

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 proving 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 a 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 limitations 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.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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 Dr. Gail H. Marcus, Director, Project Directorate PDIII-3: 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 Gerald Charnoff, Esq., Shaw, Pittman, Potts, and Trowbridge, 2300 N Street, NW., Washington, DC 20037, 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)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 13, 1995, as supplemented by letter dated October 19, 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 Joseph P. Mann Library, 1516 Sixteenth Street, Two Rivers, Wisconsin.

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

For the Nuclear Regulatory Commission.
Allen G. Hansen,
*Project Manager, Project Directorate III-3,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.*

[FR Doc. 95-26417 Filed 10-20-95; 11:01 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Federal Prevailing Rate Advisory Committee; Correction to Cancellation of Open Committee Meeting

SUMMARY: The Federal Prevailing Rate Advisory Committee is correcting the notice published in Volume 60, number 191, on Tuesday, October 3, 1995.

There is no Federal Prevailing Rate Advisory Committee meeting scheduled for October 30, 1995 which is a Monday.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 5559, 1900 E Street, NW., Washington, DC 20415 (202) 606-1500.

Dated: October 11, 1995.

Anthony F. Ingrassia,
*Chairman, Federal Prevailing Rate Advisory
Committee.*

[FR Doc. 95-26232 Filed 10-23-95; 8:45 am]

BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (ICO, Inc., Common Stock, No Par Value and Preferred Stock, No Par Value) File No. 1-8327

October 18, 1995.

ICO, 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 securities ("Securities") from listing and registration on the Boston Stock Exchange, Inc. ("BSE" or "Exchange").

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

According to the Company, the reason for the withdrawal is that the Securities are listed on the Nasdaq already. Also the additional costs of being listed on the BSE do exceed the benefits.

Any interested person may, on or before November 8, 1995 submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 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.

[FR Doc. 95-26287 Filed 10-23-95; 8:45 am]

BILLING CODE 8010-01-M

Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (Titan Corporation, Common Stock, \$0.01 Par Value; \$1.00 Cumulative Convertible Preferred Stock, \$1 Par Value) File No. 1-6035

October 18, 1995.

Titan Corporation ("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 securities ("Securities") from listing and registration on the Pacific Stock Exchange Incorporated ("PSE").

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

According to the Company, the Securities are currently traded on the New York Stock Exchange, Inc. ("NYSE"), The Chicago Stock Exchange, Inc. ("CHX"), and the PSE. The Company incurs annual maintenance fees for each of the exchanges. Currently, the Company is paying an annual fee of \$1,500.00 to the PSE. From time to time, the Company issues additional shares for use in connection with its employee benefit plans. For every 1,000,000 new shares issued, the Company is charged a \$2,500.00 listing fee by the PSE. Since the vast majority of the trading in the Securities occurs on the NYSE, the Company does not believe that it is cost effective to maintain listings on the regional exchanges. Therefore, the Company has determined that a single listing on the NYSE will be sufficient to serve the needs of its stockholders.

Any interested person may, on or before November 8, 1995, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, N.W., 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.

[FR Doc. 95-26286 Filed 10-23-95; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-36383; File No. SR-NASD-95-39]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by National Association of Securities Dealers, Inc., Relating to Application of the Rules of Fair Practice to Transactions in Exempted Securities and an Interpretation of Its Suitability Rule

October 17, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on September 18, 1995, the National Association of Securities Dealers, Inc. ("NASD" or "Association") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change, and on October 17, 1995, filed amendment No. 1 to the proposed rule change, as described in Items I, II, and III below, which Items have been prepared by the NASD. 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 NASD is herewith filing a proposed rule change to: (i) amend Article I, Sections 4 and 5 of the Rules of Fair Practice in order to apply the Rules of Fair Practice to those members registered with the Securities and Exchange Commission solely under the provisions of Section 15C of the Act and to transactions in all securities, except municipals; (ii) merge the NASD's Government Securities Rules, where applicable, into the Rules of Fair Practice; (iii) make clarifying amendments to certain sections and Interpretations under Articles III and IV of the Rules of Fair Practice relating to the government securities business; (iv) amend certain Rules of Fair Practice and Board Interpretations to exempt transactions in government securities; (v) amend Article III, Section 2 of the Rules of Fair Practice by amendment to Subsection 2(b) and adoption of an

Interpretation of the Board of Governors—Suitability Obligations to Institutional Customers; (vi) make technical changes to NASD By-Laws, Schedules to the By-Laws, the Rules of Fair Practice and the Code of Procedure to replace references to provisions of the Government Securities Rules with references to the appropriate Rules of Fair Practice, and to delete the terms "exempted security" or "exempted securities," or, replace these terms with the term "municipal securities," as applicable; and (vii) modify references to SEC Rules 15c3-1 and 15c3-3 to reflect SEC amendments to those rules. Below is the text of the proposed rule change. Proposed new language is italicized; proposed deletions are in brackets.

Certificate of Incorporation—By-Laws

* * * * *

By-Laws

Article I

Definitions

When used in these By-Laws, and any rules of the Corporation, unless the context otherwise requires, the term:

(a)–(r) No change.

(s) "rules of the Corporation" means all rules of the Corporation including the Certificate of Incorporation, By-Laws, Rules of Fair Practice, [Government Securities Rules,] Code of Procedure, Uniform Practice Code, and any interpretations thereunder.

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Schedules to the By-Laws

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Schedule A

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Sec. 13. Service Charge for Advertisement, Sales Literature, and Other Such Material Filed or Submitted

There shall be a service charge for each and every item of advertisement, sales literature, and other such material, whether in printed, video or other form, filed with or submitted to the Association, except for items that are filed or submitted in response to a written request from the Association's Advertising Regulation Department issued pursuant to the spot check procedures set forth in the Association's Rules of Fair Practice [and Government Securities Rules], as follows: (1) for printed material reviewed, \$50.00, plus \$10.00 for each page reviewed in excess of 10 pages; and (2) for video or audio media, \$50.00, plus \$10.00 per minute for each minute of tape reviewed in excess of 10 minutes.

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