set of improved TS for PBAPS.

The licensee has categorized the proposed changes to the existing TS into four general groupings. These groupings are characterized as administrative changes, relocated changes, more

restrictive changes, and less restrictive changes.

Administrative changes are those that involve restructuring, interpretation and complex rearranging of requirements and other changes not substantially revising an existing requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG-1433 and do not involve technical changes to the existing TS. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocated changes are those involving relocation of requirements and surveillances for structures, systems, components or variables that do not meet the criteria for inclusion in TS. The licensees applications on the screening criteria is described in that portion of their September 29, 1994 application titled "Application of Selection Criteria to the Peach Bottom Atomic Power Station TS." The affected structures, systems, components or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components or variables will be relocated from the TS to administratively controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms. In addition, the affected structures, systems, components or variables are addressed in existing surveillance procedures which are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems and components described in the safety analyses.

Less restrictive changes are those where existing requirements are relaxed or eliminated, or new flexibility is provided.

In addition to the changes described above, the licensee proposed certain changes to the existing technical specifications that deviated from the standard technical specifications in NUREG-1433. Each of these additional proposed changes is described below.

The licensee proposed required actions in the event the standby liquid

control system boron solution concentration exceeds 9.82% weight (proposed specification 3.1.7, Condition A). Under this condition, the licensee proposed to verify that the concentration and temperature of the boron in solution is within certain limits within 8 hours. NUREG-1433 requires restoration of boron concentration within limits within 72 hours.

The licensee proposed to relocate response time testing requirements for the reactor protection system out of the technical specifications to plant procedures. Existing Peach Bottom technical specifications and NUREG-1433 have response time testing requirements for the reactor protection system.

The licensee proposed a reactor core isolation cooling compartment and steam line area high temperature instrument calibration frequency of once per 24 months (proposed surveillance requirement 3.3.6.1.5). This is less restrictive than the existing technical specifications and it is a deviation from NUREG-1433, which would impose a calibration frequency of once per 92 days.

The licensee proposed several relaxations of the current technical specification requirements for loss of AC power instrumentation. The licensee proposed a 30-day completion time for actions associated with an inoperable degraded voltage-high function and a degraded voltage-non-LOCA function (proposed specification 3.3.8.1, Action B.2). In addition, the licensee proposed a 2-hour delay for actions required for inoperable loss of power channels provided the automatic emergency diesel generator initiation and automation bus transfer functions that remain are for the remaining emergency buses (proposed Note 2 to surveillance requirement Table 3.3.8.1). The licensee also proposed to delete channel calibration surveillance requirements for the emergency bus loss of voltage function (proposed specification Table 3.3.8.1-1). The proposed changes are less restrictive than the existing Peach Bottom technical specification and are deviations from the requirements in NUREG-1433.

The licensee proposed to modify existing requirements for the containment atmospheric dilution system nitrogen storage tank levels (proposed surveillance requirement 3.6.1.3.1). The licensee proposed to change the required level from 2500 gallons to 16 inches of water. This is less restrictive than the existing Peach Bottom technical specifications and is a deviation from the requirements of

NUREG-1433 because NUREG-1433 does not have requirements for containment atmospheric dilution system nitrogen storage tank levels.

The licensee proposed to extend the suppression pool spray header air test from once per 5 years to once per 10 years (proposed surveillance requirement 3.6.2.4.2). NUREG-1433 implements a flow test to verify the spray header is unobstructed.

The licensee proposed a 14-day completion time to restore single inoperable emergency cooling tower fan (proposed specification 3.7.3, Condition A). The existing technical specification do not have specific requirements for a single inoperable fan. NUREG-1433 does not have requirements for the emergency cooling tower.

The licensee proposed required actions for the DC electrical distribution system. The existing technical specifications for one Peach Bottom unit do not have explicit action requirements associated with the inoperability of DC systems in the opposite unit. The proposed specifications include action requirements associated with the inoperability of DC systems in the opposite Peach Bottom unit because the DC systems are shared between the two Peach Bottom units. The licensee proposed a 7-day completion time to restore the DC subsystem if the opposite unit DC subsystem is inoperable due to performance of a battery service or discharge test (proposed specification 3.8.4, Condition A). The licensee also proposed a 12-hour completion time to restore the DC subsystem if the opposite unit DC subsystem is rendered inoperable for reasons other than performance of a battery service or discharge test (proposed specification 3.8.4, Condition B). NUREG-1443 does not contain requirements associated with the DC subsystems of shared units.

The licensee proposed an extended surveillance frequency for the DC systems batteries if the battery was on a equalizing charge during the previous one day (proposed surveillance requirements 3.8.4.1 and 3.8.6.1). The existing Peach Bottom specifications and NUREG-1433 do not allow for this extension.

The licensee proposed to allow the Senior Manager of Operations to have previously held a senior reactor operator license (proposed specification 5.2.2.f). The existing Peach Bottom specifications and NUREG-1433 require the Senior Manager of Operations to hold a senior reactor operator license.

The licensee proposed requirements for the control of high radiation areas (proposed specification 5.7). The proposed specifications are based on

revisions to 10 CFR part 20. The proposed specifications are modifications of existing Peach Bottom specifications and NUREG-1433 requirements.

The licensee proposed changes to the existing environmental technical specifications (proposed Appendix B to the facility operating license). The proposed changes reformat and renumber existing Appendix B requirements into changes consistent with the specifications in Appendix A. NUREG-1433 does not address Appendix B environmental specifications.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By June 19, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Request for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the State Library of Pennsylvania, (REGIONAL DEPOSITORY) Government Publications Section, Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the result of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the

following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in providing the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitation in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention:

Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John F. Stoltz, Director, Project Directorate I-2: petitioner's name and telephone number, date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to James W. Durham, Senior Vice President and General Counsel, PECO Energy Company, 2301 Market Street, Philadelphia, Pennsylvania, 19101, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer, or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)-(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated September 29, 1994, as supplemented by letters dated March 3, 1995 and March 30, 1995, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the State Library of Pennsylvania, (Regional Depository) Government Publications Section, Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

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

For the Nuclear Regulatory Commission.
David H. Moran,
*Acting Director, Project Directorate I-2,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*
[FR Doc. 95-12343 Filed 5-18-95; 8:45 am]
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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-35716; File No. SR-BSE-95-07]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change by the Boston Stock Exchange, Inc., Relating to Its Competing Specialist Pilot Program

May 15, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on May 5, 1995, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. On May 9, 1995, the BSE filed Amendment No. 1 with the Commission.³ 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 BSE seeks to extend the current pilot program for competing specialists on its floor until October 2, 1995.

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

¹ 15 U.S.C. 78s(b)(1) (1988).

² 17 CFR 240.19b-4 (1994).

³ See letter from Karen Aluise, BSE, to Glen Barrentine, SEC, dated May 9, 1995. In Amendment No. 1 the BSE removed its request to expand the pilot program by the number of securities, as well as the number of specialists per issue. The limitations imposed in the original approval order will remain through the extension (maximum of three specialists per stock; each specialist can compete in a maximum of 20 stocks). Thus, during the pilot program, the total number of stocks subject to competition will not exceed 360.

the places specified in Item III 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 extend the current pilot program for competing specialists until October 2, 1995. The program currently provides for up to three competing specialists in a stock on the floor of the Exchange. The pilot program provides for both a regular specialist and a competing specialist(s) in a stock, whereas currently there is only one specialist in that stock. Orders can be directed to either specialist based on each customer's independent decision,⁴ but all orders in that stock will be executed in accordance with strict time priority. Once all limits at a price level are depleted, each specialist is responsible for the market orders directed to them specifically.

All limit orders entrusted to each competing specialist and the regular specialist will be represented and executed strictly according to time priority as to receipt of the order in the BEACON System. Thus incoming market and marketable limit orders will automatically execute against limit orders on the books according to the order in which the limit orders were received in the system.⁵ The regular specialist will be responsible for updating quotations; thus all competitors must communicate their markets to the regular specialist and be responsible for their portion of the published bid and/or offer. Openings and reopenings shall be coordinated through the regular specialist to ensure they are unitary. All ITS activity must be cleared through the regular specialist and only the regular specialist can input quotations to reflect the Boston market. Thus to all other markets in the National Market System, there will be only one Boston market. Trading halts will also be coordinated through the regular specialist and any trading halt will apply to all competitors in a stock.

The Exchange has adopted procedures to provide guidelines for the pilot program participants and for the Exchange in its administration of the

⁴ Non-specifically directed orders would be routed to the regular specialist.

⁵ The BEACON System will view all of the limits on the various books as one centralized book for purposes of order execution.

program.⁶ Any new competitive situation will be reviewed by the Exchange for the duration of the pilot program. Reports of specialists' dealings have been reviewed on a daily basis since the inception of the program and periodic reports have been provided to the Commission for review. In addition, the program was fully integrated into the Exchange's specialist performance evaluation program beginning in December 1994.

Certain technical changes necessitated by the proposed pilot program have been made to Chapter XV § 6 regarding the specialist's book to permit the competing specialist to see a summary of bids and offers at each price level in the subject stock.⁷ This will enable all competitors in a stock to know the combined market in that stock.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)(5) of the Act in that it furthers the objectives to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and in general, to protect investors and the public interest; and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the

⁶ See Securities Exchange Act Release No. 34078 (May 18, 1994), 59 FR 27082 (May 25, 1994); BSE Rules Ch. XV §§ 18 and 6(iii).

⁷ The Commission notes that this change was made in the initial pilot and will carry forward through the extension being approved herein.