corrective action program and the results of the Type A test were confirmatory of the Type B and Type C tests rather than providing information that would otherwise not have been available. The licensee has stated that the visual containment inspection will be performed during the September 1995 RFO although it is only required by 10 CFR part 50, appendix J, to be performed in conjunction with Type A tests. The staff considers that these inspections, though limited in scope, provide an important added level of confidence in the continued structural integrity of the containment boundary.

The staff has also made use of the information in a draft stafff report, NUREG–1493, which provides the technical justification for the present Appendix J rulemaking effort which also includes a 10-year test interval for Type A tests. The ILRT, or Type A test, measures overall containment leakage. However, operating experience with all types of containments used in this country demonstrates that essentially all containment leakage can be detected by LLRT (Type B and Type C). According to results given in NUREG–1493, out of 180 ILRT reports covering 110 individual reactors and approximately 770 years of operating history, only five ILRT failures were found which local leakage rate testing could not detect. This is 3 percent of all failures. This study agrees with previous staff studies which show that Type B and Type C testing detect a very large percentage of containment leaks. The Zion Station, Unit 1, experience has also been consistent with these results.

The Nuclear Management and Resources Council (NUMARC), now the Nuclear Energy Institute (NEI), collected and provided the staff with summaries of data to assist in the 10 CFR part 50, appendix J, rulemaking effort. The NEI collected results of 144 ILRTs from 33 units of which 23 ILRTs exceeded $1.0L_a$. Of these, only nine were not due to Type B or C leakage penalties. The NEI data also added another perspective. The NEI data show that in about one-third of the cases exceeding allowable leakage, the as-found leakage was less than $2L_a$; in one case the leakage was found to be approximately $2L_a$; in one case the as-found leakage was less than $3L_a$; one case approached $10L_a$; and in one case the leakage was found to be approximately $21L_a$. For about half of the failed ILRTs, the as-found leakage was not qualified. These data show that, for those ILRTs for which the leakage was quantified, the leakage values are small when compared to the leakage value at which the risk to the public starts to increase over the value of risk corresponding to L_a (approximately $200L_a$, as discussed in NUREG–1493). Therefore, based on these considerations, it is unlikely that an extension of 18 months for the performance of the appendix J, type A tests at Zion would result in significant degradation of the overall containment integrity. Thus, the application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule.

Based on generic and plant-specific data, the staff finds the licensee's proposed one-time exemption to permit a schedular extension of one cycle for the performance of the 10 CFR part 50, appendix J, type A test, provided that the visual containment inspection is performed, to be acceptable.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this exemption will not have a significant impact on the human environment (60 FR 34305).

This exemption is effective upon issuance and shall expire at the completion of the Type A test scheduled to be performed during the March 1997 refueling outage.

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

For the Nuclear Regulatory Commission.

Jack W. Roe,

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

[FR Doc. 95–17564 Filed 7–17–95; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF MANAGEMENT AND BUDGET

Updated Statistical Definitions of Metropolitan Areas (MAs)

AGENCY: Statistical Policy Office, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB).

ACTION: Updated statistical definitions of Metropolitan Areas as of June 30, 1995.

SUMMARY: Under the authority of the Paperwork Reduction Act of 1980 (44 U.S.C. 3504) and 31 U.S.C. 1104(d) and E.O. No. 10253 (June 11, 1951), the Office of Management and Budget (OMB) defines Metropolitan Areas (MAs) for statistical purposes in accordance with a set of standards published in the **Federal Register** (55 FR 12154–12160, March 30, 1990).

On June 30, 1995, OMB updated the MA definitions in OMB Bulletin No. 95–04. Two new Metropolitan Statistical Areas (MSAs) were defined based on the standards and the 1992 and 1994 official population estimates. Flagstaff, Arizona-Utah MSA (FIPS Code 2620) was defined as of June 30, 1995, comprising Coconino County, Arizona and Kane County, Utah. Grand Junction, Colorado MSA (FIPS Code 2995) was defined as of June 30, 1995, comprising Mesa County, Colorado. A new central city was defined in the Hickory-Morganton NC MSA (FIPS Code 3290). Lenoir, North Carolina is the additional central city and the title for the MSA becomes Hickory-Morganton-Lenoir, NC MSA.

The complete announcement presenting all MA definitions can be obtained through the National Technical Information Service (NTIS) by calling (703) 487–4650 and ordering Accession Number PB95–208880.

For further information on the statistical uses of MA definitions please call Maria E. Gonzalez (202–395–7313). For information concerning the use of MA definitions in a particular Federal agency program, please contact the sponsoring agency directly.

Sally Katzen,

Administrator, Office of Information and Regulatory Affairs.

[FR Doc. 95–17568 Filed 7–18–95; 8:45 am]

BILLING CODE 3110–01–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Identification of Priority Practices; Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Request for written submissions from the public on practices that should be considered with respect to the identification of priority practices pursuant to section 310 of the Trade Act of 1974, as amended (Super 301).

SUMMARY: Section 310 of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2420), requires the United States Trade Representative (USTR) to review United States trade expansion priorities and to identify priority foreign country practices, the elimination of which is likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent. USTR is requesting written submissions from the public concerning foreign countries' practices that should be considered by the USTR for this purpose.

DATES: Submissions must be received on or before 12:00 noon on Friday, August 4, 1995.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street, NW, Washington, D.C. 20508.

FOR FURTHER INFORMATION CONTACT: Irving Williamson, Deputy General Counsel, Office of the United States Trade Representative, (202) 395–3432.

SUPPLEMENTARY INFORMATION: Section 314(f) of the Uruguay Round Agreements Act amended section 310(a) of the Trade Act to require the USTR, within 180 days of the submission in calendar year 1995 of the National Trade Estimate (NTE) report, to review United States trade expansion priorities and identify foreign country practices, the elimination of which is likely to have the most significant potential to increase United States exports, either directly or through the establishment of a beneficial precedent. A report on the review and the practices identified must be submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, and published in the **Federal Register**. In addition, the USTR must initiate investigations under section 302(b)(1) of the Trade Act (19 U.S.C. 2412(b)(1)), no later than 21 days after submission of the report, with respect to all of the foreign country practices so identified. The USTR may also cite in the report practices that may warrant identification in the future or that were not identified because they are already being addressed and progress is being made toward their elimination.

Requirements for Submissions

The USTR invites submissions on foreign country practices that should be considered for identification pursuant to section 310 of the Trade Act. Submissions should indicate whether the foreign policy or practice at issue was identified in the 1995 NTE report published on March 31, 1995 by USTR (U.S. Government Printing Office: 1995–392–760/30253), and if so, should cite the page number(s) where it appears in the NTE and provide any additional information considered relevant. If the foreign practice was not identified in the NTE Report, submissions should (1) include information on the nature and significance of the foreign practice; (2) identify the United States product, service, intellectual property right, or foreign direct investment matter which is affected by the foreign practice; and (3) provide any other information considered relevant. Such information may include information on the trade agreements to which a foreign country is a party, and its compliance with those agreements; the medium- and long-term implications of foreign government procurement plans; and the international competitive position and export potential of United States products and services. Because submissions will be placed in a public file, open to the public inspection at USTR, business-confidential information should not be submitted.

Interested persons must provide twenty copies of any submission to Sybia Harrison, Staff Assistant to the Section 301 Committee, Room 222, 600 17th Street, NW, Washington, D.C. 20508, by no later than 12:00 noon on Friday, August 4, 1995.

Public Inspection of Submissions

Within one business day of receipt, submissions will be placed in a public file, open for inspection at the USTR Reading Room, in Room 101, Office of the United States Trade Representative, 600 17th Street, NW, Washington, D.C. An appointment to review the file may be made by calling Brenda Webb, (202) 395–6186. The USTR Reading Room is open to the public from 10:00 a.m. to 12:00 noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday.

Irving A. Williamson,

Chairman, Section 301 Committee.

[FR Doc. 95–17484 Filed 7–17–95; 8:45 am]

BILLING CODE 3190–01–M

PENSION BENEFIT GUARANTY CORPORATION

Assessment of Penalties for Failure to Provide Required Information

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Statement of Policy.

SUMMARY: The Pension Benefit Guaranty Corporation is revising its policy on penalties for failure to provide required information in a timely manner. The revised policy is designed to promote voluntary compliance. It provides for lower penalties for plans of small businesses and for violations that are speedily corrected.

DATES: The revised policy takes effect on July 18, 1995 with respect to any matter for which a notice of final penalty assessment has not been issued as of that date.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005–4026; 202–326–4024 (202–326–4179 for TTY and TDD).

SUPPLEMENTARY INFORMATION: Section 4071 of the Employee Retirement Income Security Act of 1974 authorizes the PBGC to assess a penalty of up to $1,000 per day for failure to provide any required notice or other material information within the specified time limit. A decision to assess a penalty under section 4071 does not preclude other enforcement or remedial action by the PBGC.

On March 3, 1992, the PBGC issued its first statement of policy on how it would exercise this penalty authority. Pursuant to the President's April 21, 1995, directive on penalties, the PBGC has reviewed its experience under this penalty policy and has concluded that a revised policy statement is appropriate to promote voluntary compliance. This replaces the March 1992 statement, and applies to any notice or other material information required to be provided to the PBGC or other parties to which section 4071 penalties may apply (other than premium-related submissions).

The PBGC will amend Chapter 8, Section 1 of the PBGC Operating Policy Manual (and related departmental manuals) to reflect these general guidelines. The PBGC may amend these guidelines through changes to the Manual as the PBGC gains experience with the new policy.

Penalty Guidelines

The PBGC will continue to consider the facts and circumstances of each case to assure that the penalty fits the violation. Among the factors the PBGC will consider are the importance and time-sensitivity of the required information, the extent of the omission of information, the willfulness of the failure to provide the required information, the length of delay in providing the information, and the size of the plan. In most cases, the PBGC will: (1) increase penalties as the period of delinquency increases; (2) reduce penalties for small plans; and (3) limit total penalties based on plan size.

In general, the PBGC will assess a penalty of $25 per day for the first 90 days of delinquency, and $50 per day thereafter. In addition, the penalty will be proportionately reduced in accordance with the number of participants in the case of plans with fewer than 100 participants,[1] subject to a floor of $5 per day. For example, the penalty for a plan with 25 participants

[1] The participant count calculation will be tied to the appropriate participant count. Thus, in the case of a post-distribution certification, the appropriate participant count will be the number of participants entitled to a distribution in the termination. Where there is no clearly appropriate participant count, the participant count generally will be determined using the most recently filed Form 1 for the relevant plan or plans.