

environmental impacts associated with the proposed exemption.

#### *Alternatives to the Proposed Action*

Since the Commission concluded that there are no measurable environmental affects that would result from the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the requested exemption. This would not reduce environmental impacts of plant operation and would result in reduced operational flexibility.

#### *Alternate Use of Resources*

This proposed action does not involve the use of any resources not previously considered in the Final Environmental Statements for the Peach Bottom Atomic Power Station, Units 2 and 3, dated April 1973.

#### *Agencies and Persons Consulted*

The staff consulted with the State of Pennsylvania regarding the environmental impact of the proposed action. The State Official had no comment.

#### **Finding of No Significant Impact**

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for exemption dated February 22, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room located at Government Publications Section, State Library of Pennsylvania, (Regional Depository) Education Building, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 14th day of April 1994.

For the Nuclear Regulatory Commission.

**John F. Stolz,**

*Director, Project Directorate, I-2 Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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#### **Nuclear Safety Research Review Committee Meetings of Subcommittee on Instrumentation and Control (I&C) and Human Factors and Subcommittee on Research in Support of Risk-Based Regulation (PRA Subcommittee)**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of meetings.

The NSRRC I&C and Human Factors Subcommittee will hold a meeting on May 18 and 19, 1995 and the PRA Subcommittee on May 19, 1995. A part of the May 19 meeting will be a joint meeting of the two subcommittees. The meetings will take place in Room T-2B3, Two White Flint North (TWFN) Building, 11545 Rockville Pike, Rockville, MD.

The meetings will be open to public attendance.

The I&C and Human Factors Subcommittee will review human factors research programs. In the joint meeting, the two subcommittees will jointly review research related to representation of human performance and organizational factors in probabilistic risk assessments. After the joint meeting, the PRA subcommittee will review NRC probabilistic risk assessment policy and practice in relation to research needs.

The agenda will be as follows:

#### *Thursday, May 18: I&C and Human Factors Subcommittee*

- 8:30-10:00 Introduction; overview of human factors research.
- 10:15-11:45 Human-system interface; safety-related operator actions.
- 1:00-3:45 Human performance data collection, Halden human error project, communications, simulator training; radiation therapy; staffing projects.
- 3:45-5:00 Subcommittee discussion.

#### *Friday, May 19: Joint Meeting of Both Subcommittees*

- 8:00-8:30 Introduction, background.
- 8:30-9:45 Organizational performance measures and methods to include organizational factors in PRA.
- 10:00-11:45 Human performance measures.
- 11:45-12:00 Subcommittees discussion.
- 12:00 I&C and Human Factors Subcommittee adjourns at the conclusion of the joint meeting.

#### *Friday, May 19, continued: PRA Subcommittee*

- 1:15-1:30 Introductory remarks.
- 1:30-4:00 Update on PRA Policy Statement and PRA Implementation Plan.
- 4:00-5:00 Subcommittee discussion.

The Subcommittees will report to the full Committee on the facts and analyses discussed at the meetings.

Detailed agenda will be made available at the meetings.

Oral statements may be presented by members of the public with the concurrence of the presiding Subcommittee Chairman; written statements will be accepted and made available to the Subcommittee. Questions may be asked only by members of the Committee and the staff. Persons desiring to make oral statements should notify the Nuclear Regulatory Commission staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portions of the meetings, the Subcommittees may exchange preliminary views regarding matters to be considered during the balance of the meeting. The Subcommittees will then hear presentations by and hold discussions with representatives of the NRC staff regarding this review.

Further information regarding topics to be discussed, the scheduling of sessions, whether the meetings have been canceled or rescheduled, and the Chairmen's ruling on requests for the opportunity to present oral statements and the time allotted therefore can be obtained by a prepaid telephone call to Mr. George Sege (telephone 301/415-6593) between 8:00 a.m. and 4:30 p.m. (EST). Persons planning to attend these meetings are urged to contact the above named individual one or two business days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: April 13 1995.

**George Sege,**

*Technical Assistant to the Director Office of Nuclear Regulatory Research.*

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#### **[Docket No. 50-309]**

#### **Maine Yankee Atomic Power Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity For a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-36 issued to Maine Yankee Atomic Power Company (the licensee) for operation of the Maine Yankee Atomic Power Station located in Lincoln County, Maine.

The proposed amendment would revise the Technical Specifications to allow the use of the Westinghouse Electric Corporation sleeving process for repairing steam generator tubes.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration. The NRC staff has reviewed the licensee's analysis against the standards of 10 CFR 50.92(c). The staff's review is presented below:

1. The proposed amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated. With the sleeve dimensions, materials, and connecting joints to the existing tube designed to the applicable ASME Boiler and Pressure Vessel Code, the proposed sleeving repair acts as an in-kind substitution for the original steam generator tubing. The applicable design criteria for the sleeves conform to the stress limits and margins of Section III of the ASME Code. Safety factors of 3 for normal operation and 1.5 for accident conditions were applied to the design. Mechanical testing using the ASME Code stress allowables has been performed in support of the design. Based on the results of vendor analytical and test programs, the sleeves fulfill their intended function as leak tight structural members and meet or exceed all design criteria.

Evaluation of the proposed sleeved tubes indicates no detrimental effects on the sleeve or sleeve-tube assembly from reactor system flow, thermal conditions or transients, or pressure conditions or transients as may be experienced at the Maine Yankee plant. Field experience and corrosion testing of sleeve-tube assemblies indicate acceptable primary and secondary corrosion performance of the sleeve and parent tube under anticipated service conditions. Installation of the proposed sleeves (joined at the top by laser welding, and at the bottom by mechanical means) is controlled via the sleeving vendor's proprietary process and equipment. This process has been in use since 1989 for the installation of approximately 12,000 laser welded sleeves. The Maine Yankee steam generator design was reviewed and found to be compatible with the installation process and equipment. Installation of the proposed

sleeves will have no significant effect on either plant configuration or operation.

The licensee therefore concludes that implementation of the proposed change will not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. The proposed amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. As discussed above, the structural integrity, thermal characteristics, and material properties of the proposed sleeves are consistent with Maine Yankee's steam generators. Therefore, the functions of the steam generators will not be significantly affected by installation of the proposed sleeves. In addition, the proposed sleeves do not interact with any other plant systems. Finally, the continued integrity of installed sleeves is periodically verified by steam generator inspections required by plant Technical Specifications. The licensee therefore concludes that implementation of the proposed change will not create a new or different kind of accident from any accident previously evaluated.

3. The proposed amendment would not involve a significant reduction in a margin of safety.

Repair of degraded steam generator tubes via the use of the proposed sleeves has been confirmed to restore the structural integrity of faulted tubes under normal operating and postulated accident conditions. The design safety factors used for the sleeves are consistent with ASME Code safety factors required in the design of Maine Yankee's steam generators. The repair limit for the proposed sleeves is consistent with that established for Maine Yankee's steam generators. The design of the sleeve-to-tube joint has been verified by testing to preclude significant leakage during normal and postulated accident conditions. Use of the previously identified design safety factors and design verification testing assures that margin to safety with respect to installation of the proposed sleeves is not significantly different from the original steam generator tubes.

The licensee therefore concludes that implementation of the proposed change would not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By May 22, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman

Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Wiscasset Public Library, High Street, P.O. Box 367, Wiscasset, ME 04578. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or

expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if 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, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Phillip F. McKee: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Mary Ann Lynch,

Esquire, Maine Yankee Atomic Power Company, 329 Bath Road, Brunswick, ME 04011, 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 14, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Wiscasset Public Library, High Street, P.O. Box 367, Wiscasset, ME 04578.

Dated at Rockville, Maryland, this 17th day of April 1995.

For the Nuclear Regulatory Commission.

**Edouard H. Trottier,**

*Project Manager, Project Directorate I-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-35613; File No. SR-DTC-95-06]

### Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing of a Proposed Rule Change Seeking to Modify the Same-Day Funds Settlement System to Accommodate the Overall Conversion to Same-Day Funds Settlement for Securities Transactions

April 17, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> notice is hereby given that on March 22, 1995, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-DTC-95-06) as described in Items I, II, and III below, which items have been prepared primarily by DTC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

<sup>1</sup> 15 U.S.C. 78s(b)(1) (1988).