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**Nadene G. Kennedy,**

*Permit Officer.*

[FR Doc. 01-25615 Filed 10-11-01; 8:45 am]

**BILLING CODE 7555-01-M**

## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-369-LR, 50-370-LR, 50-413-LR, and 50-414-LR; ASLBP No. 02-794-01-LR]

### **Duke Energy Corp., McGuire Nuclear Station, Units 1 and 2, Catawba Nuclear Station, Units 1 and 2; Establishment of Atomic Safety and Licensing Board**

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28,710 (1972); the Commission's Regulations, see 10 CFR 2.1201, 2.1207; and the Commission's Order dated October 4, 2001, CLI-01-20, 54 NRC \_\_\_\_ (Oct. 4, 2001), an Atomic Safety and Licensing Board is being established to preside over the following proceeding:

Duke Energy Corporation

McGuire Nuclear Station, Units 1 and 2  
Catawba Nuclear Station, Units 1 and 2

On June 13, 2001, Duke Energy Corporation submitted an application to renew the operating licenses for its McGuire Nuclear Station, Units 1 and 2, and Catawba Nuclear Station, Units 1 and 2, near Charlotte, North Carolina. This Licensing Board is being established pursuant to an August 15, 2000 notice of acceptance for docketing of an application and opportunity for a hearing (65 FR 60,693). The proceeding involves intervention petitions/hearing requests regarding the renewal application filed by the Nuclear Information and Resource Service and the Blue Ridge Environmental Defense League.

The Board is comprised of the following administrative judges:

Administrative Judge Ann Marshall Young, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Administrative Judge Charles N. Kelber, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Administrative Judge Lester S. Rubenstein, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 CFR 2.1203.

Issued at Rockville, Md, this 5th day of October 2001.

**G. Paul Bollwerk III,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 01-25673 Filed 10-11-01; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Completion of Terminated License Review Project**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Completion of terminated license review project.

In 1989 the General Accounting Office issued a report which raised concerns about the U.S. Nuclear Regulatory Commission's (NRC's) criteria and procedures used for the decommissioning of formerly licensed sites. As a result, in 1990, the NRC decided to undertake a review of terminated materials licenses to assure that previously licensed facilities were properly decontaminated and posed no threat to public health and safety. Oak Ridge National Laboratory (ORNL) was contracted to review all materials licenses terminated by the NRC or its predecessor agencies, from inception of material regulation, to: (1) Identify sites with potential for meaningful residual contamination, based on information in the license documentation; and (2) to identify sealed sources with incomplete or no accounting that could represent a public hazard.

ORNL examined in excess of 37,000 terminated license files. From its evaluation of these license files, ORNL identified approximately 675 loose material licenses and 565 sealed source licenses that required further review. NRC Regional offices either performed a follow-up review, or transferred responsibility for the follow-up review to the appropriate Agreement State.

As a result of the Regional reviews, 40 sites were found to have residual contamination in excess of the NRC's criteria for unrestricted release. Of these sites, 18 have been closed, 11 have been transferred to Agreement States or the U.S. Department of Air Force, 8 are in the process of decommissioning, and 3 are under further NRC review.

ORNL has developed a web-based database for the NRC to document the evaluation and closure process for all

terminated license files. This database will also be used to track the 300-400 licenses terminated each year by NRC. The database will be completed in September 2002.

For further details with respect to this action, see the Final Report on Results of Terminated License Reviews, dated September 26, 2001. This report is available online through NRC's Agencywide Documents Access and Management Systems (Accession No. ML012710539).

Dated at Rockville, Maryland, this 4th day of October 2001.

For the Nuclear Regulatory Commission.

**Larry W. Camper,**

*Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 01-25671 Filed 10-11-01; 8:45 am]

**BILLING CODE 7590-01-P**

## **OFFICE OF PERSONNEL MANAGEMENT**

### **Submission for OMB Review: Comment Request for Review of an Expiring Information Collection: Standard Form 1153**

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Public Law 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) has submitted to the Office of Management and Budget a request for review of an expired information collection. Standard Form 1153, Claim for Unpaid Compensation of Deceased Civilian Employee, is used to collect information from individuals, who have been designated as beneficiaries of the unpaid compensation of a deceased Federal employee or who believe that their relationship to the deceased entitles them to receive the unpaid compensation of a deceased Federal employee. OPM needs this information in order to adjudicate the claim and properly assign a deceased Federal employee's unpaid compensation to the appropriate individual(s).

We received no comments on our 60-day notice on Standard Form 1153, published in the **Federal Register** on June 15, 2001.

Approximately 3,000 SF 1153 forms are submitted annually. It takes approximately 15 minutes to complete the form. The annual estimated burden is 750 hours.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606-8358, fax to (202) 418-3251, or e-mail to [mbtoomey@opm.gov](mailto:mbtoomey@opm.gov). Please include your mailing address.

**DATES:** Comments on this proposal should be received within 30 calendar days from the date of this publication.

**ADDRESSES:** Send or deliver comments to—Melissa A. Drummond, Program Manager, Office of Merit Systems Oversight, Office of Merit Systems Oversight and Effectiveness, U.S. Office of Personnel Management, 1900 E Street, NW., Room 7671, Washington, DC 20415, and Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., Room 10235, Washington, DC 20503.

U.S. Office of Personnel Management.

**Kay Coles James,**

*Director.*

[FR Doc. 01-25610 Filed 10-11-01; 8:45 am]

**BILLING CODE 6325-43-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-44903; File No. 4-208]

### Intermarket Trading System; Order Granting Approval of the Seventeenth Amendment to the ITS Plan Relating to Regional Computer Interface, 30-Second Commitment Expiration, and the Principal Place of Business of the Boston Stock Exchange, Inc.

October 3, 2001.

On July 16, 2001, the Intermarket Trading System Operating Committee ("ITSOC") submitted to the Securities and Exchange Commission ("Commission"), pursuant to Section 11A of the Securities Exchange Act of 1934 ("ACT"),<sup>1</sup> and Rule 11A3a3-2 thereunder,<sup>2</sup> a proposed amendment ("Seventeenth Amendment") to the restated ITS Plan.<sup>3</sup> The proposed

amendment recognized the National Association of Securities Dealers, Inc.'s ("NASD") use of the Regional Computer Interface ("RCI"),<sup>4</sup> and provided for a six-month pilot program for the use of a 30-second commitment expiration. In addition, the proposed amendment reflected the BSE's new principal place of business. Notice of the proposed amendment appeared in the **Federal Register** on August 15, 2001.<sup>5</sup> The Commission received no comments on the proposed amendment. This order approves the proposed amendment.

The Commission finds that the proposed amendment is consistent with the Act and the rules and regulations thereunder applicable to the ITS and, in particular, sections 11A(a)(1)(C)(ii) and (D) of the Act,<sup>6</sup> and Rule 11A3-2(c)(2) thereunder,<sup>7</sup> which requires among other things, that such plan amendment is necessary or appropriate in the public interest, for the protection of investors and the maintenance of fair and orderly markets, and removes impediments to, and perfects the mechanisms of, a national market system. Specifically, the Commission believes that the plan amendment should help to enable the NASD to use the communications network that links all the Participant markets. In addition, the Commission believes that by providing a shorter commitment expiration option of 30-seconds as a six-month pilot program, the proposed amendment should foster efficiency and enhance competition among Participant markets.

It Is Therefore Ordered, pursuant to section 11A(a)(3)(B) of the Act,<sup>8</sup> that the proposed Seventeenth Amendment be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01-25702 Filed 10-11-01; 8:45 am]

**BILLING CODE 8010-01-M**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 25205; 812-12016]

### Firstmark Corp.; Notice of Application.

October 5, 2001.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the "Act").

**SUMMARY OF THE APPLICATION:** Firstmark Corp. ("Applicant") requests an order exempting it from all provisions of the Act until the earlier of one year from the date the requested order is issued or the date it no longer may be deemed to be an investment company.

**FILING DATES:** The application was filed on March 3, 2000 and amended on October 2, 2001.

### Hearing or Notification of Hearing:

An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on October 31, 2001 and should be accompanied by proof of service on Applicant in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. Applicant, Three James Center, 7th Floor, 1051 Eash Cary Street, Richmond, VA 23219.

### FOR FURTHER INFORMATION CONTACT:

Emerson S. Davis, Sr., Senior Counsel, at (202) 942-0714, or Michael W. Mundt, Branch Chief, at (202) 942-0564 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee from the Commission's Public Reference Branch, 450 Fifth Street, NW., Washington, DC 20549-0102 (telephone (202) 942-8090).

<sup>1</sup> 15 U.S.C. 78k-1.

<sup>2</sup> 17 CFR 240.11Aa3-2.

<sup>3</sup> The ITS is a National Market System ("NMS") plan, which was designed to facilitate intermarket trading in exchange-listed equity securities based on current quotation information emanating from the linked markets. See Securities Exchange Act Release No. 19456 (January 27, 1983), 48 FR 4938 (February 3, 1983).

The ITS Participants include the American Stock Exchange LLC ("Amex"), the Boston Stock Exchange, Inc. ("BSE"), the Chicago Board Options Exchange, Inc. ("CBOE"), the Chicago Stock Exchange, Inc. ("CHX"), the Cincinnati Stock Exchange Inc. ("CSE"), the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc. ("NYSE"), the Pacific Exchange, Inc. ("PCX"), and the Philadelphia Stock Exchange, Inc. ("PHLX") ("Participants").

<sup>4</sup> "RCI" is defined in Section 1(34A) of the ITS Plan as the "automated linkage between the System and, and collectively, the Regional Switches and the AMEX [Display Book Manager] DBM that, when implemented, will enable members located on the floors of the Amex, BSE, the CHX, the PSE, and the PHLX to participate in the Applications."

<sup>5</sup> See Securities Exchange Act Release No. 44661 (August 8, 2001), 65 FR 42904.

<sup>6</sup> 15 U.S.C. 78k-1(a)(1)(C)(ii) and (D).

<sup>7</sup> 17 CFR 240.11A3-2(c)(2).

<sup>8</sup> 15 U.S.C. 78k-1(a)(3)(B).

<sup>9</sup> 17 CFR 200.30-3(a)(29).