

from PCA effective September 1, 1996. Additionally, Roan Industries Inc., Holly Hill, SC has become an Associate Member of PCA.

No other changes have been made in either the membership or planned activities of the PCA.

On January 7, 1985, PCA filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the Federal Register pursuant to Section 6(b) of the Act on February 5, 1985 (50 FR 5015). The last notification was filed with the Department on July 3, 1996. A notice was published in the Federal Register on July 30, 1996 (61 FR 39667).

Constance K. Robinson,

*Director of Operations, Antitrust Division.*

[FR Doc. 96-23372 Filed 9-11-96; 8:45 am]

BILLING CODE 4410-01-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Job Training Partnership Act: Indian and Native American Employment and Training Programs; Solicitation for Grant Application: Final Designation Procedures for Grantees for Program Years 1997-98**

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Notice of final designation procedures for grantees.

**SUMMARY:** This document contains the procedures by which the Department of Labor (DOL) will designate potential grantees to receive two-year grants for Indian and Native American Employment and Training Programs under the Job Training Partnership Act (JTPA), and to exempt grantees participating in the Public Law 102-477 Demonstration Project from designation cycle competition. The designations will be for JTPA Program Years (PYs) 1997 and 1998 (July 1, 1997 through June 30, 1999). This notice provides necessary information to prospective grant applicants to enable them to submit appropriate requests for designation.

**DATES:** Optional Advance Notices of Intent must be postmarked no later than October 11, 1996. Final Notices of Intent must be postmarked no later than January 1, 1997.

**ADDRESSES:** Send an original and two copies of the Advance and Final Notices of Intent to Mr. Thomas Dowd, Chief, Division of Indian and Native American Programs, Room N-4641 FPB ATTN: MIS Desk, U.S. Department of Labor,

200 Constitution Avenue, N.W., Washington, D.C. 20210.

**SUPPLEMENTARY INFORMATION:** The procedures are basically the same as the previous procedure used for PYs 1995 and 1996, except that the waiver of competition provisions of Sec. 401(l) of the Act will not be utilized for this designation cycle. JTPA section 401 grantees who are presently operating under Pub. L. 102-477, Indian Employment, Training, and Related Services Demonstration Act of 1992, must submit a Final Notice of Intent for redesignation under this procedure in order to maintain their service area designation and eligibility for funds under this title. They are, however, exempt from competition for the current service areas covered in their "477 Plan", assuming all other designation requirements continue to be met.

Job Training Partnership Act: Indian and Native American Programs; Final Designation Procedures for Program Years 1997-98

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Introduction: Scope and Purpose of Notice

Section 401 of the Job Training Partnership Act (JTPA) authorizes programs to serve the employment and training needs of Indians and Native Americans.

Requirements for these programs are set forth in the JTPA and in the regulations at 20 CFR Part 632. The specific organization eligibility and application requirements for designation are set forth at 20 CFR 632.10 and 632.11. Pursuant to these requirements, the Department of Labor (DOL) selects entities for funding under section 401. It designates such entities as potential Native American section 401 grantees which will be awarded grant funds contingent upon all other grant award requirements being met. This notice describes how DOL will designate potential grantees who may apply for grants for Program Years 1997 and 1998. A designated entity may apply for grant funds for PY 1997 and PY 1998 without further competition.

The designation process has two parts. The Advance Notice of Intent (see

Part II, below) is optional although strongly recommended. The Final Notice of Intent (see Part III, below) is mandatory for all applicants. Any organization interested in being designated as a Native American section 401 grantee should be aware of and comply with the procedures in these parts.

The amount of JTPA section 401 funds to be awarded to designated Native American section 401 grantees is determined under procedures described at 20 CFR 632.171 and not through this designation process. The grant application process is described at 20 CFR 632.18 through 632.20.

#### I. General Designation Principles

Based on JTPA and applicable regulations, the following general principles are intrinsic to the designation process:

(1) All applicants for designation shall comply with the requirements found at 20 CFR Part 632, Subpart B, regardless of their apparent standing in the preferential hierarchy (see Part IV, Preferential Hierarchy For Determining Designations, below). The basic eligibility, application and designation requirements are found in 20 CFR Part 632, Subpart B.

(2) The nature of this program is such that Indians and Native Americans are entitled to program services and are best served by a responsible organization directly representing them and designated pursuant to the applicable regulations. The JTPA and the governing regulations give clear preference to Native American-controlled organizations. That preference is the basis for the steps which will be followed in designating grantees.

(3) A State or Federally-recognized tribe, band or group *on its reservation* is given absolute preference over any other organization if it has the capability to administer the program and meets all regulatory requirements. This preference applies only to the area within the reservation boundaries. Such "reservation" organization which may have its service area given to another organization will be given a future opportunity to reestablish itself as the "preference" grantee.

In the event that such a tribe, band or group (including an Alaskan Native entity) is not designated to serve its reservation or geographic service area, the DOL will consult with the governing body of such entities when designating alternative service deliverers, as provided at 20 CFR 632.10(e). Such consultation may be accomplished in writing, in person, or by telephone, as time and circumstances permit. When it

is necessary to select alternative service deliverers, the Grant Officer will continue to utilize input and recommendations from the Division of Indian and Native American Programs (DINAP).

(4) In designating Native American section 401 grantees for off-reservation areas, DOL will provide preference to Indian and Native American-controlled organizations as described in 20 CFR 632.10(f) and as further clarified in Part VIII (1) *Indian or Native American-Controlled Organization* of this notice. As noted in (3) above, when vacancies occur, the Grant Officer will continue to utilize input and recommendations from DINAP when designating alternative service deliverers.

(5) Incumbent and non-incumbent applicants seeking additional areas must submit evidence of significant support from other Native American-controlled organizations within the communities (geographic service areas) which they are currently serving or requesting to serve. See Part III, Final Notice of Intent, below, for more details.

(6) The Grant Officer will make the designations using a two-part process:

(a) Those applicants described in Part IV(1) of the Preferential Hierarchy For Determining Designations will be designated on a noncompetitive basis if all preaward clearances, responsibility reviews, and regulatory requirements are met.

(b) All applicants described in Part IV, (2), (3), and (4) of the Preferential Hierarchy for Determining Designations will be *considered on a competitive basis* for such areas, and only information submitted with the Final Notice of Intent, as well as preaward clearances, responsibility reviews, and all regulatory requirements will be considered.

(7) Special employment and training services for Indian and Native American people have been provided through an established service delivery network for the past 22 years under the authority of JTPA section 401 and its predecessor, section 302 of the repealed Comprehensive Employment and Training Act (CETA). The DOL intends to exercise its designation authority to preserve the continuity of such services and to prevent the undue fragmentation of existing geographic service areas. Consistent with the present regulations and other provisions of this notice, this will include preference for those Native American organizations with an existing capability to deliver employment and training services within an established geographic service area. Such preference will be determined through input and recommendations from the Chief of

DOL's Division of Indian and Native American Programs (DINAP) and the Director of DOL's Office of Special Targeted Programs (OSTP), and through the use of the rating system described in this Notice. Unless a non-incumbent applicant in the same preferential hierarchy as an incumbent applicant grantee can demonstrate that it is significantly superior overall to the incumbent, the incumbent will be designated, if it otherwise meets all of the requirements for redesignation.

(8) In preparing application for designation, applicants should bear in mind that the purpose of JTPA, as amended, is "to establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased education and occupational skills, and decreased welfare dependency, thereby improving the quality of the work force and enhancing the productivity and competitiveness of the Nation."

## II. Advance Notice of Intent

The purpose of the Advance Notice of Intent process is to provide section 401 applicants, prior to the submission of a Final Notice of Intent, with information relative to potential competition. While DOL encourages the resolution of competitive request at the local level prior to final submission, the Advance Notice of Intent process also serves to alert those whose differences cannot be resolved of the need to submit a complete Final Notice of Intent.

Although the Advance Notice of Intent process is not mandated by the regulations, participation in the advance notice process by prospective section 401 applicants is strongly recommended. The Advance Notice of Intent process allows the applicant to identify potential incumbent and non-incumbent competitors, to resolve conflicts if possible and to prepare a Final Notice of Intent with advance knowledge of potential competing requests.

It should be emphasized, however, that the Advance Notice of Intent process does not ensure that all potential competitors have been identified. Some applicants may opt not to submit an Advance Notice of Intent; others may change geographic service area requests in the Final Notice of Intent. Therefore, as noted above, submissions should be prepared with these possibilities in mind. Although the regulations permit incumbents to submit no Advance Notice of Intent and to submit as a Final Notice of Intent no

more than a Standard Form 424 "Application for Federal Assistance" (SF 424) for their existing geographic service areas, *this choice may not be in the incumbent's best interests in the event of unanticipated competition.*

The SF 424 is not to be used for the advance notification process. As in the PY 1995-1996 designation process, DOL will utilize the Advance Notice of Intent to expedite the identification of potentially competitive applicants.

All organizations interested in being designated as section 401 grantees should submit an Advance Notice of Intent. The Advance Notice is to be postmarked no later than October 11, 1996, or 15 calendar days after the date of publication of this Federal Register Notice, whichever occurs later. An organization may submit only one Advance Notice of Intent for any and all areas for which it wants to be considered. The Advance Notice of Intent is to be sent to the Chief, Division of Indian and Native American Programs, at the address cited above. Incumbents will receive a description of their present geographic service area as cited above.

DOL's first step in the designation process is to determine which areas have more than one potential applicant for designation. For those areas for which more than one organization submits an Advance Notice of Intent, each such organization will be notified of the situation, and will be apprised of the identity of the other organization(s) applying for that area. Such notification will consist of providing affected applicants (including incumbents who have not submitted Advance Notices of Intent) with copies of all Advance Notices submitted for their requested areas. The notification will state that organizations are encouraged to work out any conflicting requests among themselves, and that a final Notice of Intent should be submitted by the required postmark deadline of January 1, 1997 (see Part III, Final Notice of Intent, below).

Under the Advance Notice of Intent process, it is DOL policy that, to the extent possible within the regulations, a geographic service area and the applicant which will operate a section 401 program in that area are to be determined by the Native American community to be served by the program. In the event the Native American community cannot resolve differences, applicants should take special care with their final Notices of Intent to ensure that they are complete and fully responsive to all matters covered by the preferential hierarchy and rating systems discussed in this notice.

*Information provided in the Advance Notice of Intent process shall not be considered as a final submission as referenced at 20 CFR 632.11.* The Advance Notice of Intent is a procedural mechanism to facilitate the designation process. The regulations do not provide for formal application for designation through the Advance Notice of Intent. Although tribes and organizations participating in the employment and training demonstration project under Pub. L. 102-477 qualify for exemption from designation competition under Sec. 401(l) of JTPA, they still must submit a Final Notice of Intent to continue to receive funds under the JTPA.

### III. Final Notice of Intent

Even though an ANOI has been submitted, all applicants must submit an original and two copies of a Final Notice of Intent, postmarked not later than January 1, 1997, consistent with the regulations at 20 CFR 632.11. Final Notices of Intent may also be delivered in person not later than the close of business on the first business day of the designation year. Exclusive of charts or graphs and letters of support, the Notice of Intent should not exceed 75 pages of double-space unreduced type.

Final Notices of Intent are to be sent to the Chief, Division of Indian and Native American Programs (DINAP), at the address cited above.

*Final Notice of Intent Contents:* (as outlined at 20 CFR 632.11)

- A completed and signed SF-424, "Application for Federal Assistance";
- An indication of the applicant's legal status, including articles of incorporation or consortium agreement as appropriate;
- A clear indication of the territory being applied for, in the same format as the ANOI;
- Evidence of community support from Native American-controlled organizations; and
- Other relevant information relating to capability, such as service plans and previous experience which the applicant feels will strengthen its case, including information on any unresolved or outstanding administrative problems.

Final Notices of Intent must contain evidence of community support. Incumbent and non-incumbent State and Federally-recognized tribes need not submit such evidence regarding their own reservations. However, such entities are required to provide such evidence for any area which they wish to serve beyond their reservation boundaries.

The regulations permit current grantees requesting their existing geographic service areas to submit an SF 424 in lieu of a complete application, including those grantees currently participating in the demonstration under Public Law 102-477 who are exempt from designation cycle competition. As noted earlier in this notice, current grantees, other than tribes, bands or groups (including Alaskan Native entities) requesting their existing areas, are encouraged to consider submitting a full Final Notice of Intent (even if their geographic service area request has not changed) in the event that competition occurs. Tribes, bands or groups (including Alaskan Native entities) should consider submitting a full Final Notice of Intent if they currently serve areas beyond their reservation boundaries.

Applicants are encouraged to modify the geographic service area requests identified in their Advance Notice of Intent to avoid competition with other applicants. Applicants are discouraged from adding territory to the geographic service area requested and identified in the Advance Notice of Intent. Any organization applying by January 1, 1997, for non-contiguous geographic service areas shall prepare a separate, complete Final Notice of Intent for each such area unless currently designated for such area(s).

It is DOL's policy that no information affecting the panel review process will be solicited or accepted past the regulatory postmarked or hand-delivered deadlines (see Part V, Use of Panel Review Procedure, below). All information provided before the deadline must be in writing.

This policy does not preclude the Grant Officer from requesting additional information independent of the panel review process.

### IV. Preferential Hierarchy for Determining Designation

In cases in which only one organization is applying for a clearly identified geographic service area and the organization meets the requirements at 20 CFR 632.10(b) and 632.11(d), DOL shall designate the applying organization as the grantee for the area. In cases in which two or more organizations apply for the same area (in whole or in part), DOL will utilize the order of designation preference described in the hierarchy below. The organization will be designated, assuming all other requirements are met. The preferential hierarchy is:

(1) Indian tribes, bands or groups on Federal or State reservations for their reservation; Oklahoma Indians only as

specified in Part VII, Special Designation Situations, below; and Alaskan Native entities only specified in Part VII, Special Designation Situations, below.

(2) Native American-controlled, community-based organizations as defined in Part VIII (1) of the glossary in this notice, with significant support from other Native American-controlled organizations within the service community. This includes tribes applying for geographic service areas other than their own reservations.

When a non-incumbent can demonstrate in its application, by verifiable information, that it is potentially significantly superior overall to the incumbent, a formal competitive process will be utilized which may include a panel review. Such potential will be determined by the consideration of such factors as the following: completeness of the application and quality of the contents; documentation of relevant experience; Native American-controlled organizational support; understanding of area training and employment needs and approach to addressing such needs; and the capability of the incumbent. If there is no incumbent, new applicants qualified for this category would compete against each other.

(3) Organizations (private nonprofit or units of State or local governments) having significant Native American control, such as a governing body or administration chaired or headed by a Native American and having a majority membership of Native Americans.

(4) Non-Native American-controlled organizations. In the event such an organization is designated, it must develop a Native American advisory process as a condition for the award of a grant.

The Chief, DINAP, will make determinations regarding hierarchy, geographic service areas, eligibility of new applicants and the timeliness of submissions. He may convene a task force to assist in making such determinations. The role of the task force is that of a technical advisory body.

The Chief, DINAP, will ultimately advise the Grant Officer in reference to which position an organization holds in the designation hierarchy. Within the regulatory time constraints of the designated process, the Chief, DINAP, will utilize whatever information is available.

*The applying organization must supply sufficient information to permit the determination to be made. Organizations must indicate the category which they assume is*

*appropriate and must adequately support that assertion.*

#### V. Use of Panel Review Procedure

A formal competitive process may be utilized under the following circumstances:

(1) The Chief, DINAP, advises that a new applicant qualified for the second category of the hierarchy appears to be potentially significantly superior overall to an incumbent Native American-controlled, community-based organization with significant local Native American community support.

(2) The Chief, DINAP, advises that more than one new applicant is qualified for the second category of the hierarchy, and the incumbent grantee has not reapplied for designation.

(3) The Chief, DINAP, advises that two or more organizations have equal status in the third or fourth categories of the hierarchy, when there are no applicants qualified for the first and second categories.

When competition occurs, the Grant Officer may convene a review panel of Federal Officials to score the information submitted with the Final Notice of Intent. The purpose of the panel is to evaluate an organization's capability, *based on its application*, to serve the area in question. The panel will be provided only the information described at 20 CFR 632.11 and submitted with the Final Notice of Intent. The panel will not give weight to undocumented assertions. Any information must be supported by adequate and verifiable documentation, e.g., supporting references must contain the name of the contact person, an address and telephone number.

The factors listed below will be considered in evaluating the capability of the applicant. In developing the Final Notice of Intent, the applicant should organize his documentation of capability to correspond with these factors.

(1) Operational Capability—40 points. (20 CFR 632.10 and 632.11)

(a) previous experience in successfully operating an employment and training program serving Indians and Native Americans of a scope comparable to that which the organization would operate if designated—20 points.

(b) Previous experience in operating other human resources development programs serving Indians or Native Americans or coordinating employment and training services with such programs—10 points.

(c) Ability to maintain continuity of services to Indian or Native American

participants with those previously provided under JTPA—10 points.

(2) Identification of the training and employment problems and needs in the requested area and approach to addressing such problems and needs—20 points. (20 CFR 632.2)

(3) Planning Process—20 points. (20 CFR 632.11)

(a) Private sector involvement—10 points.

(b) Community support as defined in Part VIII (1), Designation Process Glossary, and documentation as provided in Part I (5), General Designation Principles—10 points. (4) Administrative Capability—20 points. (20 CFR 632.11)

(a) Previous experience in administering public funds under DOL or similar administrative requirements—15 points.

(b) Experience of senior management staff to be responsible for a DOL grant—5 points.

#### VI. Notification of Designation/ Nondesignation

The Grant Officer will make the final designation decision giving consideration to the following factors: the review panel's recommendation, in those instances where a panel is convened; input from DINAP, the Office of Special Targeted Programs, the DOL Employment and Training Administration's Office of Grant and Contracts Management and Office of Management Services, and the DOL Office of the Inspector General; and any other available information regarding the organization's financial and operational capability, and responsibility. The Grant Officer will make decisions by March 1, 1997, and will provide them to all applicants as follows:

(1) *Designation Letter.* The designation letter signed by the Grant Officer will serve as official notice of an organization's designation. The letter will include the geographic service area for which the designation is made. It should be noted that the Grant Officer is not required to adhere to the geographical service area requested in the Final Notice of Intent. The Grant Officer may make the designation applicable to all of the area requested, a portion of the area requested, or if acceptable to the designee, more than the area requested.

(2) *Conditional Designation Letter.* Conditional designations will include the nature of the conditions, the actions required to be finally designated and the time frame for such actions to be accomplished.

(3) *NONDESIGNATION Letter.* Any organization not designated, in whole or in part, for a geographic service area requested will be notified formally of the NONDESIGNATION and given the basic reasons for the determination. An applicant for designation which is refused such designation, in whole or in part, may file a Petition for Reconsideration in accordance with 20 CFR 632.13, and subsequently, may appeal the NONDESIGNATION to an administrative law judge under the provisions of 20 CFR Part 636.

If an area is not designated for service through the foregoing process, alternative arrangements for service will be made in accordance with 20 CFR 632.12.

#### VII. Special Designation Situations

(1) *Alaskan Native Entities.* DOL has established geographic service areas for Alaskan Native employment and training based on the following: (a) The boundaries of the regions defined in the Alaskan Native Claims Settlement Act (ANCSA); (b) the boundaries of major subregional areas where the primary provider of human resource development related services is an Indian Reorganization Act (IRA)-recognized tribal council; and (c) the boundaries of the one Federal reservation in the State. Within these established geographic service areas, DOL will designate the primary Alaskan Native-controlled human resource development services provider or an entity formally designated by such provider. In the past, these entities have been regional nonprofit corporations, IRA-recognized tribal councils, and the tribal government of the Metlakatla Indian Community. DOL intends to follow these principles in designating Native American grantees in Alaska for Program Years 1997 and 1998.

(2) *Oklahoma Indians.* DOL has established a service delivery system for Indian employment and training programs in Oklahoma based on a preference for Oklahoma Indians to serve portions of the State. Generally, geographic service areas have been designated geographically as countywide areas. In cases in which a significant portion of the land area of an individual county lies within the traditional jurisdiction(s) of more than one tribal government, the service area has been subdivided to a certain extent on the basis of tribal identification information contained in the most recent Federal Decennial Census of Population. Wherever possible, arrangements mutually satisfactory to grantees in adjoining or overlapping geographic service areas have been

honored by DOL. DOL intends to follow these principles in designating Native American grantees in Oklahoma for Program Years 1997 and 1998, to preserve continuity and prevent unnecessary fragmentation.

#### VIII. Designation Process Glossary

In order to ensure that all interested parties have the same understanding of the process, the following definitions are provided:

(1) *Indian or Native American-Controlled Organization.* This is defined as any organization with a governing board, more than 50 percent of whose members are Indians or Native Americans. Such an organization can be a tribal government, Native Alaskan or Native Hawaiian entity, consortium, or public or private nonprofit agency. For the purpose of hierarchy determinations, the governing board must have decision-making authority for the section 401 program.

(2) *Service Area.* This is defined as the geographic area described as States, counties, and/or reservations for which a designation is made. In some cases, it will also show the specific population to be served. The service area is defined by the Grant Officer in the formal designation letter. Grantees must ensure that all eligible population members have equitable access to employment and training services within the service area.

(3) *Community Support.* This is evidence of active participation and/or endorsement from Indian or Native American-controlled organizations within the geographic service area for which designation is requested.

While applicants are not precluded from submitting attestations of support from individuals, the business community, State and local government offices, and community organizations that are not Indian or Native American-controlled, they should be aware that such endorsements do not meet DOL's definitional criteria for community support.

Signed at Washington, DC, this 29th day of August, 1996.

Thomas M. Dowd,

*Chief, Division of Indian and Native American Programs.*

Paul A. Mayrand,

*Director, Office of Special Targeted Programs.*

James C. DeLuca,

*Grant Officer, Office of Grants and Contracts Management, Division of Acquisition and Assistance.*

[FR Doc. 96-23386 Filed 9-11-96; 8:45 am]

BILLING CODE 4510-30-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 96-11]

### NASA Advisory Council, Minority Business Resource Advisory Committee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Minority Business Resource Advisory Committee.

**DATES:** September 26, 1996, 8 a.m. to 4 p.m.

**ADDRESSES:** NASA Headquarters Room 9H40 (9th Floor Program Review Center), 300 E Street SW, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ralph C. Thomas, III, Office of Small and Disadvantaged Business Utilization, National Aeronautics and Space Administration, Room 9K70, 300 E Street SW, Washington, DC 20546, (202) 358-2088.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Call to Order
- Reading of Minutes
- Update on NASA SDB Program
- Report from the Chairman
- Public Comment
- Proposed MBRAC Recommendations
- Subcommittee Reports
- New Business
- Adjourn

It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: September 6, 1996.

Leslie M. Nolan,

*Advisory Committee Management Officer,  
National Aeronautics and Space Administration.*

[FR Doc. 96-23407 Filed 9-11-96; 8:45 am]

BILLING CODE 7510-01-M

[Notice 96-112]

### Notice of Prospective Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that UbiquiTex Technologies Corporation, of 2200 Space Park Drive, Suite 200, Houston, Texas 77058, has requested an exclusive license to practice the invention disclosed in NASA Case No. MSC-21487-4, entitled "Atomic Oxygen Reactor Having At Least One Side Arm Conduit," for which a U.S. Patent Application was filed on July 26, 1994, and assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to Mr. Hardie R. Barr, Patent Attorney, Johnson Space Center.

**DATE:** Responses to this notice must be received by November 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Hardie R. Barr, Patent Attorney, Johnson Space Center, Mail Code HA, Houston, TX 77058-3696; telephone (713) 483-1003.

Dated: September 9, 1996.

Edward A. Frankle,

*General Counsel.*

[FR Doc. 96-23406 Filed 9-11-96; 8:45 am]

BILLING CODE 7510-01-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-9 (50-267)]

### Notice of Issuance of Amendment to Materials License SNM-2504; Public Service Company of Colorado, Fort St. Vrain Independent Spent Fuel Storage Installation

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment 3 to Materials License No. SNM-2504 held by the Public Service Company of Colorado (PSCo) for the receipt, possession, storage, and transfer of spent fuel at the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI), located in Weld County, Colorado. The amendment is effective as of the date of issuance.

By application dated June 27, 1996, PSCo requested an amendment to its ISFSI license to add an action statement to the seismic instrumentation specification, Technical Specification 3.4, for the ISFSI.

This amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules