

provided sufficient safeguards and liquidity to allow DGOC's system to begin operations. The Commission continues to believe that when coupled with DGOC's commitment to reevaluate its systems and controls at various volume levels, DGOC's risk reduction and monitoring procedures are designed to provide adequate protection from the risks presented by the clearance and settlement of repos and reverse repos.

The commenter further argues that DGOC's organization as a corporation without a user governed board results in DGOC being less responsive to industry concerns. The Act does not prohibit for profit corporations from serving as clearing agencies. In fact, the Division's release outlining its standards for clearing agencies notes that the clearing agencies then in existence included profit making entities.³⁶ However, the Division in that release stated that notwithstanding a clearing agency's corporate structure, a clearing agency must provide for fair representation by its participants in the selection of its directors and administration of its affairs. In the first order granting DGOC temporary registration, the Commission found that DGOC was providing representation to its participants in the administration of its affairs through the use of a participants advisory committee.³⁷ However, the Commission recently has been informed that DGOC does not have a participants advisory committee for its options system as required by its rules and by the first order granting DGOC temporary registration.³⁸ DGOC has represented that in order to provide representation to its repo and reverse repo participants, a participants advisory committee for its repo system will be established.³⁹ The Commission believes that the establishment of such a committee will result in DGOC being responsive to industry concerns consistent with the purposes of the Act. The Commission

intends to review the representation provided DGOC's repo and reverse repo participants in connection with any proposed rule filing DGOC should submit requesting an increase or elimination of its volume limitations.

GSCC also argues that DGOC's margining system is inadequate because, unlike GSCC's system, credits are not passed through to participants and interest is not paid on mark-to-market debits. The Commission believes that different clearing agencies may decide to rely on different types of margining systems, as long as the proposed system provides adequate protection to the clearing agency and its participants. The Commission believes that DGOC's margining system provides sufficient protection consistent with DGOC's need to safeguard securities and funds for which it is responsible by taking into account both current and potential price changes in the underlying collateral. DGOC has further protection through imposition of trading limits and MPSE limits. The Commission therefore believes that DGOC's margining system provides adequate protection from the risks presented by the clearance and settlement of repos and reverse repos.

IV. Conclusion

For the reasons stated above, the Commission finds that DGOC's proposal is consistent with Section 17A of the Act.⁴⁰

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁴¹ that the proposed rule change (File No. SR-DGOC-94-06) be, the hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁴²

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 95-25930 Filed 10-18-95; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Logan County, WV

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be

prepared for a proposed highway project in Logan County, West Virginia.

FOR FURTHER INFORMATION CONTACT: David A. Leighow, Division Environmental Coordinator, Federal Highway Administration, 550 Eagan Street, Suite 300, Charleston, West Virginia 25301, Telephone (304) 347-5329; or, Ben L. Hark, Environmental Section Chief, Roadway Design Division, West Virginia Department of Transportation, 1900 Kanawha Boulevard East, Building 5, Room A-416, Capitol Complex, Charleston, West Virginia 25305-0430, Telephone (304) 558-2885.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the West Virginia Department of Highways (WVDOH), will prepare an Environmental Impact Statement (EIS) for the construction of the Route 10 Man to Logan project in Logan County. The proposed project limits extend from the intersection of WV Route 10 and WV Route 80 at Huff Junction, south of Man, northward approximately 12.5 miles to a connection with the four-lane section of existing WV Route 10 in Logan, West Virginia. The project will be processed as a merged NEPA/404 project.

The proposed highway project is considered necessary to adequately provide for a safe and efficient transportation system to serve the existing and future transportation needs of the area and to address safety concerns associated with existing Route 10.

Alternatives under consideration will include, but are not limited to (1) taking no action, (2) minimal improvement of existing road, (3) where possible, widening the existing two-lane highway to four-lanes, and (4) constructing a four-lane, partially controlled access highway on new location. Additional alignments may be evaluated based upon the results of the preliminary environmental and engineering studies and the public and agency involvement process. Incorporated into and studied with the various build alternatives will be design variations of grade and alignment. Multi-model forms of transportation, such as mass transit, will be considered and addressed as appropriate.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state and local agencies, and to private organizations and citizens who have previously expressed, or are known to have interest in this proposal. A scoping meeting will be scheduled. A field view is also planned. Public meetings and a public hearing will be held during the Draft

³⁶ Securities Exchange Act Release No. 16900 (June 17, 1980), 45 FR 41290.

³⁷ Securities Exchange Act Release No. 26450 (January 12, 1989), 54 FR 2010. The Commission found, however, that DGOC had not met the standard for fair representation in the selection of directors. DGOC is currently operating under a temporary exemption from such requirement.

³⁸ Letter from Laura R. Silvers, Attorney, Morgan, Lewis & Bockius, to Christine Sibille, Senior Counsel, and Michele Bianco, Staff Attorney, OSP, Division, Commission (September 20, 1995).

³⁹ DGOC will provide the Commission with a report on the Participants Committee six months following approval of this proposed rule change. Meeting between Robert Mendelson and Laura Silvers, Morgan, Lewis & Bockius; Barry Silverman, DGOC; Michael Spencer and Declan Kelly, Intercapital Group, Ltd; and Jonathan Kallman, Jerry Carpenter, Gordon Fuller, Christine Sibille, David Turner, and Michele Bianco, Commission.

⁴⁰ 15 U.S.C. 78q-1 (1988).

⁴¹ 15 U.S.C. 78s(b)(2)(1988).

⁴² 17 C.F.R. 200.30-3(a)(12)(1994).

Environmental Impact Statement (DEIS) review period. Public notice will be given of the times and places for the meetings and hearing. The DEIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and that all significant issues are identified, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action should be directed to the FHWA at the address provided.

(Catalog of Federal Domestic Assistance Number 20.205, Highway Research Planning and Construction. The regulations implementing executive Order 12372 regarding intergovernmental consultation on federal programs and activities apply to this program.)

Issued on October 10, 1995.

David A. Leighow,

Environmental Coordinator, Charleston, West Virginia.

[FR Doc. 95-25875 Filed 10-18-95; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: Putnam and Mason Counties, WV

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Putnam and Mason Counties, West Virginia.

FOR FURTHER INFORMATION CONTACT:

David A. Leighow, Division Environmental Coordinator, Federal Highway Administration, 550 Eagan Street, Suite 300, Charleston, West Virginia 25301, Telephone: (304) 347-5329, or, Ben L. Hark, Environmental Section Chief, Roadway Design Division, West Virginia Department of Transportation, 1900 Kanawha Boulevard East, Building 5, Room A-416, Capitol Complex, Charleston, West Virginia 25305-0430, Telephone: (304) 558-2885.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the West Virginia Division of Highways, will prepare an environmental impact statement (EIS) on a proposal to improve US Route 35 in Putnam and Mason Counties, West Virginia, for a distance of about 35 miles.

Alternatives under consideration include but are not limited to (1) taking no action, (2) minimal improvement of

existing road, (3) where possible, widening the existing two-lane highway to four lanes, and (4) constructing a four-lane, partially controlled access highway on new location. Additional alignments may be evaluated based upon the results of the preliminary environmental engineering studies and the public and agency involvement process. Incorporated into and studies with the various build alternatives will be design variations of grade and alignment. Multi-model forms of transportation, such as mass transit, will be considered and addressed as appropriate.

Letters describing the proposed action and soliciting comments will be sent to appropriate federal, state and local agencies, and to private organizations and citizens who have previously expressed, or are known to have, interest in this proposal. A formal scoping meeting will be scheduled. The draft EIS will be available for public and agency review and comment prior to a public meeting and public hearing. Public notice will be given of the times and places for the meeting and hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on October 10, 1995.

David A. Leighow,

Environmental Coordinator, Charleston, West Virginia.

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BILLING CODE 4910-22-M

Maritime Administration

[Docket S-925]

Brookville Shipping, Inc.; Notice of Application for Payment of Unused Operating-Differential Subsidy

Brookville Shipping, Inc. (Brookville) is the contractor under an Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB-272, scheduled to expire April 13, 1996, under which five U.S.-flag dry bulk carriers operated by Liberty Maritime Corporation (Liberty) are eligible for subsidy. Brookville was also the contractor under Contract MA/

MSB-166(a), which expired October 9, 1994. Under Contracts MA/MSB-272 and MA/MSB-166(a), 3,638.5 subsidy days were available to, but not used by, Brookville from 1989 to 1994. Contract MA/MSB-272 provides for one ship year of subsidy annually and expired Contract MA/MSB-166(a) also provided for one ship year of subsidy, for an aggregate of two ship years or 720 days of subsidy annually.

Brookville requests that the Maritime Subsidy Board (Board) enable Brookville to obtain the full unused benefits of Contracts MA/MSB-272 and MA/MSB-166(a) by extending those contracts for an additional five years beyond their expiration dates. In the alternative, Brookville requests that the Board enter into a new five-year contract with Brookville for payment of operating-differential subsidy (ODS) for the number of unused subsidy days.

In connection with its request, Brookville further asks the Board (i) to permit Brookville to share the 3,638.5 subsidy days not used under Contracts MA/MSB-272 and MA/MSB-166(a), respectively, among the five dry bulk carriers operated by Liberty without limitation as to the number of days that may be used in any one year; and (ii) to permit Brookville to substitute on a one-for-one basis any or all of four newly constructed Panamax bulk cargo carriers that Brookville or an affiliate would build and operate under the U.S. flag.

According to Brookville, its request would not require the Board to authorize new subsidy days, would further the purposes and policies of the Merchant Marine Act, 1936, as amended (Act), and is within the legal authority of the Board to grant.

Brookville advises that five U.S.-flag dry bulk carriers—the LIBERTY STAR, LIBERTY SUN, LIBERTY WAVE, LIBERTY SPIRIT, and LIBERTY SEA—are eligible to receive subsidy under Contract MA/MSB-272. The Liberty vessels were built in Korea pursuant to section 615 of the Act, were delivered between 1984 and 1986, and are generally regarded as the most modern and efficient in the U.S.-flag dry bulk fleet. Their cargo capacity averages about 64,000 metric tons, with typical cargoes in the 50,000-55,000 metric ton range.

Brookville states that the primary market for the Liberty vessels since their delivery has been transporting U.S. government food aid cargoes reserved to the U.S.-flag under the Cargo Preference Act of 1954, along with cargoes reserved to U.S.-flag vessels under a U.S.-Israel "Side Letter" agreement. Brookville advises that although the Liberty vessels by law were entitled to subsidy for