

[Finance Docket No. 32772]**The New York, Susquehanna and Western Railway Corporation—Trackage Rights Exemption—Onondaga County Industrial Development Agency and Consolidated Rail Corporation**

Onondaga County Industrial Development Agency (OCIDA) has agreed to grant local and overhead trackage rights to The New York, Susquehanna and Western Railway Corporation (NYS&W) over 10 miles of rail line, known as the Jamesville Cluster, in Onondaga County, NY.¹ The trackage rights include: (1) the Jamesville Industrial Track from approximately milepost 264.3 to approximately milepost 272.0; (2) the Lake Industrial Track from approximately milepost 272.0 to approximately milepost 273.5 (including the Saltland Spur); and (3) Track 7 of the Chicago Line from approximately milepost 292.0 to approximately milepost 292.8.

It is asserted that the trackage rights will improve operating economies and rail service to local shippers. The exemption became effective on September 7, 1995. The trackage rights were to become effective on September 8, 1995.²

This notice is filed under 49 CFR 1180.2(d)(7). If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the transaction. Pleadings must be filed with the Commission and served on: Nathan R. Fenno, The New York,

¹ The line is currently owned by OCIDA and operated by Consolidated Rail Corporation (Conrail). OCIDA acquired the line from Conrail in *Onondaga County Industrial Development Agency—Acquisition and Operation Exemption—Lines of Consolidated Rail Corporation*, Finance Docket No. 32287 (ICC served May 19, 1993). Trackage rights over the line were granted by OCIDA to Conrail in *Consolidated Rail Corporation—Trackage Rights Exemption—Onondaga County Industrial Development Agency*, Finance Docket No. 32288 (ICC served May 10, 1993). Pursuant to the Agreement underlying this transaction, OCIDA consents to the assignment of trackage rights by Conrail to NYS&W.

² Samuel J. Nasca, New York State Legislative Director for United Transportation Union (UTU), has filed a petition to reject the notice or, in the alternative, to stay the exemption in the instant proceeding, and to revoke the notices of exemption in Finance Docket Nos. 32772 and 32288. UTU's stay request was not received in time for the Commission to act on it prior to effectiveness of the exemption. The notice appears to satisfy the Commission's class exemption provisions under 49 CFR 1180.2(d) and will not be rejected. The merits of UTU's arguments for rejection can be addressed, if appropriate, when the Commission addresses the petition for revocation of the exemptions.

Susquehanna and Western Railway Corporation, 1 Railroad Avenue, Cooperstown, NY 13326.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Decided: September 14, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-23308 Filed 9-19-95; 8:45 am]

BILLING CODE 7035-01-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**Meetings of Humanities Panel**

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, as amended), notice is hereby given that the following meeting of the Humanities Panel will be held at the Old Post Office, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: David C. Fisher, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, D.C. 20506; telephone (202) 606-8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Endowment's TDD terminal on (202) 606-8282.

SUPPLEMENTARY INFORMATION: The proposed meeting is for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by the grant applicants. Because the proposed meeting will consider information that is likely to disclose: (1) trade secrets and commercial or financial information obtained from a person and privileged or confidential; or (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee meetings,

dated July 19 1993, I have determined that this meeting will be closed to the public pursuant to subsections (c)(4), and (6) of section 552b of Title 5, United States Code.

1. **Date:** September 25-26, 1995

Time: 9 a.m. to 5 p.m.

Room: 430

Program: This meeting will review applications submitted to Elementary and Secondary Education in the Humanities, submitted to the Division of Education Programs, for projects beginning after January 1, 1996.

The delay in publication of this notice was caused by the reorganization and restructuring of the agency which is currently taking place.

David C. Fisher,

Advisory Committee Management Officer.

[FR Doc. 95-23256 Filed 9-19-95; 8:45 am]

BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION**Advisory Committee on Reactor Safeguards Subcommittee Meeting on Planning and Procedures; Notice of Meeting**

The ACRS Subcommittee on Planning and Procedures will hold a meeting on October 4, 1995, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and matters the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, October 4, 1995—2 p.m. Until the Conclusion of Business

The Subcommittee will discuss proposed ACRS activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, and deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only

by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff person named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting the cognizant ACRS staff person, Dr. John T. Larkins (telephone: 301/415-7360) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: September 14, 1995.

Sam Duraiswamy,

Chief, Nuclear Reactors Branch.

[FR Doc. 95-23327 Filed 9-19-95; 8:45 am]

BILLING CODE 7590-01-M

Correction to Bi-Weekly Notice Application and Amendments to Operating Licenses Involving No Significant Hazards Consideration

In the Federal Register published on August 30, 1995, page 45175, first column, under Commonwealth Edison Company, the sixth through eighth lines which read, "Docket Nos. 50-237 and 50-249, Dresden Nuclear Power Station, Units 2 and 3, Grundy County, Illinois" should be corrected to read, "Docket Nos. 50-10, 50-237 and 50-249, Dresden Nuclear Power Station, Units 1, 2 and 3, Grundy County, Illinois."

Dated at Rockville, Maryland, this 13th day of September 1995.

For the Nuclear Regulatory Commission.

John F. Stang,

Project Manager, Project Directorate III-2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 95-23286 Filed 9-19-95; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-390, 50-391; License Nos. CPPR-91, CPPR-92]

Tennessee Valley Authority (Watts Bar); 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 Petition filed by Mr. George M. Gillilan

(Petitioner) dated February 25, 1994 as supplemented by letters dated June 16, June 28, July 6, 1994, and February 24 and February 28, 1995. The Petition requested that the Nuclear Regulatory Commission (NRC or Commission) (1) immediately impose a \$25,000 per day fine on TVA until all reprisal, intimidation, harassment and discrimination actions involving Gillilan are settled to his satisfaction, and (2) appoint an independent arbitration board to review all past DOL suits and EEO complaints filed against TVA concerning Watts Bar. Since the latter remedy is beyond the scope of the Commission's authority, it was denied in a letter to Petitioner dated April 7, 1994, which acknowledged receipt of the Petition. In that letter, the Petitioner was also informed that the request for immediate action was denied.

Based on a review of Petitioner's request and supplemental submissions, the Licensee's response dated May 20, 1994, the report of NRC's Office of Investigations (OI Report No. 2-94-042), the results of investigations of the TVA Inspector General and the decisions of the Department of Labor on Petitioner's complaints, the Director, Office of Enforcement, has denied this Petition. The reasons for the denial are explained in the "Director's Decision under 10 CFR 2.206" (DD-95-20) which is available for public inspection in the Commission's Public Document Room at 2120 L Street, NW, Washington, D.C. 20555.

A copy of this Decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206. As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission on its own motion institutes a review of the Decision within that time.

For the Nuclear Regulatory Commission.

James Lieberman,

Director, Office of Enforcement.

Dated at Rockville, Maryland this 13th day of September 1995.

Attachment to: Issuance of Director's Decision Under 10 CFR 2.206, Tennessee Valley Authority.

I. Introduction

On February 25, 1994, George M. Gillilan (Petitioner) filed a request for enforcement action pursuant to 10 CFR 2.206 (Petition). The Petitioner requested that the Nuclear Regulatory Commission (NRC or Commission): (1) Immediately impose a \$25,000 per day fine on Tennessee Valley Authority (TVA or Licensee) until all reprisal, intimidation, harassment and discrimination actions involving Petitioner are settled to his satisfaction, and (2) appoint

an independent arbitration board to review all past DOL suits and EEO complaints filed against TVA concerning Watts Bar. Since the latter remedy is beyond the scope of the Commission's authority, it was denied in a letter to Petitioner dated April 7, 1994, which acknowledged receipt of the Petition.¹

Petitioner supplemented his Petition by letter dated June 16, 1994, rebutting the Licensee's May 20, 1994 letter responding to the Petition. On June 28 and July 6, 1994, Petitioner reiterated his allegation that the Licensee was continuing to discriminate against him and described the Licensee's actions to deny Petitioner his nuclear plant access security clearance. In a letter dated February 24, 1995, Petitioner stated that TVA's continued pattern of harassment and intimidation had resulted in Petitioner's being "blackballed" in the nuclear industry. In a letter dated February 28, 1995, Petitioner advised the NRC that he had been terminated by TVA.

II. Background

As the basis for his February 25, 1994 request, Petitioner asserted that he had reported safety concerns to the Commission and that, as a result, TVA management had subjected him to continuous intimidation, harassment, discrimination and reprisal actions, that his name had been placed on a blackball list that had been circulated nationwide preventing him from obtaining suitable employment outside of TVA, and that these actions by TVA had affected his mental and physical health. In a letter dated February 28, 1995, Petitioner asserted that TVA's pattern of harassment and intimidation had culminated in the termination of his employment with TVA.

III. Discussion

Specific Allegations

Petitioner bases his requests for sanctions on his assertion that he was a victim of unlawful discrimination pursuant to 10 CFR 50.7. Petitioner alleges a general pattern of discrimination, and mentions several specific acts by TVA: (1) putting his name on TVA's list of whistleblowers (Petitioner's February 24, 1995 letter), (2) failure to select Petitioner for a position (Petitioner's June 16, 1994 letter), (3) denying him plant access by withholding his security clearance (Petitioner's June 28 and July 6, 1994 letters), and (4) terminating him (Petitioner's February 28, 1995 letter).

The allegation that Petitioner was subjected to discrimination by having his name put on a list of whistleblowers² by TVA was investigated by the TVA Inspector General (TVA/IG) which concluded that the creation of this list was not discriminatory. Furthermore, the Department of Labor (DOL) investigated a complaint with respect to the same list filed by another individual and found that creation of the list of individuals who had filed complaints under Section 210/211 of the Energy Reorganization Act (ERA) with DOL did not constitute discrimination

¹ The letter also denied Petitioner's request for immediate action.

² The list was a status report of complaints filed by TVA employees with the Department of Labor.