

in this manner are not subject to a civil penalty.

As discussed above, although the events noted by the Petitioners constituted violations of the NRC's regulations and certain enforcement actions were taken, a civil penalty was not assessed on the licensee. This result partially fulfills the Petitioners' request to take enforcement action against the licensee. With regard to imposing a civil penalty, the NRC Enforcement Policy (NUREG-1600, Revision 1, Section VI.B) states, "Civil penalties are used to encourage prompt identification and prompt and comprehensive correction of violations, to emphasize compliance in a manner that deters future violations, and to serve to focus licensees' attention on violations of significant regulatory concern." Based on numerous inspections, the NRC has concluded that the licensee has taken timely and comprehensive corrective actions to improve its radiation protection program, has achieved adequate compliance in the time after the events occurred, and has focused its attention on maintaining adequate radiological controls. An additional civil penalty is unnecessary in light of the improvement in the licensee's performance. Consequently, consistent with the Enforcement Policy, discretion was exercised to not impose civil penalties for these violations. Therefore, the request to take enforcement action by means of a large civil penalty on CY in response to the events noted in the petition is granted in part, in that enforcement action has been taken against the licensee, and denied in part, since no civil penalty was imposed.

#### IV. Decision

For the reasons stated above and in Director's Decision DD-97-19, issued September 3, 1997, the petition is granted in part and denied in part. The decision and the documents cited in the decision are available for public inspection and copying in the Commission's Public Document Room, the Gelman Building, 2210 L Street, NW., Washington, DC.

In accordance with 10 CFR 2.206(c), a copy of the decision will be filed with the Secretary of the Commission for the Commission's review. 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 9th day of September 1999.

For The Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-24059 Filed 9-14-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Notice of Issuance of Revised NRC Form 3, Notice to Employees

The Nuclear Regulatory Commission has issued a revised NRC Form 3, "Notice to Employees", dated August 1999, effective September 15, 1999. The form has been revised to include information that the Occupational Safety and Health Administration (OSHA) promulgated in 29 part CFR 24. The inclusion of this information into NRC Form 3 and OSHA's endorsement of the form simplifies the existing process in which interested parties were advised to copy the 29 CFR part 24 notice from OSHA's Internet website. The notice will still be available on OSHA's Internet website. All licensees will receive an administrative letter explaining the revisions with a copy of the revised form attached.

A copy of NRC Form 3 has been placed in the NRC's Public Document Room in the Gelman Building, 2120 L Street, NW (Lower Level), Washington, DC 20037, for review and copying by interested persons. A copy of the form will be mailed to interested parties who request the form from the NRC Forms Manager, Beverly Martin, at (301) 415-5877, by e-mail [BAMI@NRC.gov](mailto:BAMI@NRC.gov), or by mail at NRC—Washington, DC 20555, Mail Stop T-4 E16.

Dated at Rockville, Maryland this 9th day of September 1999.

For the Nuclear Regulatory Commission.

**Edward T. Baker, III,**

*Agency Allegation Advisor, Office of the Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-24055 Filed 9-14-99; 8:45 am]

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## PENSION BENEFIT GUARANTY CORPORATION

### Interest Assumption for Determining Variable-Rate Premium; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of interest rates and assumptions.

**SUMMARY:** This notice informs the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. These rates and assumptions are published elsewhere (or are derivable from rates published elsewhere), but are collected and published in this notice for the convenience of the public. Interest rates are also published on the PBGC's web site (<http://www.pbgc.gov>).

**DATES:** The interest rate for determining the variable-rate premium under part 4006 applies to premium payment years beginning in September 1999. The interest assumptions for performing multiemployer plan valuations following mass withdrawal under part 4281 apply to valuation dates occurring in October 1999.

**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, 202-326-4024. (For TTY/TDD users, call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

#### SUPPLEMENTARY INFORMATION:

##### Variable-Rate Premiums

Section 4006(a)(3)(E)(iii)(II) of the Employee Retirement Income Security Act of 1974 (ERISA) and § 4006.4(b)(1) of the PBGC's regulation on Premium Rates (29 CFR part 4006) prescribe use of an assumed interest rate in determining a single-employer plan's variable-rate premium. The rate is the "applicable percentage" (currently 85 percent) of the annual yield on 30-year Treasury securities for the month preceding the beginning of the plan year for which premiums are being paid (the "premium payment year"). The yield figure is reported in Federal Reserve Statistical Releases G.13 and H.15.

The assumed interest rate to be used in determining variable-rate premiums for premium payment years beginning in September 1999 is 5.16 percent (*i.e.*, 85 percent of the 6.07 percent yield figure for August 1999).

The following table lists the assumed interest rates to be used in determining variable-rate premiums for premium payment years beginning between October 1998 and September 1999.

For premium payment years beginning in:	The assumed interest rate is:
October 1998 .....	4.42
November 1998 .....	4.26
December 1998 .....	4.46