

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 a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. 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 20555-0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Brent L. Brandenburg, Esq., 4 Irving Place, New York, New York 10003, 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 April 27, 2000, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS

Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 23rd day of August 2000.

For the Nuclear Regulatory Commission.

**George F. Wunder,**

*Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-22032 Filed 8-28-00; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-354]

### Public Service Electric & Gas Company (PSE&G); Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of PSE&G (the licensee) to withdraw its February 24, 2000, application for proposed amendment to Facility Operating License No. NPF-57 for the Hope Creek Generating Station, located in Salem County, New Jersey.

The proposed amendment would have approved a revision to the Hope Creek Generating Station Updated Final Safety Analysis Report to reflect the use of the Mechanical Vacuum Pumps to evacuate the condenser during plant startup at power levels less than or equal to 5%.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on March 22, 2000 (65 FR15384). However, by letter dated July 31, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated February 24, 2000, and the licensee's letter dated July 31, 2000, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 14th day of August, 2000.

For the Nuclear Regulatory Commission.

**John Harrison,**

*Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-22031 Filed 8-28-00; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

### Science and Technology (S&T) Reinvention Laboratory Personnel Demonstration Project, Department of the Navy, Naval Sea Systems Command Warfare Centers

**AGENCY:** Office of Personnel Management (OPM).

**ACTION:** Notice of amendment of a demonstration project plan to establish a new category of positions designated as Senior Scientific Technical Manager (SSTM).

**SUMMARY:** 5 U.S.C. 4703 authorizes OPM to conduct demonstration projects that experiment with new and different personnel management concepts to determine whether such changes in personnel policy or procedures would result in improved Federal personnel management.

Public Law 103-337, October 5, 1994, permits the Department of Defense (DoD), with the approval of OPM, to carry out personnel demonstration projects generally similar to the China Lake demonstration project at DoD S&T reinvention laboratories. The Warfare Centers commenced implementation of their demonstration project on March 15, 1998.

**DATES:** The Warfare Centers may implement this amendment to the personnel demonstration project beginning on August 29, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Warfare Centers: Vicki Warner, NSWC/NUWC Demonstration Project Office, NSWCDD, HR Department, 17320 Dahlgren Road, Dahlgren, VA 22448, phone 540-653-8507.

OPM: Joan Jorgenson, U.S. Office of Personnel Management, 1900 E Street NW, Room 7458, Washington, DC 20415, phone 202-606-1315.

#### SUPPLEMENTARY INFORMATION:

##### 1. Background

On Wednesday, December 3, 1997, OPM approved and published in the **Federal Register** (Volume 62, Number 232, Part II) the final plan for the S&T Reinvention Laboratory Personnel Demonstration Project at the Naval Sea Systems Command Warfare Centers.

Additionally, on Wednesday, July 21, 1999, OPM approved and published in the **Federal Register** (Volume 64, Number 139, pages 39179–39181) an amendment to the plan.

The demonstration project involves a simplified classification system, performance development and incentive pay systems, a streamlined reduction-in-force system, and a simplified examining and appointment process.

## 2. Overview

From the initial development of their personnel demonstration project concept plan, the Warfare Centers have had, as a principal objective, the establishment of a flexible classification and compensation system. Consistent with numerous independent studies of laboratory effectiveness over the last several decades, such a system is considered essential to recruiting and retaining a world-class workforce. The project plan published on December 3, 1997, largely meets that objective. However, it falls short of addressing a relatively small, but critical, element of the Warfare Centers' scientific and engineering workforce, *i.e.*, employees with responsibilities substantially exceeding the GS–15 classification criteria and not otherwise appropriately designated as Senior Level (SL) or Scientific and Professional (ST). The Warfare Centers intend to resolve this deficiency by amending the project plan to recognize a new category of positions, Senior Scientific Technical Manager (SSTM).

Office of Personnel Management.

**Janice R. Lachance,**  
*Director.*

## I. Executive Summary

The Department of the Navy (DON) established the Naval Sea Systems Command Warfare Centers personnel demonstration project to be generally similar to the system in use by the permanent demonstration project at the Naval Command, Control, and Ocean Surveillance Center, San Diego, CA and the Naval Air Warfare Center, Weapons Division, China Lake, CA (commonly called "the China Lake demonstration project"). The Warfare Centers demonstration project and this amendment are designed to promote the overall goal of implementing a human resources management system that facilitates mission execution and organizational excellence; responds to today's dynamic environment by obtaining, developing, utilizing, incentivizing, and retaining high performing employees; and permits

adjustment of workforce levels to meet program and organizational needs.

## II. Introduction

The purpose of this notice is to add a new category of positions, Senior Scientific Technical Manager (SSTM). Broad band VI of the scientific and engineering career path is redefined as described below, and all references to this broad band in the final plan published in the **Federal Register** on December 3, 1997 are hereby brought into conformance with this new definition. (Note particularly that positions which, prior to project implementation, were classified as ST or SL are hereby removed from this broad band.) Other provisions of the approved plan are unchanged. Pursuant to 5 CFR 470.315, changes are hereby made to the **Federal Register**, Science and Technology Reinvention Laboratory Personnel Demonstration Project at the Naval Sea Systems Command Warfare Centers; Department of the Navy; Notice, Wednesday, December 3, 1997, Volume 62, Number 232, Part II.

## III. Personnel System Changes

A. In Section III B 1, amend Figure 2, Career Paths and Broad Bands, to replace "ST/SL" with "SSTM" as the label for broad band level ND–VI.

B. At the end of Section III B 1 b, Broad Bands and Levels of Responsibility, append the following text:

The Warfare Centers broad banding plan creates a pay band in the Scientific and Engineering occupational family for Senior Scientific Technical Managers. The current definitions of Senior Executive Service (SES), Senior Level (SL), and Scientific and Professional (ST) positions do not fully meet the needs of the Warfare Centers.

The SES designation is appropriate for executive level managerial positions whose classification exceeds grade 15 of the General Schedule. The primary knowledge and abilities of employees occupying SES positions relate to supervisory and managerial responsibilities. Positions classified as ST are designed for bench research scientists and engineers. These positions require a very high level of technical expertise and have little or no supervisory responsibilities. The SL classification is generally used for positions classifiable above grade GS–15 that do not meet the SES or ST criteria, but have minimal supervisory responsibility.

The Warfare Centers currently have positions that warrant classification above grade 15 of the General Schedule because of their technical expertise

requirements. These positions, typically division/office/branch heads, have some characteristics of SES and SL or ST classifications. Most of these positions are responsible for supervising other GS–15 positions, including lower level supervisors, non-supervisory engineers and scientists, and in some cases ST positions. The supervisory and managerial requirements exceed those appropriate for SL and ST positions.

Management considers the primary requirement for these positions to be knowledge of and expertise in the specific scientific and technology areas related to the mission of their organizations, rather than the executive leadership qualifications that are characteristic of the SES. Historically, incumbents of these positions have been recognized within the community as scientific and engineering leaders who possess strong managerial and supervisory abilities. Therefore, although some of these employees have scientific credentials that might compare favorably with ST criteria, classification of these positions as STs or SLs is not an option because the managerial and supervisory responsibilities cannot be ignored.

The project plan is hereby modified to redefine pay band VI of the Scientific and Engineering occupational family. While SL and ST positions will continue to be covered by the demonstration project for incentive pay and other purposes, pay band VI will no longer include SL and ST positions, as described in the project plan. The redefined pay band VI will apply to a new category of positions designated as Senior Scientific Technical Managers (SSTM). Positions so designated will include those requiring both scientific/technical expertise and full managerial and supervisory authority. Their scientific/technical expertise and responsibilities warrant classification above the GS–15 level.

Warfare Centers' positions possibly meeting criteria for designation as SSTM will be reviewed on a case-by-case basis. The salary range for SSTM positions is a minimum of 120% of the minimum rate of basic pay for GS–15, with the maximum rate of basic pay established at the rate of basic pay (excluding locality pay) for SES Level 4 (ES–4).

Vacant SSTM positions will be competitively filled to ensure that selectees are preeminent technical leaders in the specialty fields who also possess managerial and supervisory abilities. Panels will be created to assist in filling SSTM positions. Panel members typically will be current or former SES members, ST employees,

and, later, those designated as SSTM. In addition, senior military officers and recognized technical experts from outside the Warfare Centers may also serve, as appropriate. The purpose of the panel is to ensure impartiality, breadth of technical expertise, and a rigorous and demanding review.

The Department of Defense (DoD) will test SSTM positions for a 5-year period. SSTM positions will be subject to limitations imposed by the Office of Personnel Management (OPM) and DoD. SSTM positions will be established only in an S&T reinvention laboratory that employs scientists, engineers, or both. Incumbents of these positions will work primarily in their professional capacity on basic or applied research. Secondly, they will also perform managerial or supervisory duties.

The number of SSTM positions, and the equivalent in other approved S&T reinvention laboratory personnel demonstration projects within DoD, will not exceed 40. These 40 positions will be allocated by the Assistant Secretary of Defense (Force Management Policy) and administered by the respective Services. The number of positions will be reviewed periodically to determine appropriate position requirements. SSTM (and the equivalent in other S&T reinvention laboratories? demonstration projects) position allocations will be managed separately from SES, ST, and SL allocations. An evaluation of the concept for these positions will be performed during the fifth year of the demonstration project.

Specific details regarding the control and management of all SSTM positions will be included in the Warfare Centers? demonstration project regulations in accordance with guidance developed and provided by DON.

Here ends the text appended at the end of Section III B 1 b, Broad Bands and Levels of Responsibility, of the Warfare Centers? demonstration project plan.

C. After the third paragraph of Section III D 3, Exit from the Demonstration Project, insert the following text:

SSTM employees will convert out of the demonstration project at the GS-15 level. The Warfare Centers will develop procedures to ensure that employees designated as SSTM understand that if they leave the demonstration project and their adjusted pay exceeds the GS-15, step 10 rate, there is no entitlement to retained pay. Their GS-equivalent rate will be the rate for GS-15, step 10. SSTM employees paid below the adjusted GS-15, step 10 rate will be converted to a GS-adjusted rate on the highest applicable rate range for the converted GS grade. (For this purpose,

a GS rate range includes a rate range in (1) the GS base schedule, (2) an applicable locality rate schedule, or (3) an applicable special rate schedule.)

D. In Section V A, Waivers to Title 5, United States Code, append the following to the existing waiver of Chapter 53, Section 5363, Pay Retention: For SSTM employees, pay retention provisions are modified so that no rate established under these provisions may exceed the rate of basic pay for GS-15, step 10; *i.e.*, there is no entitlement to a retained rate.

E. In Section V A, Waivers to Title 5, United States Code, substitute the following text for that of the existing waivers for the chapters and sections indicated:

1. Chapter 53, Sections 5301; 5302 (1), (8), and (9); 5303, and 5304: Pay Comparability System. (This waiver applies only to the extent necessary to allow demonstration project employees covered by broad banding, except those designated as SSTM, to be treated as General Schedule employees; to allow SSTM employees to be treated as ST employees; and to allow basic rates of pay under the demonstration project to be treated as scheduled rates of basic pay. This waiver does not apply to Federal Wage System (FWS) employees. Neither does it apply to ST and SL employees, who continue to be covered by these provisions, as appropriate.)

2. Chapter 55, Section 5545(d): Hazardous duty differential. (This waiver applies only to the extent necessary to allow demonstration project employees covered by broad banding to be treated as General Schedule employees. This waiver does not apply to FWS, ST, SL, or SSTM employees.)

3. Chapter 57, Sections 5753, 5754, and 5755: Recruitment and Relocation Bonuses, Retention Allowances, and Supervisory Differentials. (This waiver applies only to the extent necessary to allow demonstration project employees and positions covered by broad banding, except SSTM employees and positions, to be treated as employees and positions under the General Schedule; and to allow SSTM employees and positions to be treated as ST employees and positions. This waiver does not apply to FWS employees. Neither does it apply to ST and SL employees, who continue to be covered by these provisions, as appropriate.)

F. To Section V A, Waivers to Title 5, United States Code, add the following new waivers:

1. Chapter 31, Section 3132: The Senior Executive Service: Definitions and Exclusions.

2. Chapter 33, Section 3324: Appointment to Positions Classified Above GS-15.

G. In Section V B, Waivers to Title 5, Code of Federal Regulations, append the following to the existing waiver of Part 536, Section 536.104: Pay Retention: For SSTM employees, pay retention provisions are modified so that no rate established under these provisions may exceed the rate of basic pay for GS-15, step 10; *i.e.*, there is no entitlement to a retained rate.

H. In Section V B, Waivers to Title 5, Code of Federal Regulations, append the following to the existing waiver of Part 591, subpart B: Cost-of-Living Allowances and Post Differential—Non-Foreign Areas: SSTM employees are to be treated as ST employees for the purposes of these provisions.

I. In Section V B, Waivers to Title 5, Code of Federal Regulations, substitute the following text for that of the existing waivers for the parts and subparts indicated:

1. Part 531, Subpart C: Special Pay Adjustments for Law Enforcement Officers. (This waiver applies only to the extent necessary to allow demonstration project employees covered by broad banding, except SSTM employees, to be treated as General Schedule employees; to allow SSTM employees to be treated as ST employees; and to allow basic rates of pay under the demonstration project to be treated as scheduled annual rates of pay. This waiver does not apply to FWS employees. Neither does it apply to ST and SL employees, who continue to be covered by these provisions, as appropriate.)

2. Part 531, Subpart F: Locality-Based Comparability Adjustments. (This waiver applies only to the extent necessary to allow demonstration project employees covered by broad banding, except SSTM employees, to be treated as General Schedule employees; to allow SSTM employees to be treated as ST employees; and to allow basic rates of pay under the demonstration project to be treated as scheduled annual rates of pay. This waiver does not apply to FWS employees. Neither does it apply to ST and SL employees, who continue to be covered by these provisions, as appropriate.)

3. Part 550, Section 550.902, definition of "employee": Hazardous Duty Pay. (This waiver applies only to the extent necessary to treat demonstration project employees covered by broad banding as General Schedule employees. This waiver does not apply to FWS, ST, SL, or SSTM employees.)

4. Part 575, subparts A, B, C, and D: Recruitment Bonuses, Relocation Bonuses, Retention Allowances, and Supervisory Differentials. (This waiver applies only to the extent necessary to allow demonstration project employees and positions covered by broad banding, except SSTM employees and positions, to be treated as employees and positions under the General Schedule; and to allow SSTM employees and positions to be treated as ST employees and positions. This waiver does not apply to FWS employees. Neither does it apply to ST and SL employees, who continue to be covered by these provisions, as appropriate.)

[FR Doc. 00-22004 Filed 8-28-00; 8:45 am]

BILLING CODE 6325-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Filings and Information Services, Washington, D.C. 20549-0007.

Extension: Rule 13f-1; SEC File No. 270-22; OMB Control No. 3235-0006

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension and approval of the collection of information described below.

Section 13(f)<sup>1</sup> of the Securities Exchange Act of 1934<sup>2</sup> (the "Exchange Act") empowers the Commission to: (1) adopt rules that create a reporting and disclosure system to collect specific information; and (2) disseminate such information to the public. Rule 13f-1<sup>3</sup> under the Exchange Act requires institutional investment managers that exercise investment discretion over accounts—having in the aggregate a fair market value of at least \$100,000,000 of exchange-traded or NASDAQ-quoted equity securities—to file quarterly reports with the Commission on Form 13F.

The information collection requirements apply to institutional investment managers that meet the \$100 million reporting threshold. Section 13(f)(5) of the Exchange Act defines an "institutional investment manager" as

any person, other than a natural person, investing in or buying and selling securities for its own account, and any person exercising investment discretion with respect to the account of any other person. Rule 13f-1(b) under the Exchange Act defines "investment discretion" for purposes of Form 13F reporting.

The reporting system required by section 13(f) of the Exchange Act is intended, among other things, to create in the Commission a central repository of historical and current data about the investment activities of institutional investment managers, and to improve the body of factual data available to regulators and the public.

The Commission staff estimates that 2,108 respondents make approximately 8,949 responses under the rule each year. The staff estimates that on average, Form 13F filers spend 98.8 hours/year to prepare and submit the report. In addition, the staff estimates that 129 respondents file approximately 516 amendments each year. The staff estimates that on average, Form 13F filers spend 4 hours/year to prepare and submit amendments to Form 13F. The total annual burden of the rule's requirements for all respondents therefore is estimated to be 208,786.4 hours ((2,108 filers x 98.8 hours) + (129 filers x 4 hours)).

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act. The estimate is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503; and (ii) Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20549-0004. Comments must be submitted to OMB within 30 days of this notice.

August 22, 2000.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 00-22018 Filed 8-28-00; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-43191; File No. SR-AMEX-00-45]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the American Stock Exchange LLC Relating to Amendments to the FORTUNE Indexes

August 22, 2000.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on August 16, 2000, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the propose rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The proposed rule change has been filed by the Amex as a "non-controversial" rule change under Rule 19b-4(f)(6)<sup>3</sup> under the Act. 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 Exchange proposes to add Commentary .07 to Amex Rule 915; Amex Rule 902C(k); and Amex Rule 1004A, relating to disclaimers of liability and warranties with respect to the FORTUNE Indexes. The text of the proposed rule change is available at the Office of the Secretary, Amex and at the Commission.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

<sup>1</sup> 15 U.S.C. 78m(f)

<sup>2</sup> 15 U.S.C. 78a et seq.

<sup>3</sup> 17 CFR 240.13f-1.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 17 CFR 240.19b-4(f)(6).