

appropriate, that support the proposed alternative course of action and are consistent with the Commission's Policy Statement on TS. The staff considers the 180-day response period to be appropriate given the amount of engineering that licensees may wish to perform before they provide their formal response to the staff.

(2) Within 30 days of completion of all requested actions, a report confirming completion and summarizing any actions taken.

Address the required written reports to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555-0001, under oath or affirmation under the provisions of Section 182a, the Atomic Energy Act of 1954, as amended, and 10 CFR 50.54(f). In addition, submit a copy of the reports to the appropriate regional administrator.

Related Generic Communications

NRC Bulletin 93-02, "Debris Plugging of Emergency Core Cooling Suction Strainers," dated May 11, 1993 and its supplement dated February 18, 1994.

Backfit Discussion

The actions requested by this bulletin are considered backfits in accordance with NRC procedures and are necessary to ensure that licensees are in compliance with existing NRC rules and regulations. Specifically, 10 CFR 50.46 requires that adequate ECCS flow be provided to maintain the core temperature at an acceptably low value and to remove decay heat for the extended period of time required by the long-lived radioactivity remaining in the core following a design-basis accident. Therefore, this bulletin is being issued as a compliance backfit under the terms of 10 CFR 50.109(a)(4)(i), and a full backfit analysis was not performed. An evaluation was performed in accordance with NRC procedures, including a statement of the objectives of and the reasons for the requested actions and the basis for invoking the compliance exception. A copy of this evaluation will be made available in the NRC Public Document Room.

Paperwork Reduction Act Statement

The information collections contained in this request are covered by the Office of Management and Budget clearance number 3150-0011, which expires July 31, 1997. The public reporting burden for this collection of information is estimated to average 160 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and

completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0011), Office of Management and Budget, Washington, D.C. 20503.

Compliance with the following request for information is purely voluntary. The information would assist NRC in evaluating the cost of complying with this bulletin:

(1) The licensee staff time and costs to perform requested inspections, corrective actions, and associated testing;

(2) The licensee staff time and costs to prepare the requested reports and documentation;

(3) The additional short-term costs incurred as a result of the inspection findings, such as the costs of the corrective actions or the costs of down time;

(4) An estimate of the additional long-term costs that will be incurred in the future as a result of implementing commitments such as the estimated costs of conducting future inspections or increased maintenance.

Dated at Rockville, Maryland, this 19th day of July 1995.

For the Nuclear Regulatory Commission.

Brian K. Grimes,

Director Division of Project Support Office of Nuclear Reactor Regulation.

John W. Craig,

Deputy Director Division of Engineering Technology Office of Nuclear Regulatory Research.

[FR Doc. 95-18686 Filed 7-28-95; 8:45 am]

BILLING CODE 7590-01-P

[Docket Nos. 50-361 and 50-362]

Southern California Edison Company, et al.; San Onofre Nuclear Generating Station, Units 2 and 3; Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has acted on a Petition for action under 10CFR 2.206 received from Richard M. Dean, dated September 19, 1994, as supplemented on December 2 and December 7, 1994, for the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3.

In a letter dated September 19, 1994, the Petitioner requested that the NRC shut down the SONGS facility based upon gross negligence by Southern California Edison Company in not having an escape plan. The Petitioner asserted as a basis for this request that the closure of the Pacific Coast Highway at the Dana Point/San Clemente border (due to a landslide on January 16, 1993) invalidates the emergency evacuation plans for the residents of San Clemente. In letters dated December 2 and December 7, 1994, the Petitioner again requested the NRC to close the SONGS facility. The Petitioner asserted as a basis for this request that the recent financial losses incurred by Orange County called into question the County's ability to effectively participate in emergency evacuation plans in the event of an emergency at SONGS. Since these concerns were closely related to those expressed in the Petitioner's September 19, 1994, petition, they were treated as supplements to this petition.

The Director of the Office of Nuclear Reactor Regulation has determined that the request should be denied for the reasons stated in the "Director's Decision Under 10 CFR 2.206" (DD-95-14), the complete text of which follows this notice and which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC 20555, and at the Local Public Document Room located at the University of California Main Library, P.O. Box 19577, Irvine, California 92713.

Dated at Rockville, Maryland, this 24th day of July 1995.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

Appendix to Director's Decision Under 2.206

I. Introduction

By Petition dated September 19, 1994, Mr. Richard M. Dean (Petitioner) requested that the Nuclear Regulatory Commission (NRC) take action with regard to San Onofre Nuclear Generating Station (SONGS). The Petitioner requested that the NRC shut down the SONGS facility based upon gross negligence by Southern California Edison Company in not having an escape plan. The Petitioner asserted as a basis for this request that the closure of the Pacific Coast Highway (PCH) at the Dana Point/San Clemente border (due to a landslide on January 16, 1993) invalidates the emergency evacuation plans for the residents of San Clemente. Notice of receipt of the Petition indicating that a final decision with respect to the requested action would be forthcoming at a later date was

published in the Federal Register on November 9, 1994 (59 FR 55900).

The Petitioner, in letters dated December 2 and December 7, 1994, again requested the NRC to close the SONGS facility. The Petitioner asserted as a basis for this request that the recent financial losses incurred by Orange County called into question the county's ability to effectively participate in emergency evacuation plans in the event of an emergency at SONGS. Since these concerns were closely related to those expressed in the Petitioner's September 19, 1994, Petition, they were treated as supplements to that Petition.

Because the Petition involves matters related to offsite emergency planning, the NRC requested the assistance of the Federal Emergency Management Agency (FEMA) in responding to the issues raised by the Petition. By Presidential directive, FEMA has been assigned the responsibility for assessing the adequacy of offsite emergency plans for the area surrounding a nuclear plant. The NRC is responsible for assessing the adequacy of onsite emergency plans and has the final licensing authority. FEMA responded to NRC's request for assistance by letter dated March 22, 1995.

II. Discussion

Title 10 of the Code of Federal Regulations (CFR), Part 50, § 50.54(q), states in part that "A licensee authorized to possess and operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards in § 50.47(b)." Section 50.54(s)(1) states in part that "Each licensee who is authorized to possess and/or operate a nuclear power reactor shall submit to NRC within 60 days of the effective date of this amendment the radiological emergency response plans of State and local governmental entities in the United States that are wholly or partially within a plume exposure pathway EPZ, as well as the plans of State governments wholly or partially within an ingestion pathway EPZ." Section 50.47(a)(1) states in part that "no initial operating license for a nuclear power reactor will be issued unless a finding is made by the NRC that there is reasonable assurance that adequate protection can and will be taken in the event of a radiological emergency." Section 50.47(a)(2) further states in part, "The NRC will base its findings on a review of the Federal Emergency Management Agency (FEMA) findings and determinations as to whether State and local emergency plans are adequate and whether there is reasonable assurance that they can be implemented." The review and approval of State and local radiological emergency plans and preparedness by FEMA are performed under the provisions of 44 CFR Part 350.

Officials from the State of California, Orange County, the City of San Clemente, and other jurisdictions in the emergency planning zone (EPZ) for the SONGS facility have participated in the development of the Radiological Emergency Preparedness (REP) plans to be implemented in the event of an incident at the facility. These REP plans have been evaluated in detail during each of the biennial REP exercises that began in May 1981; findings of these exercises have been

reported to the NRC by FEMA. During these biennial exercises, evacuation route impediments, such as landslides, are simulated to test the capability of the offsite response organization to deal with such a contingency. The California State and local officials have continued to meet such challenges successfully during these biennial REP exercises. The most recent exercise was conducted in September 1993. As documented in (1) the October 13, 1993, letter from the NRC to Southern California Edison Company, forwarding the staff's inspection report of the September 1993 exercise, and (2) the March 27, 1995, letter from FEMA to the NRC, forwarding its report on the exercise, the offsite radiological emergency response plans and preparedness for the State of California and the affected local jurisdictions can be implemented and are adequate to provide reasonable assurance that appropriate measures can be taken off site to protect the health and safety of the public in the event of a radiological emergency at the site.

The Petitioner's assertion that with the closure of the PCH, Interstate 5 is the only route out of San Clemente is incorrect. The SONGS EPZ has a total of 10 sectors for evacuation purposes. Three of these sectors comprise to the City of San Clemente. The portion of the PCH affected by the landslide only affects the evacuation of one sector, Sector 3, of the City of San Clemente.

The landslide on January 16, 1993, closed the PCH at the San Clemente and Dana Point border. More landslides occurred in February 1993. However, an alternate route was established around the landslide area by local officials to act as a substitute evacuation route while the PCH was being repaired. The PCH had been scheduled to reopen in January 1995. However, in January 1995, the entire area received extremely heavy rainfall, causing further delays in the reopening of this portion of the PCH. The PCH was officially reopened on April 5, 1995. During reconstruction activities, the PCH was not open to the general public. However, two lanes were open for construction traffic and they could have been used to supplement the alternate route, if needed, as a means for evacuating the area. As stated by FEMA in its letter dated March 22, 1995, since an alternate evacuation route was established during the period when the PCH was closed to normal traffic and since the PCH was available for emergency use, the safe evacuation of the citizens of San Clemente was not compromised.

With respect to the Petitioner's concerns regarding the ability of Orange County to effectively participate in emergency evacuation activities considering the County's current financial difficulties, FEMA concludes that Orange County is meeting its obligations in this matter. According to FEMA's letter dated March 22, 1995, Orange County officials are aware that the current financial situation presents a major challenge in restructuring and prioritizing services to meet their objectives and mandates within their available resources. However, the Board of Supervisors recognizes that the primary mission of the County or of the local County government is the protection of health,

safety, and welfare of the citizens and visitors to the County. During this financial crisis, the Board has repeatedly reiterated and publicly confirmed that these services are the highest priority for all County agencies and departments, including those services provided to contract cities such as San Clemente. In addition, a representative of the County is an active participant on the SONGS Interjurisdictional Planning Committee (IPC), which meets on a formal basis with officials of SONGS, the affected cities, the Camp Pendleton Marine Corps Base, the State Department of Parks and Recreation, the Capistrano Unified School District, San Diego County, and Federal and State emergency organizations to coordinate their nuclear power plant plans, preparedness, and procedures for emergency response to an emergency or incident at the SONGS site. The IPC also coordinates the multiagency planning, training, and drills for multihazard emergency response. The IPC representatives meet at least monthly to ensure their planning and preparedness measures are thoroughly coordinated and current. Accordingly, as stated by FEMA in its letter dated March 22, 1995, Orange County's financial difficulties are not preventing it from meeting its emergency evacuation responsibility.

III. Conclusion

The institution of proceedings pursuant to section 2.206 is appropriate only if substantial health and safety issues have been raised. *See Consolidated Edison Co. of New York* (Indian Point, Units 1, 2, and 3), CLI-75-8, 2 NRC 173, 175 (1975); *Washington Public Power Supply System* (WPPSS Nuclear Project No. 2), DD-84-7, 19 NRC 899, 924 (1984). This is the standard that has been applied to the concerns raised by the Petitioner to determine whether the action requested by the Petitioner is warranted. With regard to the request made by the Petitioner to shut down the SONGS facility, I find no basis for taking this action. The respective local jurisdictions have maintained their emergency plans in effect and continue to monitor them on a regular basis to ensure they remain current and coordinated. Appropriate evacuation routes are available. Local officials are aware of their resource limitations and have focused resources to ensure that the health, safety, and welfare of the citizens are of priority. FEMA has repeatedly determined that offsite emergency response plans and preparedness can be implemented and are adequate to provide reasonable assurance that appropriate measures can be taken offsite to protect the health and safety of the public in the event of a radiological emergency at the SONGS facility. On the basis of FEMA's findings, the NRC continues to find that there is reasonable assurance that adequate protection can and will be taken in the event of a radiological emergency at the SONGS facility. For the reasons discussed above, no basis exists for taking any action in response to the Petition as no substantial health or safety issues have been raised by the Petition. Accordingly, the Petitioner's request for action pursuant to Section 2.206 is denied.

A copy of this Decision will be filed with the Secretary of the Commission for the

Commission to review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after issuance, unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 24 day of July 1995.

For the Nuclear Regulatory Commission.

William T. Russell,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 95-18744 Filed 7-28-95; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

Form Under Review by the Office of Management and Budget

Agency Clearance Officer: Michael E. Bartell, (202) 942-8800

Upon Written Request, Copy Available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549

Extension:

Rule 103f-3—File No. 270-237

Proposed Revisions:

Rule 52—File No. 270-326

Rule 45—File No. 270-164

Form U-1—File No. 270-128

Proposed New Rule and Form:

Rule 58 and Form U-9C-3—File No. 270-400

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted to OMB requests for approval on the following rules and forms:

Rule 10f-3 permits, under certain conditions, purchases of securities from underwriting syndicates whose members include affiliated persons of the purchasing investment company. The rule requires disclosure of those transactions in the investment company's Form N-SAR, and also requires investment companies to keep records of transactions made in reliance upon the rule. It is estimated that 600 respondents will expend 600 burden hours annually to comply with Rule 10f-3.

Rule 52 permits public-utility and nonutility subsidiary companies of registered holding companies to issue and sell certain securities without filing a declaration if certain conditions are met. Within ten days after the issue or sale of any security exempt under rule 52 (or, in some cases, on a quarterly basis), the issuer or seller must file with

the Commission a certificate of notification on Form U-6B-2 containing the information prescribed by that form. The proposed amendments to rule 52 would exempt additional public-utility and nonutility financing. The current reporting requirement would not change as a result of these amendments.

Rule 45 requires the filing of a declaration to obtain Commission approval for a registered holding company or subsidiary company to extend its credit, indemnify or make any capital contribution to any company in the same holding company system, and provides exceptions from the declaration requirement. The proposed amendment to rule 45 would expand the exceptions to conform to the proposed amendments to rule 52. It is estimated that 14 respondents will expend a total 46 burden hours annually to comply with Rule 45.

Form U-1 is used to file applications and declarations requesting Commission authorization of transactions for the acquisition of securities by a company in a registered holding company system. It is estimated that 111 respondents will expend a total of 17,206 burden hours annually.

Proposed rule 58 would permit a registered holding company and its subsidiaries to acquire securities of an "energy-related company" or a "gas-related company", as defined in the rule, without filing an application on Form U-1, subject to certain limitations. Within 60 days after the end of the first calendar quarter in which any exempt acquisition is made, and each calendar quarter thereafter, the registered holding company would be required to file with the Commission a certificate of notification on Form U-9C-3 containing the information prescribed by that form. It is estimated that 61 respondents would expend 4 hours per quarterly filing (or 16 hours per year) to comply with Rule 58 and Form U-9C-3.

General comments regarding the estimated burden hours should be directed to the Clearance Officer for the Securities and Exchange Commission at the address below. Any comments concerning the accuracy of the estimated average burden hours for compliance with Commission rules and forms should be directed to Michael E. Bartell, Associate Executive Director, Office of the Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, and SEC Clearance Officer, Office of Management and Budget, Paperwork Reduction Projects 3235-0226 (Rule 10f-3), 3235-0369 (Rule 52), 3235-0154 (Rule 45) 3235-0125 (Form U-1) and Rule 58 and Form U-9C-3,

Room 3208, New Executive Office Building, Washington, DC 20503.

Dated: July 17, 1995.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95-18657 Filed 7-28-95; 8:45 am]

BILLING CODE 8010-01-M

Forms Under Review by the Office of Management and Budget

Agency Clearance Officer: Michael E. Bartell, (202) 942-8800

Upon Written Request, Copy Available From: Securities and Exchange Commission, Office of Filings and Information Services, 450 Fifth Street, N.W., Washington, D.C. 20549

Approval; Amendments to:

Regulation S-X—File No. 270-3

Form N-1A—File No. 270-21

Form N-2—File No. 270-21

Form N-3—File No. 270-281

Form N-4—File No. 270-282

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for OMB approval amendments to Regulation S-X under the Securities Act of 1933 (the "1933 Act") and Form N-1A, Form N-2, Form N-3, and Form N-4 under the 1933 Act and the Investment Company Act of 1940 (the "1940 Act"). The amendments pertain to the disclosure of investment company ("funds") expenses when such expenses are paid by third parties in exchange for allocation of fund brokerage or use of fund assets.

The amendment to regulation S-X requires funds to include in their statements of operations the amount of any expenses paid by third parties in exchange for allocation of fund brokerage or use of fund assets. The amendments to Form N-1A, Form N-2, Form N-3 and Form N-4 require that this "total expense" figure also be set forth in the fee table and financial highlights table in fund prospectuses and be used, in part, to calculate fund yield. The change in burden associated with these amendments will be reflected in the burdens associated with the various forms to be amended.

It is estimated that 300 funds that file on Form N-1A will each incur 3.0 burden hours in addition to the time currently required to complete the Form, 750 funds that file on Form N-1A will each incur 2.0 additional burden hours, and 1,950 funds that file on Form N-1A will each incur 1.0 additional burden hour. It is estimated that 12 funds that file on Form N-2 will each incur 2.5 burden hours in addition to the time currently required to