

SUPPLEMENTARY INFORMATION: The portion of LC 40 B.(1) with the proposed change would read as follows:

40 B. Reclamation, to ensure required longevity of the covered tailings and groundwater protection, shall be completed as expeditiously as is reasonably achievable, in accordance with the following target dates for completion:

(1) Placement of erosion protection as part of reclamation to comply with Criterion 6 of Appendix A of 10 CFR part 40—

For impoundment No. 1—December 31, 2001

For impoundment No. 2, excluding portions used for approved byproduct material disposal—December 31, 2003

Quivira's request to amend LC 40 B.(1) of Source Material License SUA-1473, which describes the proposed changes to the license condition and the reason for the request, is being made available for public inspection at the NRC's Public Document Room at NRC Headquarters in Rockville, Maryland.

The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provision of 10 CFR part 2, subpart L, "Informal Hearing Procedures for Adjudications of Materials and Operator Licensing Proceedings." Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for hearing must be filed within 30 days of the publication of this notice in the **Federal Register**. The request for a hearing must be filed with the Office of the Secretary, either:

(1) By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Attention: Docketing and Service Branch.

In accordance with 10 CFR 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

(1) The applicant, Quivira Mining Company, 6305 Waterford Blvd., Suite 325, Oklahoma City, Oklahoma 73118, Attention: William Paul Goranson; and

(2) The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceedings, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) The requestor's area of concern about the licensing activity that is the subject matter of the proceedings; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing. In addition, members of the public may provide comments on the subject application within 30 days of the publication of this notice in the **Federal Register**. The comments may be provided to Michael T. Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Rockville, Maryland, this 27th day of December 2001.

For the Nuclear Regulatory Commission.

Melvyn N. Leach,

Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02-231 Filed 1-3-02; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-25346]

Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

December 28, 2001.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of December 2001. A copy of each application may be obtained for a fee at the SEC's Public Reference Branch, 450 Fifth St., NW., Washington, DC 20549-0102 (tel. 202-942-8090). An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a

copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on January 22, 2002, and should be accompanied by proof of service on the 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 Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549-0609. For Further Information Contact: Diane L. Titus, at (202) 942-0564, SEC, Division of Investment Management, Office of Investment Company Regulation, 450 Fifth Street, NW., Washington, DC 20549-0506.

Somerset Exchange Fund [File No. 811-7703]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On October 2, 2001, applicant's shareholders approved a proposal to convert applicant from a closed-end investment company to an open-end investment company. Shareholders of applicant were informed in proxy materials that following conversion to an open-end investment company, applicant would seek to deregister under the Act if redemptions caused the number of applicant's beneficial owners to fall below 100. Applicant will continue to operate as an unregistered pooled investment vehicle in reliance on section 3(c)(1) or section 3(c)(7) of the Act.

Filing Dates: The application was filed on November 13, 2001, and amended on December 20, 2001.

Applicant's Address: 800 Scudders Mill Rd., Plainsboro, NJ 08536.

Kemper National Tax-Free Income Series [File No. 811-2353]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 11, 2001, applicant's two series, Kemper Municipal Bond Fund and Kemper Intermediate Municipal Bond Fund, transferred their assets and liabilities to Scudder Managed Municipal Bonds, a series of Scudder Municipal Trust, and Scudder Medium Term Tax Free Fund, a series of Scudder Tax Free Trust, based on net asset value. Expenses of \$315,583 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Kemper Income Trust [File No. 811-8983]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On May 29, 2001, applicant transferred its assets to Scudder High Yield Fund (formerly Kemper High Yield Fund), a series of Scudder High Yield Series (formerly Kemper High Yield Series), based on net asset value. Expenses of \$42,990 incurred in connection with the reorganization were paid by applicant.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Kemper Asian Growth Fund [File No. 811-7731]

Kemper International Fund [File No. 811-3136]

Summary: Each applicant seeks an order declaring that it has ceased to be an investment company. On May 29, 2001 and June 18, 2001, respectively, each applicant transferred its assets to a series of Scudder International Fund, Inc., based on net asset value. Expenses of \$39,129 and \$360,873, respectively, incurred in connection with the reorganizations were paid by applicants and Zurich Scudder Investments, Inc., investment adviser to the applicants.

Filing Date: The applications were filed on December 5, 2001.

Applicants' Address: 222 South Riverside Plaza, Chicago, IL 60606.

PaineWebber Investment Series [File No. 811-5259]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On February 9, 2001, applicant transferred its assets to PACE Global Fixed Income Investments, a series of PaineWebber PACE Select Advisors Trust, based on net asset value. Expenses of \$161,041 incurred in connection with the reorganization were paid by applicant's investment adviser, Brinson Advisors, Inc.

Filing Date: The application was filed on December 17, 2001.

Applicant's Address: 51 West 52nd St., New York, NY 10019-6114.

Scudder California Tax Free Trust [File No. 811-3729]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 18, 2001, applicant transferred its assets to Scudder California Tax-Free Income Fund (formerly Kemper California Tax-Free Income Fund), a series of Kemper

State Tax-Free Income Series, based on net asset value. Expenses of \$94,058 incurred in connection with the reorganization were paid by applicant, the acquiring fund and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

Farmers Investment Trust [File No. 811-9085]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On April 9, 2001, applicant's five portfolios, Farmers Income Portfolio, Farmers Income with Growth Portfolio, Farmers Balanced Portfolio, Farmers Growth with Income Portfolio and Farmers Growth Portfolio, transferred their assets and liabilities to corresponding portfolios of Scudder Pathway Series based on net asset value. All expenses incurred in connection with the reorganization were paid by Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

AARP Tax Free Income Trust [File No. 811-4050]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On September 11, 2000, applicant's two series, AARP Insured Tax Free General Bond Fund and AARP High Quality Tax Free Money Fund, transferred their assets and liabilities to Scudder Managed Municipal Bonds, a series of Scudder Municipal Trust, and Scudder Tax-Free Money Fund, respectively, based on net asset value. Expenses of \$626,383 incurred in connection with the reorganization were paid by applicant, Scudder Tax-Free Money Fund, and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

AARP Managed Investment Portfolios Trust [File No. 811-7933]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On September 25, 2000, applicant's two series, AARP Diversified Income with Growth Portfolio and AARP Diversified Growth

Portfolio, transferred their assets and liabilities to corresponding series of Scudder Pathway Series, based on net asset value. Expenses of \$149,688 incurred in connection with the reorganization were paid by Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

Scudder GNMA Fund [File No. 811-3699]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On July 17, 2000, applicant transferred its assets to Scudder GNMA Fund (formerly AARP GNMA and U.S. Treasury Fund), a series of Scudder Income Trust (formerly AARP Income Trust), based on net asset value. Expenses of \$838,829 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

Kemper Global Income Fund [File No. 811-5829]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 18, 2001, applicant transferred its assets to Scudder Global Bond Fund, a series of Global/International Fund, Inc., based on net asset value. Expenses of \$48,049 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Mercury Internet Strategies Fund, Inc. [File No. 811-9853]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. By May 23, 2001, applicant's sole shareholder redeemed its shares at net asset value. Expenses of \$3,000 incurred in connection with the liquidation were paid by applicant.

Filing Dates: The application was filed on November 28, 2001, and amended on December 18, 2001.

Applicant's Address: 800 Scudders Mill Rd., Plainsboro, NJ 08536.

Master Internet Strategies Trust [File No. 811-9851]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On October 15, 2001, applicant transferred its assets to Merrill Lynch Global Technology Fund, Inc. based on net asset value. Applicant incurred no expenses in connection with the reorganization.

Filing Dates: The application was filed on November 28, 2001, and amended on December 18, 2001.

Applicant's Address: 800 Scudders Mill Rd., Plainsboro, NJ 08536.

Kemper Income and Capital Preservation Fund [File No. 811-2305]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 25, 2001, applicant transferred its assets to Scudder Income Fund, a series of Scudder Portfolio Trust, based on net asset value. Expenses of \$173,273 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Kemper Short-Term U.S. Government Fund [File No. 811-5195]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 25, 2001, applicant transferred its assets to Scudder Short Term Bond Fund, a series of Scudder Funds Trust, based on net asset value. Expenses of \$55,843 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Kemper Horizon Fund [File No. 811-7365]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 11, 2001, applicant transferred its assets to Scudder Total Return Fund (formerly Kemper Total Return Fund), based on net asset value. Expenses of \$933,275 incurred in connection with the reorganization were paid by applicant, the acquiring fund and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

Kemper Securities Trust [File No. 811-8393]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 11, 2001, applicant transferred its assets to Scudder Growth and Income Fund, a series of Investment Trust, based on net asset value. Expenses of \$31,147 incurred in connection with the reorganization were paid by applicant and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 5, 2001.

Applicant's Address: 222 South Riverside Plaza, Chicago, IL 60606.

MCG Capital Corporation [File No. 811-10587]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company as of December 4, 2001, the date applicant elected to be regulated as a business development company.

Filing Dates: The application was filed on December 4, 2001, and amended on December 17, 2001.

Applicant's Address: 1100 Wilson Blvd., Suite 800, Arlington, VA 22209.

AARP Cash Investment Funds [File No. 811-3650]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On September 11, 2000, applicant's two series, AARP Premium Money Fund and AARP High Quality Money Fund, transferred their assets and liabilities to Scudder Money Market Series, a series of Scudder Money Market Trust, and Scudder Cash Investment Trust, respectively, based on net asset value. Expenses of \$478,645 incurred in connection with the reorganization were paid by applicant, the surviving funds, and Zurich Scudder Investments, Inc., applicant's investment adviser.

Filing Date: The application was filed on December 4, 2001.

Applicant's Address: Two International Place, Boston, MA 02110-4103.

Trust for Financial Institutions [File No. 811-7067]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. By April 7, 1995, applicant's shareholders had voluntarily redeemed their shares at net asset value. Applicant incurred no expenses in connection with the liquidation.

Filing Date: The application was filed on September 4, 2001.

Applicant's Address: 5800 Corporate Dr., Pittsburgh, PA 15237-7000.

Merrill Lynch Internet Strategies Fund, Inc. [File No. 811-9783]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On October 15, 2001, applicant transferred its assets to Merrill Lynch Global Technology Fund, Inc. based on net asset value. Expenses of \$714,832 incurred in connection with the reorganization were paid by the surviving fund.

Filing Date: The application was filed on November 28, 2001.

Applicant's Address: 800 Scudders Mill Rd., Plainsboro, NJ 08536.

Mercury Senior Floating Rate Fund, Inc. [File No. 811-10023]

Summary: Applicant, a feeder fund in a master-feeder structure, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Date: The application was filed on December 4, 2001.

Applicant's Address: Merrill Lynch Investment Managers, L.P., 800 Scudders Mill Rd., Plainsboro, NJ 08536.

Blue Ridge Total Return Fund [File No. 811-8391]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On June 15, 2001, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of approximately \$26,700 incurred in connection with the liquidation were paid by applicant and its investment adviser, Colonial Asset Management, Inc.

Filing Date: The application was filed on December 4, 2001.

Applicant's Address: 116 South Franklin St., P.O. Box 69, Rocky Mount, NC 27802-0069.

Mentor Funds [File No. 811-6550]**Cash Resource Trust [File No. 811-7862]**

Summary: Each applicant seeks an order declaring that it has ceased to be an investment company. On September 21, 2001, each applicant made a liquidating distribution to its shareholders based on net asset value. Total expenses of \$1,794,983 incurred in connection with both liquidations were paid by Wachovia Corporation, parent of the investment adviser to all series of the applicants.

Filing Dates: The applications were filed on October 1, 2001, and amended on December 7, 2001.

Applicants' Address: Evergreen Funds, 200 Berkeley St., Boston, MA 02116.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Jonathan G. Katz,
Secretary.

[FR Doc. 02-177 Filed 1-3-02; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45207; File No. SR-OPRA-2001-03]

Options Price Reporting Authority; Notice of Filing of Amendment to OPRA Plan To Exclude Foreign Currency Options From the Calculation of Capacity Allocation Provided for in the OPRA Plan

December 28, 2001.

Pursuant to Rule 11Aa3-2 under the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on December 10, 2001, the Options Price Reporting Authority ("OPRA"),² submitted to the Securities and Exchange Commission ("Commission") an amendment to the Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information ("OPRA Plan"). The amendment would exclude foreign currency options ("FCOs") from the calculation of capacity allocation provided for in the OPRA Plan. The Commission is publishing this notice to solicit comments on the proposed amendment from interested persons.

I. Description and Purpose of the Amendment

The proposed amendment would revise certain provisions of section III,

"Definitions" and section V(d), "Quarterly Calculation of Capacity Allocation" in order to exclude FCOs from the calculation of system capacity allocation that is provided for in the OPRA Plan and make available exclusively for the processing and dissemination of FCO market data a fixed amount of system capacity as determined by OPRA from time to time. The proposed amendment provides that the capacity available for FCO market data will be capable of handling at least 350 messages per second ("mps"), the amount currently assigned by OPRA to FCO market data. OPRA represents that such capacity is sufficient to meet the anticipated needs of the FCO market. OPRA represents that the proposed amendment would make no substantive change to the provisions of the OPRA Plan.

II. Implementation of Plan Amendment

OPRA intends to make the proposed amendment to the OPRA Plan effective immediately upon approval of the amendment by the Commission pursuant to Rule 11Aa3-2 under the Act.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed plan amendment is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC, 20549-0609. Copies of the submission, all subsequent amendments, and all written statements with respect to the proposed plan amendment that are filed with the Commission, and all written communications relating to the proposed plan amendment between the Commission and any person, other than those withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing will also be available at the principal offices of OPRA. All submissions should refer to File No. SR-OPRA-2001-03 and should be submitted by January 22, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.³

Margaret F. McFarland,
Deputy Secretary.

[FR Doc. 02-215 Filed 1-3-02; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45199; File No. SR-MSRB-2001-09]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Municipal Securities Rulemaking Board Relating to Rule A-4, on Meetings of the Board

December 27, 2001.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on December 13, 2001, the Municipal Securities Rulemaking Board ("Board" or "MSRB") filed with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the MSRB. The MSRB has designated the proposed rule change as concerned solely with the administration of the Board under section 19(b)(3)(A) of the Act, which renders the proposed rule change effective upon receipt by the Commission. 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 MSRB has filed with the Commission a proposed rule change to amend rule A-4, on meetings of the Board, to include E-mail as a method of contacting and polling Board members. The text of the proposed rule change is set forth below. Additions are italicized; deletions are bracketed.

Rule A-4. Meetings of the Board

(a) No change.

(b) Notice of Meetings. Notice of the time and place of special meetings of the Board shall be mailed to each member, at such member's address appearing in the records of the Board, not later than the seventh calendar day preceding the date on which the

³ 17 CFR 200.30-3(a)(29).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

¹ 17 CFR 240.11Aa3-2.

² OPRA is a national market system plan approved by the Commission pursuant to Section 11A of the Exchange Act, 15 U.S.C. 78k-1, and Rule 11Aa3-2 thereunder, 17 CFR 240.11Aa3-2. See Securities Exchange Act Release No. 17638 (March 18, 1981), 22 S.E.C. Docket 484 (March 31, 1981). The OPRA Plan provides for the collection and dissemination of last sale and quotation information on options that are traded on the participant exchanges. The five signatories to the OPRA Plan that currently operate an options market are the American Stock Exchange, the Chicago Board Options Exchange, the International Securities Exchange, the Pacific Exchange, and the Philadelphia Stock Exchange. The New York Stock Exchange is a signatory to the OPRA Plan, but sold its options business to the Chicago Board Options Exchange in 1997. See Securities Exchange Act Release No. 38542 (April 23, 1997), 62 FR 23521 (April 30, 1997).