

of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code shall not apply to: (1) The extensions of credit (the Loans) to the Plan from Universal Underwriters Insurance Company (the Employer), with respect to a guaranteed investment contract (the GIC) issued by Confederation Life Insurance Company (Confederation); (2) the Plan's potential repayment of the Loans upon the receipt by the Plan of payments under the GIC; and (3) the assignment by the Plan to the Employer of all claims or causes of action it may have against the Plan's former GIC placement advisor for recommending that the Plan purchase the GIC; provided the following conditions are satisfied:

(A) All terms and conditions of such transaction are no less favorable to the Plan than those which the Plan could obtain in arm's-length transactions with unrelated parties;

(B) No interest or expenses are paid by the Plan in connection with the proposed transaction;

(C) The Loans will be repaid only out of amounts paid to the Plan by Confederation, its successors, or any other responsible third party;

(D) Repayment of the Loans will be waived to the extent that the Loans exceed GIC proceeds;

(E) A qualified independent fiduciary will represent the interests of the Plan throughout the duration of the proposed transaction; and

(F) The Employer's recovery resulting from a cause of action assigned to the Employer by the Plan will be limited to the amount necessary to pay for litigation expenses and to pay off the Plan's outstanding Loan balance and any excess recovery will be transferred back to the Plan.

WRITTEN COMMENTS: The Department received a total of 6 written comments. All 6 commentators urged the Department to grant the exemption. No commentators requested a hearing.

After giving full consideration to the entire record, including the written comments, the Department has determined to grant the exemption.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the Notice published on June 7, 1995, at 60 FR 30109.

FOR FURTHER INFORMATION CONTACT: Virginia J. Miller of the Department, telephone (202) 219-8971. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemptions do not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 4th day of August, 1995.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
U.S. Department of Labor.*

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[Prohibited Transaction Exemption 95-56]

Mellon Bank, N.A., and its Affiliates (Mellon)

AGENCY: Department of Labor.

ACTION: Notice of Technical Correction.

On July 12, 1995, the Department of Labor (the Department) published in the **Federal Register** (60 FR 35933) an individual exemption which permits: (1) the purchase and sale of securities, including the common stock of Mellon Bank Corporation (MBC Stock), between various Indexed Accounts, as defined therein, which are sponsored, maintained, trustee, or managed by Mellon; (2) the purchase and sale of securities, including MBC Stock,

between Indexed Accounts and various large accounts (the Large Accounts), as defined therein, pursuant to portfolio restructuring programs for the Large Accounts; and (3) the acquisition, holding or disposition of MBC Stock by Indexed Accounts for the purpose of maintaining strict quantitative conformity with the relevant index upon which the Indexed Account is based.

With respect to Section IV(e), the first full sentence in the second column on 60 FR 35935, relating to the definition of a "Large Account" for purposes of the exemption, should read as follows:

". . . As noted in Section I(h)(4), a "Large Account" shall only be an account . . . etc."

FOR FURTHER INFORMATION CONTACT: Mr. E.F. Williams, of the Department, at (202) 219-8194.

Signed at Washington, D.C., this 4th day of August, 1995.

Ivan L. Strasfeld,

*Director, Office of Exemption Determinations,
Pension and Welfare Benefits Administration.*

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Record Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration, Office of Records Administration.

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the National Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) Propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 U.S.C. 3303a(a).

DATES: Request for copies must be received in writing on or before September 25, 1995. Once the appraisal of the records is completed, NARA will

send a copy of the schedule. The requester will be given 30 days to submit comments.

ADDRESSES: Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, College Park, MD 20740. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in the parentheses immediately after the name of the requesting agency.

SUPPLEMENTARY INFORMATION: Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending

1. Department of Agriculture, Consolidated Farm Services Agency (N1-145-95-1). Administrative Management records.
2. Department of the Army (N1-AU-95-5). Accelerated destruction of temporary indexes and related files relating to investigative activities.
3. Department of Health and Human Services, Administration for Children

and Families (N1-102-93-1). Program evaluation working files of the Office of Child Development, 1971-74.

4. Department of the Interior, Bureau of Reclamation (N1-115-94-1, N1-115-94-2, N1-115-94-3, and N1-115-94-9). General records pertaining to administrative, financial, and personnel management.

5. Department of Justice (N1-60-95-5). Swine flu administrative claim file case tracking system.

6. Department of Justice, Bureau of Prisons (N1-129-95-3). Requests by Federal agencies to waive purchases from Federal Prison Industries.

7. Department of State, Bureau of Politico-Military Affairs (N1-59-95-13). Routine, facilitative, and duplicative records relating to export policy.

8. Department of State, Bureau of Economic and Business Affairs (N1-59-94-25, -27, and -28). Routine, facilitative, and duplicative records relating to trade and commercial affairs.

9. Department of State, Office of the Legal Adviser (N1-76-95-1). Records relating to the Heathrow arbitration.

10. Department of Transportation, Office of the Secretary (N1-398-93-1). Employee fitness center data information system.

11. Department of Transportation, Office of the Secretary (N1-398-94-4). Routine and facilitative files concerning commercial space program activities. Substantial program records are proposed for permanent retention.

12. Department of Treasury of the Office of Federal Financing Bank. (N1-56-94-1). Loan Administration Files and Office Administration Files.

12. Department of Treasury, Internal Revenue Service (N1-58-95-1). Applications to participate in the tax return electronic filing programs.

14. Census Bureau, Geography Division (N1-29-95-1). Cronaflex (mylar) county, Place, and metropolitan maps of the 1980 decennial census. Microform maps are scheduled as permanent.

15. Environmental Protection Agency (N1-412-94-2). Electronic records, pollution enforcement and removal actions, and revised dispositions of various agencywide textual records.

16. National Archives and records Administration (N2-30-92-1). Accessioned records of the Bureau of Public Roads relating to road construction and war material surplus that were reappraised as temporary.

17. Peach Corps (N1-490-95-11). Trainee Request Handbooks.

18. Small Business Administration, Office of Disaster Assistance (N1-309-95-1). Listings of employment history of disaster employees.

19. Tennessee Valley Authority (N1-142-94-5). Records from the Division of Air and Water Resources determined during archival processing to lack sufficient archival value to warrant permanent retention.

20. United States Information Agency (N1-306-94-5). Routine, facilitative, and duplicative records relating to overseas broadcasting.

Dated: August 1, 1995.

John W. Carlin,

Archivist of the United States.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-245, 50-336]

Northeast Nuclear Energy Co. (Millstone Nuclear Power Plant), (License Nos. DPR-21, DPR-65); Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Enforcement, has issued a decision concerning the Petitions filed by Mr. Anthony J. Ross (Petitioner) on August 7, 1993 and May 23, 1994, as supplemented by a letter from Petitioner on August 17, 1994. The Petition dated August 7, 1993 requested that the Executive Director for Operations take escalated enforcement action with regard to alleged violations at Millstone Nuclear Power Station. Specifically, Petitioner requested that a Severity Level II violation be issued against his department manager and a Severity Level III violation be issued against his first-line supervisor for apparent violation of the provisions of 10 CFR 50.7, that sanctions be instituted against these individuals for engaging in deliberate misconduct as described in 10 CFR 50.5, and that the first-line supervisor be removed from his position until a satisfactory solution to the problem can be achieved.

On May 23, 1994, Petitioner filed another Petition, requesting that the NRC issue a Severity Level II violation and other sanctions against the Maintenance Manager at the Millstone plant (Unit 1) and remove the Maintenance Manager from his position until resolution of the issues raised in his complaint. This additional Petition was supplemented on August 17, 1994 in which Petitioner requested that Severity Level I violations and other sanctions be issued against the Senior Vice President and the Chief Executive Officer at Millstone and that these individuals be removed from their